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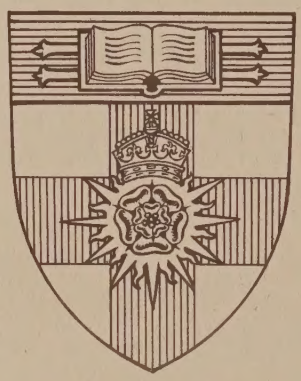

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FROM

COMMISSIONERS, INSPECTORS,

AND OTHERS:

FIFTY-ONE VOLUMES.

—(*36.*)—

EAST INDIA DECENTRALIZATON (ROYAL COMMISSION)
—*continued.*

Session

29 *January* 1908 —— 21 *December* 1908.

VOL. XLVI.

1908.

REPORTS

FROM

COMMISSIONERS, INSPECTORS,

AND OTHERS:

1908.

FIFTY-ONE VOLUMES:—CONTENTS OF THE

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MINUTES OF EVIDENCE

TAKEN BEFORE THE

ROYAL COMMISSION

UPON

DECENTRALIZATION

IN

BOMBAY.

VOLUME VIII.

Presented to both Houses of Parliament by Command of His Majesty.

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PRINTED FOR HIS MAJESTY'S STATIONERY OFFICE.
By DARLING & SON, Ltd., 34-40, Bacon Street, E.

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WYMAN and SONS, Ltd., Fetter Lane, E.C., and
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1908.

[Cd. 4367.] *Price* 3*s.* 4*d.*

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MINUTES OF EVIDENCE

TAKEN BEFORE THE

ROYAL COMMISSION UPON DECENTRALIZATION.

FIFTY-FIRST DAY.

BOMBAY, *Thursday*, 5*th March*, 1908.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under Secretary of State for India, *Chairman*.

SIR FREDERIC LELY, K.C.I.E., C.S.I.
SIR STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

The Hon. Mr. R. A. LAMB was called and examined.

The Hon. Mr. R. A. Lamb

5 *Mar.*, 1908

32067. (*Chairman.*) You are the Chief Secretary of the Government of Bombay?—Yes. I deal more particularly with the Revenue and Financial Departments.

There is an essential difference, to the best of my knowledge, not recognised in practice, between the Governments of Madras and Bombay and the other provincial Governments. The latter consist merely of a Lieutenant-Governor who must therefore alone dispose, with his Secretariat, of all matters referred to the Local Government; the former are fully constituted Governments consisting of a Governor and a Council amongst whom the work of the Local Government is distributed for disposal by a Member of the Honourable Board, or by two of them, or by the Full Board, according to the importance of the subject. The financial power of such a fully constituted Government should logically be larger than that of a Lieutenant-Governorship.

There should be a return to the former system of entirely separated heads of revenue and expenditure, and divided heads both of revenue and expenditure should be abolished. The net revenue at present derived by the Government of India from Bombay under those heads only which are shown in the provincial budgets is approximately $6\frac{2}{4}$ crores. I would advocate a division under heads which are either wholly imperial or wholly provincial, yielding to the Government of India a net revenue of $6\frac{1}{2}$ crores. The difference is $\frac{1}{8}$ of a crore only; that is to say, the revenues of the Government of India would be in as good a position as they are now. The difference would be that the budget of the provincial revenue and expenditure under the wholly provincial heads would be drawn up separately, as under the former system, should be debated and settled in the Local Legislative Council, and should not be liable to alteration by the Government of India. The budget of the wholly imperial heads should, as at present, be prepared by the Local Government; it should be submitted to the Government of India, should not be debated in the Local Legislative Council, and should be liable to alteration by the Government of India, but not as at present by a Secretary of the Government of India with no reason assigned. There should be a fixed assignment from provincial to imperial instead of from imperial to provincial as at present; and against this assignment should be worked the existing guarantees of a minimum land revenue and of famine expenditure. The Government of India should remain, as at present, solely in charge of resource estimates, ways and means, and cash balances in India. The provincial balances should continue to form part of the general balances of the country; but this Government should have power to spend in any year, in excess of its total budget provision for the year (*a*) when the actual opening balance of the year was found by the actuals of the preceding year to be in excess of the budgeted opening balance—up to the amount of the excess plus a fixed proportion—say $\frac{1}{4}$ of the actual opening balance; (*b*) when the actual opening balance was found by the actuals of the preceding year to be equal to or less than the budgeted opening balance—up to a fixed proportion—say $\frac{1}{6}$ of the actual opening balance. The Local Government should be required to give to the Government of India previous intimation of its intention to exceed the total budget provision of the year; and should be bound to modify its intentions to the extent required by the Government of India for reasons connected with the maintenance of the general resources and cash balances, but not otherwise. The Accountant-General would continue to be as at present an Imperial Officer, charged with the audit of the revenue and expenditure within the province, whether imperial, provincial or local.

With an assured revenue under their own control, fully constituted Governments such as Bombay should have borrowing powers, subject to restrictions as indicated in the Government case. It would be proper for them to raise money for their own requirements on the security of their own revenues, without having to depend on the willingness of the Government of India to raise a loan for provincial purposes on the security of the general revenues. There would not, however, be any advantage in this Government having borrowing powers unless a considerable or large number of revenue heads ceased to be divided and were made wholly provincial. It would also be necessary that the settlement should provide for a provincial income in excess of the provincial expenditure. The revenues drawn by the Government of India from Bombay would be reduced to that extent; and to an equivalent extent the former Government would be relieved from the necessity of borrowing, and of making provision for interest and reduction of debt in respect of works in the Bombay Presidency.

Under all heads made wholly provincial, the Bombay Government should have powers not less than those which the Government of India now has, or may have hereafter, in respect of imperial heads. Under heads wholly imperial as proposed in the Government Case.

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on. Mr. Lamb. —, 1908. —

The extent to which administrative powers should be exercised by the Bombay Government should be larger than that proper to other Local Governments (except Madras). When general lines of policy are laid down, the Bombay Government should not be restricted in its application of them in any department falling under any head made wholly provincial. As regards these, copies of its proceedings would go, as now, to the Government of India, and that Government would comment on the proceedings, when necessary, and convey its criticisms to this Government, for consideration; but it should not have authority to compel this Government to alter its orders regarding the application of the general principle to the local conditions. In departments falling under heads wholly imperial, which are at present, and should continue to be, administered by this Government as agent for the Government of India, the attitude of the Government of India towards the Local Government should be one of confidence, not of distrust. That that is not in all respects the present attitude of the Government of India seems to be indicated by such actions as the refusal of that Government to grant to this Government authority to dispose of cases of shares held, or presents received, by officers serving under this Government.

It is for the legal officers of Government to advise whether a general Act or a series of specific amending Acts is preferable. The speedier course would be the better.

The tendency of the departments of the Government of India is distinctly towards a too rigid uniformity. For example, as regards agricultural education, this Government was recently asked not to proceed to affiliate its Agricultural College to the Bombay University, the main reason being apparently that other provinces were not yet advanced enough to arrange for the grant of a degree in agriculture, and that it was thought desirable that all should advance at the same pace. Police reform proposals, forest subordinate establishment schemes, civil veterinary subordinate organisation, all have been delayed or have been returned with minute detailed criticisms because, it appears, they are not cut exactly to the pattern which seems to be thought necessary for all India. Every Government must dispose of liquor shops in its territories in exactly the same way. Even every peon in India should wear the same uniform. The way to reform lies through the provincialization of all departments which the Local Government can deal with locally, the control of the Government of India being restricted to supervision and advice.

The tendency is to place no trust in the Local Government, but to require everything, except the most insignificant matters—and even some of these —to be referred to the Government of India for orders; to allow but little latitude to the Local Government in the development of its own administration; and to extend the control of the Government of India into every ramification of every department of Government. It can hardly be said that the Government of India is too impersonal; the personal touch is not infrequently perceptible in its orders. There is also a marked tendency to over-elaboration and complexity in rules and regulations. Classes of cases which might be reduced to comparatively few by treating them on broad lines, disregarding minor and unessential differences, are divided and sub-divided so that each such difference is the cause of a separate rule. These complicated rules cause constant references, audit objections, and waste of time and labour. Examples are the mass of Travelling Allowance Rules, and the set of Foreign Service Rules. Indeed the whole of these regulations could with advantage be reduced and simplified; as could many of the provisions of the Civil Account Code.

The orders regulating the dealings of the Inspector-General of Forests with the Forest Department in this Presidency, and with this Government, may be taken as a model on which the relations of all Directors and Inspectors-General with this Government and its departments should be laid down. Within a sphere strictly prescribed as in those orders, many of these general officers are capable of being of service to this Government without interfering with its control of its own affairs. Without such a prescription, they must inevitably tend to arrogate a direct share in the management of provincial concerns. The Government of India constitutes them, it may be, in the first instance its advisers in their particular departments, and at the same time the advisers—perhaps in technical matters only—of the Local Government. Then—or possibly even from the first—it delegates to them some of its own administrative authority; it cannot but result that the exercise of the administrative authority delegated to them in affairs of the Imperial Government is extended by these officers, perhaps almost unconsciously, into administrative intervention in the affairs of the Local Government. So long as the Government of India requires these Directors and Inspectors-General to advise it and exercise part of its own administrative authority, they should be absolutely debarred from correspondence, formal or informal, with the Local Government or its officers, except at the request, or with the express permission, of the Local Government. Without such an absolute bar experience shows that they pass beyond their proper bounds and assume authority to intervene directly in the Local Administration.

I should say that of recent years the marked tendency to centralization which has characterized the Government of India has had for an effect the checking of initiative on the part of the Local Government.

I see no necessity for allowing anything beyond a second appeal; and the right to a second appeal should be subject to the production of a certificate —granted by the authority of first appeal. Any authority above the second appellate authority should use its power of revision in the strictly limited manner in which a High Court uses its powers of revision; it should not interfere except in case of manifest injustice or breach of law, rule, or order.

Any increase in recent years in demands for returns and information is due to the necessities of specialization in many branches of administration. A simple form of administration, suitable to an undeveloped country, requires few returns and little compilation of facts. But when each department is elaborated into a highly organised entity, it is impossible for the Government—whether Home, Imperial, or Local—which is charged with the control of them all, to exercise this control effectively unless it is supplied with constant and full information of the working of the departments and of their progress in dealing with the part of the administration which is entrusted to them. I do not regard any considerable reduction in reports and returns as at all practicable unless we are to return to the simple days when there were no Agricultural Department, no Veterinary Department, no Forest Department, no separate Excise Department—no department at all, and the Collector was everything himself. Such a return is unthinkable. Reports and returns are a necessary part of a highly organised Government; and India is not so prolific of these products as Governments which either are more highly organised than it is, or have to deal with masses of men in a more advanced stage of civilization. Nor do I share the view that the time of the Collector is improperly taken up in the study and submission of these reports and returns. He cannot possibly see everything himself, and it is right that he should be kept informed of what is done in all branches of work in his district, should study the information and form opinions on it, and should keep Government informed of the facts and of his opinions. My own 24 years' district experience does not lead me to the conclusion that the duty of supplying information to headquarters is one which stands in need of reduction—provided that the reporting officers are checked from prolixity and the information called for is reduced to the really necessary. Much has been done in this direction in recent years.

This Presidency has no Board of Revenue or misnamed Financial Commissioner. It does not need either; and I should be strongly opposed to

a scheme for converting the Commissioners of divisions in Bombay into a Board of Revenue. The Commissioners of divisions occupy a distinctly higher and more important position in this Presidency than officers similarly named occupy in provinces which have a Board of Revenue or Financial Commissioner. The proposals of this Government for the delegation to them of powers are before the Government of India; and are by that Government kept pending, after being returned for details 12 years ago.

Here Commissioners are the Court of Wards. They can delegate their powers as such to Collectors in any particular case—with the sanction of Government.

There is doubtless a tendency—materially assisted by the intervention of Imperial Directors and Inspectors-General—to work specialised departments mainly or solely through their own Departmental Heads. This tendency has from time to time been strongly checked by this Government. In 1892, for example, Conservators of Forests were made directly subordinate to the Commissioners in all but technical and forest account matters. The Settlement Commissioner and Director of Land Records submits nothing to Government without consultation with the Commissioner or through him. There are orders to the effect that though the Commissioner of Abkari is responsible for Excise Administration, the Commissioners of divisions are not thereby to be excluded from interesting themselves in and advising about the excise arrangements in their divisions, and these have been confirmed by the Government of India. In hospital and dispensary, and sanitary matters the Commissioner has a direct influence; his position towards public instruction is similar to that in the case of excise. He is not entirely divorced from concern in police administration—though his direct administration in police matters has, beneficially, been much reduced and transferred to the Inspector-General of Police. I certainly think that adequate weight is given to the views of the Commissioner. Little is done without consulting him; and one enormous disadvantage of converting the Commissioners into a Board of Revenue would be to cut them off absolutely from all concern with anything but the land Revenue Department and its branches.

Speaking generally, District Officers have sufficient opportunity for contact with the people. Assistant Collectors and others are on tour amongst them for seven months of the year; Collectors compulsorily for four, and usually in fact for six. In the case of Collectors obstacles arise—

(*a*) When the volume of office work is so large that either it has to be neglected—in which case the administration of the district suffers—or intercourse with the people is reduced to a minimum. The remedy is to give the Collector a personal assistant, vested with power to dispose for the Collector of the bulk of the ordinary work. In four* of the heaviest districts a personal assistant has been given, but in three cases out of the four the personal assistant is an Uncovenanted Officer of the Provincial Service, and this is not sufficient. To afford adequate relief the personal assistant must be a Covenanted Assistant of experience.

(*b*) When the district is so large in area that the Collector cannot get round in it in less than two or three seasons' touring. Here the office work can be got through without special assistance and leave sufficient time for out-of-door work; but distances are so great and *talukas* so many that it takes a considerable time to know much about them all. The only remedy that I can suggest is reduction of area.

Satara and Poona are examples of (*a*)—and these have since been given personal assistants; Ahmednagar† of (*b*); (*b*) also affects both Satara and Poona; Kanara and Kolaba are quite free from either obstacle. Khandesh was subject to both, and was first given a personal assistant, and then reduced in area by being divided into two districts.

As a rule, the Executive Officers possess a sufficient knowledge of the vernaculars. They have to pass in them—subject to deduction of pay on failure within prescribed periods; and they—up to the Commissioner—do much of their daily office work in the vernacular. The practice of doing in the vernacular a large part of the current work between the Collector and his Assistants or Deputies on the one side and the Commissioner on the other is, I believe, peculiar to this Presidency, and is beneficial in keeping up the knowledge of the Executive Officer in the language as written and spoken.

The *cadres* of the Indian Civil Service (Bombay Establishment), the Bombay Provincial Service and the Imperial and Provincial Forest Services are in need of strengthening.

Of recent years full effect is given to the principle of selection in the case of Commissioners; in the case of Collectors also, Assistants not found fit for promotion are passed over. The principle is already laid down in orders and is carried out in practice.

32068. You are primarily responsible for the postings and transfers of officers?—Not in all departments, nor am I primarily responsible in any.

32069. In whose hands is it?—The posting is entirely in the hands of the Governor, and the Private Secretary undertakes that with him and consults, as far as he deems necessary, the departments in which the posting or transfer is to be made.

32070. Have you recently submitted the budget of Bombay to the Government of India?—Yes, for next year.

32071. Has that budget been returned to you lately?—We have had from the Government of India the first edition of the budget notes and also the second edition, but the final budget has not yet been sent down.

32072. Has there been much alteration in the budget as proposed by the Bombay Government?—There have been some six or eight alterations of considerable moment, and others of less moment.

32073. In what method have those alterations been made?—The method in almost every one of them has been merely that the estimate in the budget is too high, and it has been cut down by so much.

32074. Does that apply to both income and expenditure?—I could not say for certain about income, but it applies to certain heads of expenditure.

32075. Have you any information to give about the income?—No, I do not remember exactly anything about income, except that we objected to the Government of India taking the land revenue income so high as they proposed to do for which we did not think there was sufficient warranty. In the land revenue income we took a figure of 4 crores 20 lakhs, and the Government of India proposed to put it up to 4 crores 35 lakhs, which appeared to us to be too large an increase, and we suggested that they should not go above 4 crores 25 lakhs at the very outside; they promised to consider it, but the decision is not yet out.

32076. As regards expenditure has the principle adopted by the Government of India been to interfere with the minor heads of expenditure or to reduce in bulk each particular major head?—The procedure has been to reduce in bulk the total of each major head affected.

32077. Is the principle adopted by the Government of India satisfactory?—We do not regard it as satisfactory, because we think it would be desirable if they want to make a reduction under any major head, that they should indicate under what specific major heads the reduction should be made, and give us some indication of the reason for which they think a reduction is necessary.

* Thana, Poona, Satara, Dharwar.

† 6,600 square miles—11 *talukas*.

The Hon. M
R. A. Lam

5 Mar., 190

Hon. Mr. A. Lamb.

Mar., 1908.

As it comes down at present no reason at all is given.

32078. Is the present method in which the Government of India have interfered this year, different from that which has been adopted before?—I cannot answer for the two preceding years because I was not in the Secretariat, but as far as I can recollect, it was similar in 1904 and 1905. This year the different orders for decrease are even more abrupt than they were in previous years.

32079. In the statement of your Government certain instances are mentioned in which the Government of India have issued orders of general application without consulting the Local Government; as a rule, has the result of those general orders been detrimental to the interests of the Local Government?—I cannot quite answer that directly without understanding to what reference is made.

32080. In the cases mentioned, has the result of the interference of the Government of India, without consulting the Local Government, been injurious to the Local Government?—In the particular case of vaccinators it appears that difficulty will be experienced in giving effect to the orders of the Government of India, because of the status of the vaccinators being completely changed, and the difficulty of providing for their new status in respect of pensions owing to their becoming local employees instead of Government employees, the charge being thrown on the municipalities.

32081. That involves a considerable question of principles?—It involves a question of funds.

32082. Does it not also deal with the question of principle?—Yes.

32083. Do you think the Local Government ought to have been consulted upon the question of principle?—That is our opinion in that particular instance. The orders at present in force were passed under the direction of the Secretary of State, and as far as appears on the surface of the orders received from the Government of India, no consultation has taken place with the Secretary of State cancelling the orders which were passed under his direction previously.

32084. Your complaint is not as to the wisdom or the unwisdom of the orders issued, but as to the fact that the Local Government were not consulted?—In that particular case it is both—both non-consultation and the inconvenience created by the order actually passed.

32085. You say that the functions of Inspector-General are to furnish Local Governments with advice and information—can you tell me whether the Government of Bombay do so apply for information and advice?—They are almost always in constant communication with the Inspector-General of Agriculture, before anything is done by them, demi-officially and officially. I have also known cases of reference to the Inspector-General of Forests.

32086. Have you a Chief Conservator in Bombay?—No. Then there are references to the superior officer of Geology, and I understand from the Irrigation Department that they find the Inspector-General of Irrigation very useful. I cannot speak with regard to sanitation, but as to commercial intelligence there are communications direct with the Director, which are chiefly concerned with the compilation of statistical intelligence. With regard to education, I am not able to say anything.

32087. So far as you have come across Inspectors-General, have you found them on the whole useful officials?—Yes, provided they do not correspond direct with our own officers.

32088. What is your objection to their doing so?—The objection is that things are discussed and debated between them, and even possibly orders given for carrying out something without the Government itself knowing anything about it.

32089. There is a particular instance of that which is mentioned by the Local Government. In that case did the Government of Bombay take any action with regard to their own official?—In that particular case I do not know; that would be in the Judicial Department, and probably I should not see the papers at all.

32090. You cannot say then whether the Bombay Government, having found their own official transgressing their orders, dealt with him suitably?—I do not know what they did. With regard to the Sanitary Commissioner, the Government of India have recently written to this Government saying that pending the inquiries of this Commission the Sanitary Commissioner of the Government of India will not be permitted to correspond officially with the Sanitary Commissioner of this Presidency.

32091. What is the difficulty which arises supposing an Inspector-General corresponds with your local Inspector-General; does it not save circumlocution?—It is rather likely to add to the correspondence, because the Local Government officer is not authorised really to carry out anything except with the approval or sanction or under the orders of this Government.

32092. If the Local Government control their own local officer, and deal with him suitably if he steps outside that control, have they not a complete administrative hold upon him?—Yes, they have on their own officer, but they have no hold on the officer of the Government of India.

32093. If suitable control is retained over the local officer, could he possibly pledge the Local Government to any action of which they disapprove?—I have not actually seen a case, but I can imagine he might go so far that it would be very difficult to draw back.

32094. Then is the sentence which says that the Inspector-General tends to increase the administrative control of the Government of India merely a hypothetical statement?—I think it means what it says—that it does tend in that direction.

32095. But you cannot point out to me any specific instance in which it has done so, and in which action has been definitely taken without the knowledge of the provincial Government?—No, I do not think I can.

32096. Then you say that the Inspector-General can only act on information gathered after a hasty cold-weather tour, but has not an Inspector-General served in several provinces previously as a departmental officer?—He must have served somewhere.

32097. And therefore he has some experience besides that gathered during the month or two he is on tour?—He will have had experience of whatever province he may have served in before, but not of the other provinces which he has not toured over.

32098. Therefore the information which he seeks in the particular province he visits will probably be confined to seeing whether that province differs from his previous experience?—He will see where it does differ.

32099. In the case for decentralization issued by the Government of Bombay, in Case A you say that the Local Government were blocked by the refusal of the Government of India to accept reforms. Then under B you say that there are cases in which reforms have been delayed through the necessity of procuring the approval of the Central Government?—Yes, police reorganization is still under correspondence, and the Subordinate Forest Service is still under correspondence; also the substitution of police for military guards over treasuries is a matter which is still under correspondence.

32100. Does not that raise a considerable question of policy?—The question of policy has been settled, and it is simply a question of detail with regard to carrying it out. Then the provision of house accommodation or allowances for officers, and the revision of the low pay of subordinates in the Presidency town, is still in abeyance, and the papers are now before the Government of India.

32101. With regard to the questions on which orders have been issued without previously consulting the provincial Government, has the Local Government been seriously inconvenienced by the issue

of these orders without consultation with the Government of Bombay?—As regards the transfer of vaccinators I should say yes; as regards the revision of fees for Medical Officers, I prefer to leave that to be dealt with by the Medical Department; also the Sanitary Department is not within my knowledge. The appointment of Inspector-General of Excise is a recent thing, and we have not seen how it is going to work, except that he began by demi-official correspondence taking up a rather large matter and corresponding direct with our Collector of Salt Revenue, and in so far as this Government might not concur with the system prescribed it would be inconvenient.

32102. Can you point to any specific instance in all these cases where the Local Government have been unduly hampered, or is it more a general matter?—I should say with regard to the prescription of a uniform system for the disposal of retail licenses for the sale of liquor in opposition to the recommendations of the Excise Committee, we have been distinctly unduly hampered. This Governmen would certainly have preferred to follow the recommendations of the Committee, and to have experimented and tried various methods as to the disposal of shops in order to see whether anything superior to auctioning could be arrived at, but as to that we are absolutely blocked by the distinct order of the Government of India that no other system shall be adopted in any province.

32103. Then you say that by these methods of interference the Government of Bombay is being reduced to a forwarding agency; do you wish us really to accept that definition?—In all matters of considerable size and considerable importance, it is so.

32104. Speaking generally, from your experience, would you say that the Government of Bombay are freer now than they were 10 years ago?—My own experience is limited to less than 2 years.

32105. During that time what has been the change, if any, in the position of the Bombay Government *quâ* the Government of India?—Compared with what I can recollect in 1904, I should say we are in very much the same position as we were then.

32106. Have you had no greater freedom devolved upon you?—I do not think so. The provincial settlement was more liberal in its terms, but it left us entirely in the same position as regards our financial independence or dependence.

32107. Have you the same latitude in distributing your funds as you had four years ago?—I cannot recollect any difference.

32108. Do you desire the Commission to consider that in important matters the Government of Bombay is merely a forwarding agency?—Yes, it is merely an agent for the Government of India.

32109. Then you say that the Government of Bombay object to the system of financial doles—what does that refer to?—It refers to the fact that the anticipated expenditures on introducing reforms into any department, as for instance the Educational and Police Departments, are not met by the funds which are available to this Government under the provincial settlement, but are met partly by them and partly by a special assignment made by the Government of India for that specific purpose.

32110. It is a grant in extension of the moneys received under the settlement?—Yes.

32111. And the accounts as to these grants have to be kept separate?—That is so.

32112. Is there a greater expenditure on the part of the Government of India in connection with particular departments than was expected at the time of the settlement?—No, I think it was expected at the time of the settlement; the arrangement of the settlement was that so much was to be anticipated as our ordinary expenditure and so much as our ordinary revenue, and a settlement was arrived at on that basis. The Government of India said at the time, "In view of the anticipated increase in the matter of police and education we will, as they come on, increase the fixed amounts which we have undertaken to give you."

32113. How much was the amount with regard to the police?—It was 25 to 26 lakhs.

32114. And you object to having to keep separate accounts with regard to this expenditure?—Yes, it is very difficult to keep them separate from what is already regarded as provincial revenue; it is very difficult to put down what should be debited to the one, and what should be debited to the other. The Government of India want to know how much out of the special assignment has been spent, and it is very difficult to say how much has been spent out of the provincial revenue and how much has been spent out of the assignment.

32115. Dealing with what I may call the constructive part of the case for the Local Government you say that it is not possible to construct a settlement without negotiation. When this quasi-permanent settlement was made, were there considerable negotiations between the Government of Bombay and the Government of India?—Yes.

32116. Were they on the whole satisfactory?—They were, on the basis on which the settlement was then made.

32117. Would you prefer a constantly revised settlement to a quasi-permanent settlement?—No.

32118. Therefore the settlement is satisfactory now?—It is satisfactory on the basis then made, which was that the Government of India kept for itself the whole of the revenues and allocated to the provincial revenues what it thought fit.

32119. You say that the Government of India kept them to itself, but were not they always the revenues of the Government of India?—They are still called the revenues of the Government of India of course, but they ought not to be. That is what I refer to in my remarks as to the basis on which it is made.

32120. You did not mean the basis of the division of funds?—It was right that the funds should be divided.

32121. But taking the amount of money available, was the division between the Local Government and the Government of India satisfactory to the Local Government?—It was a liberal division compared with the previous settlement.

32122. Then you say that under the existing system the Government of India can alter the budget of the Local Government, but under your improved scheme it would be possible to divert large sums to medical relief and education or *vice versâ*—cannot you do that now?—That is what the Government Case states—I may say that I did not draft this Case.

32123. But cannot you now within your *quasi*-settlement divert funds from medical relief to education or *vice versâ*?—We can make re-appropriations from one head to another, provided that each head is provincial, or that each head is half provincial and half imperial, but we cannot transfer funds from an imperial head to a provincial head or *vice versâ*; re-appropriations can be made only within the particular class of revenue or expenditure.

32124. But with all those alterations you can now divert large sums from medical relief to education or *vice versâ*?—We cannot divert large sums which are subject to the sanction of the Government of India. The sanction of the Government of India is necessary for any increased expenditure under a certain head beyond certain limitations, and there are limits laid down as to what may be appropriated by this Government.

32125. Within the total of your budget and within those limitations you have stated, you can divert large sums from one budget head to another?—We can divert sums, but the extent of them is limited by the restrictions of the Civil Account Code as to the amount which this Government may re-appropriate without sanction.

32126. What is that amount?—I cannot answer that question without looking up the Civil Account Code.

32127. Is it a large amount?—I do not think it is.

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32128. (*Sir Frederic Lely.*) Can you mention any instance in which the Government of Bombay has been thwarted by the Government of India by any alteration in their budget either in the way of cutting out or reducing an item?—I cannot off-hand from memory.

32129. Are you familiar with the action taken by the Government as a consequence of the Police Commission?—No, I cannot say that I am familiar with the case.

32130. Are you aware of the history of the Marine Lines in Bombay?—Not in detail.

32131. Would you agree that the Government of India should intervene in large matters involving important principles?—Certainly, on matters of principle it would be for the Government to issue instructions to the Local Government.

32132. For instance, would you allow them to do so in matters concerning the land revenue policy of the Government?—I think the Government of India should lay down principles, and that the Government of Bombay should be left to apply those principles to the local conditions. In their application of the principles the Local Government ought not to be subject to absolute over-ruling by the Government of India.

32133. Did not the Bombay Government adhere for a long time to a rigid system of land revenue?—Yes, I believe so.

32134. In the year of famine in 1899 did they propose to limit suspensions to 20 per cent. of the demand?—I believe it was something of that kind.

32135. Do you know at all events that the Government of India intervened and obliged them to be more liberal?—I know that the present rules for the suspension and remission of land revenue have been under correspondence between the two Governments for some years past, but are now settled.

32136. And settled practically by the Government Resolution of 1905?—I think so.

32137. Did not that Resolution in many points run counter to the traditional policy of the Government of Bombay?—Certainly, the previous policy of the Bombay Government has been considerably modified in respect to suspensions and remissions.

32138. In the direction of greater liberality and sympathy?—That is so.

32139. Did not the Bombay Government long insist on giving relief, not on general grounds with reference to large areas, but upon enquiry into individual cases?—The rule formerly was that there should be enquiry in each case.

32140. And was not that condemned by the Government of India Commission, as leading to corruption and delay?—I do not remember where the condemnation came from; I know it has now ceased.

32141. At any rate it came from outside the Government of Bombay?—I do not know where it came from.

32142. You do not know that it was given up owing to the influence of the Government of India?—I do not know that for certain.

32143. The record of rights has been introduced into the Bombay Presidency?—Yes.

32144. Was that at the instance of the Government of India?—I think so.

32145. Was not the land revenue assessment in Bombay formerly carried out by a separate department?—Yes.

32146. A department altogether separate from that which had the administration of the revenue?—By the Survey and Settlement Department—a separate department.

32147. Was that abolished at the instance of the Government of India?—I do not know by whose order it was.

32148. Was the Bill empowering Government to restrict the right of transfer in future sales of occupancy right of land brought in under pressure from the Government of India?—I do not know where it came from.

32149. It has been suggested that Assistant Secretaries and Secretariat Superintendents should be appointed from men who have done executive work in the districts; would that be a good plan?—No, I personally do not think it would. I think the Assistant Secretary must have continuous Secretariat experience in order to be well acquainted with the records which he has to put up on cases under consideration; the district experience is better supplied by the Under-Secretary and Secretary himself.

32150. Should Under-Secretaries and Secretaries be men with district experience?—Yes, certainly.

32151. Is there a general understanding that men who get into the Secretariat are the successful men of the Service?—I do not quite know what is meant by "general understanding," but my own opinion is that the man who is selected to be a Secretary is selected because it is considered that he will be a competent man as a Secretary.

32152. Is it the general opinion that district and divisional work is on a lower level than Secretariat work?—Naturally the District Officer is lower than an officer in the Secretariat—the mere pay shews that.

32153. May a man who is summoned to the Secretariat consider himself a picked man?—Certainly, he is picked because it is thought likely that he will be a capable man as a Secretary.

32154. Is not the result of that to lead able men to turn their eyes to the Secretariat and to disparage district work?—I do not think so, because the man who remains in a district may rise to be a Commissioner, and there are many men who would prefer to be a Commissioner rather than a Secretary.

32155. Would you agree that the ordinary District Officer is better in himself for having had two or three years' experience in the Secretariat?—I should say it would be a good thing.

32156. Would you advocate a freer interchange than there has been hitherto in that way?—Yes.

32157. Do not most cases of administrative appeal eventually go to the Civil Court?—It is rather difficult to say whether most of them do, but some do undoubtedly.

32158. Would it be a good thing to make a rule allowing only one appeal unless the party agreed not to pursue his case in the Civil Court?—I have not considered that; I do not know how that would work.

32159. Would not the effect be to diminish many long-drawn-out appeals?—It would, certainly

32160. The right of appeal might be withdrawn, and yet the right of withdrawal be entirely nullified by the exercise by the Government of its powers of revision?—If the right of appeal were withdrawn and the right of revision remained with the Government, of course applications could be made to Government irrespective of any appeal.

32161. And if Government freely accepted those petitions and made enquiries upon them the withdrawal of the appeal would be virtually nullified?—Yes, and therefore it has been suggested that the revision should be exercised under restrictions similar to those under which the High Court exercises its powers of revision—that we should not go into facts and that we should examine only into cases of gross neglect of rule or order, or manifest injustice.

32162. In the *Watan* Act only one appeal is allowed?—Yes.

32163. Are you aware that petitions under that Act were invariably accepted by Government and enquired into just in the same way as if they had been formal appeals?—What the previous practice may have been I do not know; the practice now is that usually the order is that the Government decline to interfere; but if there appears to be anything obviously wrong, then a report is called for from the Commissioner and orders are passed according to the facts which are elicited.

32164. I am thinking now in particular of the proceedings for framing *watan* registers; was not the section which was introduced for the purpose

of limiting appeals virtually nullified by the Government of the day?—I cannot say anything about the Government of the day, I can only answer for what this present Government is doing.

32165. You say that a Commissioner is not entirely divorced from concern with police administration; do you mean he is called in as a consultant?—That is practically all.

32166. He has no direct influence?—As I understand, he has none.

32167. Is that a good thing?—Yes, I think so.

32168. Do you agree that the growth of the departmental spirit has a sinister influence on modern Government?—I think that it is a necessary evolution of Government. As the administration becomes more complex it becomes necessary that parts of it should be placed under departments specially charged with the conduct of administration in that special branch.

32169. But is it a necessary part of the present system to exclude from the purview of every one outside the department, the action of the Governmen officers in it?—I do not know that their action is excluded from the purview of other officers.

32170. Is the influence of the Commissioner as great as it ought to be?—Generally speaking, I think it is.

32171. Is not the departmental spirit specially to be avoided in the case of the police?—It is to be avoided in all departments, certainly as much in the police as in any other.

32172. Would you not say more so in the case of the police?—No, not more so than in the case of the Excise Department.

32173. But have not the police more to do with the general life of the people than any other department?—More than any other except the land revenue, perhaps.

32174. Might not the Commissioner exercise a salutary effect as a counteracting influence?—He is in a sufficiently strong position to do that now.

32175. Although he has no power?—He has not any power in the department itself, but he is referred to by the Government on any possible subject that arises in any department.

32176. Does he send unofficial reports about Police Superintendents?—I do not know whether he sends them or not.

32177. It is most important to have men of a right stamp as Superintendents. Supposing a Commissioner formed an opinion which is likely to be a sound opinion, as to the fitness of a particular Superintendent to command men, and supposing he was appointed to the most important district in his division, should not the Commissioner have a voice in the matter?—I would not go so far as to say it would be necessary to consult the Commissioner as regards every appointment made in his division.

32178. Would it not be good in the public interest that he should have a word in the matter? As regards the personal qualifications for a particular officer to hold a billet in his division?—Yes, I see no harm in that.

32179. You say the Commissioner of the division is not to be excluded from interesting himself in excise; do you happen to know anything about the genesis of the Mowra Flowers Act?—No.

32180. Is it not an Act imposing very severe restrictions on the people of certain districts?—It imposes restrictions.

32181. Do you know whether the Commissioner was ever informed of that Act while it was being framed?—I do not know at all.

32182. Or if he was referred to for an opinion until the Government of India sent back his Bill for further inquiry?—That is not within my knowledge.

32183. Is the toddy-tree tax a heavy one or not?—Generally the rates are rather high, but in some districts they are higher than in others.

32184. Was it first introduced without even informing the Heads of the districts concerned?—The first introduction is not within my knowledge at all.

32185. Does the Government hold the Commissioner responsible for overlooking education in any way?—The Commissioner visits primary schools and interests himself in them, but has no direct concern with secondary or upper education.

32186. Is he expected to take an interest in high schools and training colleges?—Not to my knowledge.

32187. If discipline became exceedingly lax in a training college, would the Commissioner be supposed to know anything about it or take any interest in it?—No, I do not know that there is anything official requiring him to.

32188. I have alluded to three particular Departments of Government, Police, Excise and Education, which together form a very large part of the relations between the Government and the people?—Yes, a very considerable part.

32189. May I say that the Commissioner has nothing to do with any one of them except as to the influence he can command by his own personal weight and position?—So far as I know that is so, except that Government are apt to consult the Commissioner on everything, whether it is in his own department or not.

32190. Is not the new departure in the direction of introducing agriculture into village schools a matter which very closely concerns the people?—Yes.

32191. Were Commissioners taken into consultation about that at all?—I cannot say.

32192. It is said in Sir John Strachey's book that nothing can or should happen in a district which it was not the Collector's duty to keep himself informed of, and watch the operation of; is that so still in the Bombay Presidency?—I should regard it so, certainly.

32193. Taking police for instance, has a Magistrate power to inspect a police station?—To the best of my recollection he has. He does not inspect as regards discipline or kit and control.

32194. But his visit would not be resented?—Certainly not, in my opinion.

32195. Is there any connection between the Public Works Department and the Collector or the Commissioner?—I was in constant communication with the Executive Engineer as a District Officer.

32196. Was that on personal grounds chiefly?—I could not say whether there was anything laid down in the books that there should be, but I was.

32197. Does not the Executive Engineer claim an absolutely independent footing in a district?—I have never experienced that he did in any district that I have served in.

32198. If you gave him an order would he obey it?—I do not know that I ever had to give an absolute order; we settled in consultation what was to be done.

32199. Was that because you were on good terms with each other? Is there any official connection between the Collector and the Executive Engineer?—I cannot say that there is anything laid down directly subordinating the Executive Engineer to the Collector.

32200. Is the Public Works budget submitted to the Commissioner or Collector?—The budget itself is not, but the Collector and the Commissioner put in a list of works which they think are requisite.

32201. And they are accepted or not as the Superintending Engineer may decide?—Not at all as the Superintending Engineer may decide; the Commissioners are asked to name in the order of emergency the works which they think are required; the lists come up through the Superintending Engineers, and they are received in the Public Works Department Secretariat, and at present the custom is that the Public Works Department Secretary and the other Secretaries of Government meet together and consider the lists, and decide which are the works to go into the budget.

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32202. But the budget as a whole is never submitted to the Commissioner?—I think the budget as a whole is not, but I cannot say for certain.

32203. Has the Public Works Department power to make any re-appropriation it thinks fit without any reference to the Commissioner; say, for instance, to strike out a forest road and apply the money to some other purpose?—That I cannot say; probably they have.

32204. It has been strongly urged in some provinces that the Executive Engineer should be made subordinate to the Head of the district in the same way that the forest officer is,—what would you say to that?—I would not make him subordinate in that way, if it meant laying down a set of rules having the force of law under the Act, as is the case with the forest officer in this Presidency, but it would be useful that it should be laid down by executive instruction that the Public Works Department officer is the Collector's assistant for Public Works in his district, subject to the same control by the Superintending Engineer as the district forest officer is by the Conservator.

32205. If a Collector saw something which he considered wrong in regard to Public Works, what course would he take?—He would be expected to bring it to notice, either by direct communication with the Executive Engineer, or, if that was insufficient, by communicating with the Commissioner.

32206. And if the Collector and the Executive Engineer differed in opinion, would it go to Government?—I presume it would go to Government if it could not be settled between them.

32207. The Secretary in the Public Works Department is himself an Engineer?—Yes.

32208. Are the arrangements for the examination and probation and selection of *mamlatdars* satisfactory?—Yes. We went through the rules in 1904 and 1905, and amended them considerably.

32209. Do you consider that *mamlatdars* are satisfactory exponents of the views of Government?—As a class I should say so, certainly.

32210. At present a man goes into a *mamlatdar's* office, and serves for 18 months in various posts in order to learn his work?—He serves for a great deal more than 18 months.

32211. Is not a man brought into the Government Service appointed for six months at a time in each of these particular offices under an existing *mamlatdar* in order to learn his work?—Men who are taken on in the subordinate revenue establishment, before they can be considered qualified have to put in certain periods of work in certain branches in the *mamlatdar's* office, and also have to pass their departmental examinations.

32212. Does not having to read up for examination often militate against the efficiency of a person as a clerk in the office?—I do not think so; they very frequently obtain leave in order to read up for their examinations.

32213. (*Mr. Dutt.*) It is stated in the Government Case that, "Once in the hands of the Government of India the budget may be modified to any extent by that Government," and that "the Local Government are bound to recast the financial provision in each department for the year by the figures received from the Government of India"; is that any longer correct?—It is not exactly correct now, because this year, for the first time, the Government of India have informed us that as to the provision of the Local Government, which may be called "G," although it may be reduced by modification of the Government of India to a figure which may be called "E," nevertheless the Local Government may spend up to the figure G without further reference to the Government of India provided they do not exceed "G," and the Accountant-General keeps them informed of the extent to which they are exceeding the figure E.

32214. So that at present you do not have to modify each item?—Provided that there are only modifications made with special reference to diminishing G to E; but supposing they make further deductions beyond that, as they have actually done this year, then we have to modify our provision to the extent of that further reduction, and at present we are in correspondence with the Government of India to know exactly what is meant.

32215. Within certain limits will not that considerably simplify matters?—Yes. It will now enable us to inform all concerned what the provision up to "G" is, and they will understand they are at liberty to spend up to that, the Government looking after the excess over E up to G.

32216. You make a distinction between the budget for imperial revenue and expenditure and provincial revenue and expenditure, and you say, "the budget of the provincial heads would be drawn up separately as under the former system; would be debated and settled in the local Legislative Council and would not be liable to alteration by the Government of India." Do you mean that as a matter of general practice the Government of India should not make alterations in the budget?—So long as there continues to be a large number of divided heads, that is to say, half imperial and half provincial, the Government of India cannot possibly do otherwise than modify the budget, because they are interested to at least half the extent of the revenue or expenditure concerned; but if it were arranged that a certain number of heads should be entirely provincial, then it seems to me it would be wise to let this Government have complete control, and the Government of India should not modify them at all.

32217. But you recognize that the Act of 1858 vests in the Secretary of State for India—and therefore, to some extent, in the Government of India—complete control over the finances of India?—Control vests absolutely in the Secretary of State and it is within his discretion to direct how much and to what extent the Government of India shall share the revenues, and how much and to what extent any provincial Government should have control of revenues within the limits of the province. The Secretary of State can, if so disposed, direct or decide the extent to which the Government of India shall control all the provincial revenues.

32218. So that by claiming financial independence for a provincial Government you do not suggest that the Secretary of State should in any way divest himself of any of the powers vested in him by that Act?—No.

32219. Do you suggest that the Government of India should have no general control over what you call the budget of provincial revenue and expenditure?—No; I would allow the budget to be debated in the provincial Legislative Council, and modifications to be made in that Council, but in disbursing its revenue the Local Government should be still subject to the audit of the Imperial Audit Officer, namely, the Accountant-General, and the Audit Officer should certainly have the power to interfere with the Local Government if it went wrong.

32220. Is it your idea that they should lay down general rules and the Audit department should see that they are observed, and beyond that the Government of India should not interfere in the matter of the budget of provincial revenue and expenditure?—That is so.

32221. You propose that the budget of provincial revenue and expenditure should be debated and settled in the local Legislative Council; what exactly do you mean by "debated and settled"?—What I intended to suggest by that was that after the draft budget had been prepared by the Executive Government, it should be introduced into the local Legislative Council, that debate should be allowed there, and the members of the Council should be allowed to express their opinion as to the estimates made by this Government for expenditure under a given head. After it has been debated, the actual settlement of the budget should remain with the Executive Government.

32222. Is that not the practice now?—No, there is no debate on the provincial budget.

32223. Is there not a discussion on the budget in the Council after it has been sanctioned?—It is called a budget debate, but it is not really so at all.

32224. In what respect would you depart from the present practice and give power to the members of the Legislative Council?—The exact difference would be that instead of the budget debate being a series of orations without any specific reference to the budget provisions, there should be, before the budget was absolutely settled, a debate in which the members should be entitled and authorised to give their opinions with regard to the provisions proposed to be made.

32225. Would you limit it to giving opinions only, or would you give some power to settle the items by vote?—I would not object myself to giving them a power of settling it, providing the Executive Government, as at present, always had a sufficient majority in the Council. Of course, that is my own individual opinion.

32226. You would credit the whole of land revenue to the provincial fund, making a fixed allotment of 153 lakhs of rupees to the Imperial Government—on what principle do you fix the 153 lakhs?—That is merely the balancing figure. The statement is an example of the way in which a settlement such as is suggested might be arrived at by negotiation; it proceeds on the same system as existing provincial settlements, namely, to bring about an exact balance, and the 153 lakhs is the balance on the figures of the budget of 1907-08.

32227. As a matter of fact, do you increase the provincial revenues from 4 crores and 91 lakhs to 6 crores and 26 lakhs?—On those figures, that appears to be so.

32228. If this kind of division was made, would it stop the Government of India from sometimes making suggestions as to land re-assessment, which would affect the future income from that head?—The Government of India would be in as perfectly good a condition as now to make any suggestions it thought fit as regards land revenue; it would still be its business to do so as it is now.

32229. And to lay down the general lines of policy which the Government of Bombay would be compelled to adhere to?—The question is as to the extent to which they should be compelled; my opinion is that general principles which are laid down by the Government of India after discussion with the Local Government, must be adhered to by the Local Government; the application of those principles exactly to the local needs, ought not to be interfered with by the Government of India, and the Government of Bombay should have discretion as to the exact extent of the application of the general principles to the local conditions.

32230. But you would allow the Government of India to lay down the general principles, and when they are laid down of course they are to be observed?—Of course.

32231. Therefore you would expect the Bombay Government to follow up those principles?—Yes.

32232. Supposing those principles interfered with the future increase of the land revenue in this province, would not the Government of Bombay have a right to complain, and say, "You have given us as a provincial head of income a certain sum, and if you lay down these rules our income goes down"?—They would be able to say so, and that would form a ground for a revision of the settlement; if the figures were injuriously affected under the settlement they should negotiate for a revision of it.

32233. You say if this kind of division was made between provincial heads of revenue and imperial heads of revenue, then you would give the Bombay Government borrowing powers, but at present you do not suggest that the Bombay Government should have any borrowing powers?—I do not think they would be useful at present.

32234. If the Bombay Government had power to borrow, should it be on condition of repayment within a specified period, or should it be a permanent addition to the indebtedness of the country?—It might be one or the other; if it were a small amount, probably it would be convenient to arrange for its repayment within a period of years, as I think Local Board and municipal loans are now arranged for.

32235. In regard to provincial Governments generally, would you lay down a rule that they must borrow for limited periods and make provision for re-payment within such periods?—No, I would not lay that down as a rule if the powers were given, but it would be convenient that a rule should be laid down that they should not raise a loan absolutely on their own motion; they should refer to the Government of India and ask them to raise the loan, but the security should be on the revenues of the province instead of on the revenues of the country.

32236. Would the raising of the loan be subject to the sanction of the Government of India?—I should think not; if the provincial Government had assigned to it definite sources of revenue and expenditure, and could show on the figures that they were able to meet the interest on a loan raised, they ought to be able to raise it without any sanction.

32237. Do you say that they would have to go to the Government of India and say, "Raise this loan for us"?—Yes.

32238. Would you not leave it to the Government of India to say that it was not a matter on which a loan need be raised; would you allow them no such control?—Yes, they would be entitled to say that, if we asked them to raise a loan for us.

32239. So that practically it would be subject to some sort of sanction of the Imperial Government?—Certainly, I think it would.

32240. You say, "It is for the legal officers of Government to advise whether a General Act or a series of specific amending Acts is preferable. The speedier course would be the better." Have you thought of the plan of delegating powers by one amending Act, including all those powers in a schedule, so that the work might be simplified and shortened and at the same time done through the Council instead of by Gazette notification?—I do not think it has been taken up here; the only case I can think of is the delegation of powers to Commissioners of divisions, as to which a schedule has been drawn up containing the powers which it would be desirable to delegate, and it has been sent on to the Government of India, but it has not been considered here whether an amending Act is necessary.

32241. Supposing you wanted to delegate certain powers to Commissioners of divisions or to any other officers, would it be better to delegate them by Gazette notification under a general Act of delegation, or to put all those powers in the schedule of an amending Act and have that Act passed in the Council after proper debate?—Where legislation becomes necessary because of an existing section in an Act, one general Act amending the several Acts which impose that restriction would be desirable, but where the delegation is not restricted by any section of an Act and is a matter of executive arrangement, I do not personally see the necessity of putting it into a schedule at all.

32242. I was referring rather to the delegation of powers which are vested by an Act?—Then I would have one Act amending all the Acts.

32243. You mention a number of cases in which reforms were proposed by the Bombay Government and were delayed or negatived by the Government of India; in those cases was local opinion taken in any way before the Bombay Government submitted their schemes to the Government of India?—No, I cannot say that I recollect any.

32244. Would not the case for the Bombay Government have been much stronger if they could say, "We have consulted local non-officials and they agree"?—The difficulty is, that there are orders in existence directing that matters of importance which are under the consideration of Government should be made known to the public in order that an expression of public opinion may be elicited, but it is subject to the restriction that nothing, which

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has to go up to the Government of India or which has come down from the Government of India, may be published until it has been permitted by the Government of India; therefore, since every one of these subjects has to go to the Government of India, not one of them could be published beforehand.

32245. Is it not desirable to take the public with you when you have any proposals of reform to make?—It would be very desirable indeed, and if we could do it on our own responsibility, we should do it now, but since we are under the restriction that we can publish nothing with which the Government of India is concerned before it has been dealt with by them, we can publish nothing.

32246. Do appeals give your Secretariat any undue amount of work?—I do not think so; a certain number come in in the course of the year, but not an excessive number.

32247. Do you think the right of appeal gives some sort of security to Government officers in the Service in which they are employed?—That is my opinion.

32248. When you want the Government of a province to be autonomous to some extent, do you not think it necessarily follows that the delegation of power should go down to the leading men in the districts, and even down to the villages?—I think that the Legislative Council should be consulted in connection with the budget.

32249. Is it not necessary according to your scheme that the Collector himself, who is the Executive Officer of the district, should be guided or advised by the public opinion of the district?—I do not think it would tend to the efficiency of the executive administration at all. It appears to me when an Executive Officer has to do work he is responsible for doing it, and if he has to subject his actions in carrying out his work to a Board or a Council, I think it would be unworkable.

32250. I was not referring to executive work, but to general lines of policy in regard to such matters as education and sanitation; in those matters would consultation with the leading men of the district not help the Collector in his administration and at the same time make the work more popular?—It is better the Collector should do as most Collectors do now, that is to say, consult with the leading men of the district by personal interview with them. My own experience as a District Officer is that when one goes on tour, on arriving at every camp, one makes and receives visits from all the leading men of the neighbourhood, and comes into communication with everybody who is likely to be concerned. Anybody who likes to come may come and see the Collector; he talks to them and gathers their opinions, and that appears to be a preferable plan to laying down a form of procedure by which an Advisory Council would be called together in a formal manner.

32251. Do you not think that an Advisory Council would enable him to get information and opinions far better?—Personally I do not think so.

32252. And you do not think that the delegation of powers which you are recommending for officials should go down to the non-official people of a district?—I do not think so; I do not think the time has come for that.

32253. Can you suggest any other method by which district administration could be brought more into touch with the people?—No, I have not thought out any method by which it could.

32254. Would you leave matters as they are now?—Practically.

32255. In the Government case it is said of Directors-General and Inspectors-General that "Competent officers with special knowledge of forests, irrigation and agriculture may be capable of offering useful advice, although it must in many cases be doubtful whether the knowledge of the expert at Simla exceeds that of the provincial expert, or whether the greater of two experts cannot be more usefully employed in a locality where he is in direct touch with affairs than in a far distant office. In education, sanitation, commercial matters, salt, excise, medical questions, printing and stationery, the utility of the general expert, assuming him to exist, is not apparent." Is it the view of the Bombay Government that, as far as the Bombay Government itself is concerned, the creation of these appointments has been of no practical use?—That seems to be the view stated. Of course, that applies to those particular heads.

32256. Is each district in this Presidency divided into a number of sub-divisions?—Yes, each district is divided into a number of what are called *talukas*, and each sub-division consists of two, three, or even four *talukas*.

32257. Is that fixed by Government, or is it fixed according to the discretion of the Collector himself?—The Collector may vary the size of the sub-divisions.

32258. So that he can put an officer in charge of three, four, or two *talukas*, as he thinks necessary, and the limits of the sub-division are not fixed as they are in Bengal by the Government itself?—No, the extent of sub-divisions are not fixed by Government; the Collector of a district has it in his own discretion to give one, two, three, or four *talukas* to an Assistant Collector.

32259. Would it be an advantage if the limits of the sub-divisions were fixed by Government in this province as they are in Madras and Bengal?—I think it would be a distinct disadvantage.

32260. Do you think it would be an advantage if the Sub-Divisional Officer was required to live in his sub-division?—I do not see any advantage in that. He travels through his sub-division for seven months of the year, and, during the remaining five months, when it is not practicable to travel, he is better placed at headquarters than he would be by being out in some sub-divisional town.

32261. Do you not think it would bring the officer more into touch with the people if he lived in his sub-division?—I do not think so because he lives in it now for seven months in the year when he is moving about.

32262. (*Mr. Hichens.*) You refer in your note and also the Government Case refers to the detailed nature of the rules and regulations of the Government of India; is the suggestion that practically the whole of them or most of them should be abolished?—I do not know that that is so; the idea is that they may be very considerably simplified. If the Government Case goes so far as to say that they ought to be abolished, I personally would not go so far. What is meant is that all those things come under the Civil Service Regulations and most of them are subject to the authority of the Government of India, and the suggestion is that in matters and functions pertaining entirely to the Local Government, the Local Government should have final authority and not the Government of India.

32263. In matters of that sort, should regulations be drawn up by the Local Government and not by the Government of India?—Yes, as regards their own functions.

32264. For example, as regards travelling allowance?—Yes.

32265. Would there be any objection in your opinion to the Government of India laying down a general principle governing the case?—Not at all.

32266. And that it should be left to the Local Government to interpret it?—Certainly, that is my idea.

32267. That would apply to a variety of the rules and regulations of what might be called minor importance?—Yes.

32268. Objection has been raised that if that were done a most disturbing state of non-uniformity would arise in the different provinces; would it matter much if there were differences?—No, I do not think it would. It does not seem to me that, in these matters, there is any great necessity for strict uniformity.

32269. It would not make any difference to you in Bombay if you had a totally different system as to travelling allowances from that prevailing in Madras?—We have to a considerable extent a

different system, because we have what is called permanent travelling allowance to a considerable extent in Bombay, which, I believe, does not exist to any appreciable extent in the rest of India.

32270. If one province chose to adopt a mileage basis as the best mode of carrying out their view of the general principle, and another province chose to adopt a time basis, it would not matter in your opinion at all?—I do not think it would; they are all in use, and I do not see that any one of them is absolutely better than the other.

32271. Another objection which has been raised is that the provincial Government might be more of a family party and that it might be rather difficult for them to give a fair and impartial interpretation of such rules; what would you say to that?—I should say that it has no foundation at all. I do not see how a Government consisting of three members as this one does, one absolutely disconnected with the Presidency until he is appointed here from home, and the other two belonging to distinct branches of the service, could not be trusted to deal impartially and not in a family spirit with such questions.

32272. Would you lay down the principle that travelling allowances are intended to cover the actual travelling expenses of the individual?—That is laid down.

32273. Would you leave it at that as far as the Government of India is concerned, and allow the Local Government to place upon it their own interpretation?—I see no objection to that.

32274. Supposing a Local Government for example thought it desirable to extend the principle to an officer's wife, would you say that it should be referred to the Government of India before it could be done?—It might be. We are assuming that the Government of India said nothing more shall be allowed than is sufficient to cover the actual expenses of the officer, and if the Local Government wanted to extend it to the expenses of his wife and children, they ought to go to the Government of India and ask whether the principle would bear such an interpretation.

32275. You would not call it interference on the part of the Government of India if they gave an interpretation on that point?—No.

32276. Would the same thing apply to regulations dealing with the housing of Government officials?—Yes, the same principle would apply.

32277. Would you allow the Local Government to make its own pension scheme, and fix the pensions to be paid to members of the Provincial Services?—So many pensions necessarily come upon the imperial revenues that I think it would not be desirable to have a different system or basis on which they are calculated. The provincial Government should be required to follow the principles of the Government of India as regards pensions, which are laid down for the Imperial Service.

32278. Would you have a uniform pension scheme even in respect to pensions which are paid out of purely provincial funds?—Yes, even in respect of these; it would never do to have officers of the Imperial Department and the Provincial Departments serving side by side in the same place, one of them being on one basis of pension and the other on a different basis. As it is, there are men in the Imperial Departments serving in Bombay with men of the Provincial Departments, and there would be difficulty if their pension prospects were different.

32279. Would you give the Local Government greater latitude in regard to the interpretation of the regulations?—As regards pensions I do not think so.

32280. Do cases occasionally arise which do not fall within the four corners of the regulations, such as compassionate pensions?—That is so.

32281. Should those go to the Government of India?—They might give us greater latitude than they do. At present if a policeman dies whilst engaged on plague duty, for instance, we are authorised to give his family a compassionate pension or a gratuity, but if a man who is not a policeman, who is—for example—a schoolmaster, dies under similar circumstances, we have to go to the Government of India before we can make any grant, the logic of which is not quite apparent.

32282. Can you give any general idea as to how far the powers of the Local Government might be extended?—It would probably be a limit of amount. When the general principle as to the conditions under which such allowances might be made is arrived at, then an amount might be fixed up to which the Local Government might go, and then go to the Government of India if any case arose which was not covered by the general principle.

32283. Is there not a figure as to amount to-day?—I cannot say.

32284. Are you prepared to express any opinion as to what the figure should be?—No, I am not.

32285. With regard to the doles, which are given by the Government of India, is your only objection to them that you are compelled to keep separate accounts with regard to them?—I do not think it is simply an objection as to keeping separate accounts; it is such an unsatisfactory way of making provision. I would have the provincial Government placed in possession of such funds as would enable it to deal with reforms without having to call for special assignments to carry them out; that is to say we might increase the funds available to the Local Government, so as to give us the control of something over 6 crores instead of something under five as at present, and within such a limit as that we should be able out of expanding revenue to provide for the increased expenditure due to these reforms.

32286. Do you mean that each time a case of that sort arises the *quasi*-permanent settlement should be adjusted rather than that an additional dole should be given?—No, that would mean possibly a perpetual revision of the settlement, and I do not mean that at all; the settlement should be practically permanent.

32287. For the sake of argument let us suppose that, backed up by strong opinion all over the country, it was decided by the Government of India to institute free education, would you at once say, "I have not the money," and suggest that the permanent settlement should be re-adjusted, or would you suggest a dole?—The question would really turn on the amount required.

32288. Let us take a small amount?—Taking a small amount we should probably provide it ourselves and say nothing more about it.

32289. Take, for instance, the case of reorganization of the police?—That would involve a large amount. If we had such a settlement as has been sketched here and we found that we could not raise the funds ourselves, and that it was so urgent to introduce the reform that we could not wait, then the procedure, in my opinion, would be to ask for a reduction of the assignment from provincial to imperial up to the extent required to finance the reform; it would be a reduction of the amount payable by us instead of a grant from India to us.

32290. It would amount to an alteration of the permanent settlement?—It would amount to an alteration so far that the assignment from provincial to imperial would be reduced.

32291. Assuming existing circumstances, would it meet your case if the Government of India simply allocated to you a definite sum and said the reason they did so was that certain matters might be carried out, but they did not ask for an account of it?—Under the existing settlement the only way is for them to allocate to us, and if they said, "Here is the money," and allowed us to carry the matter through without asking for definite information as to the exact expenditure, there would be no particular difficulty.

32292. Do you think a Local Government should be allowed to spend its own money on new works without reference to the Government of India up to an unlimited sum?—Yes.

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32293. With regard to appointments, would you be satisfied if you got the same treatment from the Government of India as the Government of India gets from the Secretary of State?—As regards creating or making appointments it has been suggested in respect only to provincial funds that we should have as much power as the Government of India has now, or may hereafter have, when any changes are introduced.

32294. Assuming that there were no restrictions by the Secretary of State on the Government of India with regard to local appointments, do you think that you should have the same power?—Certainly, whatever power the Government of India has in respect of its Imperial Departments, the provincial Government may well have in respect of the departments which are purely provincial.

32295. In other words, practically you ought to be allowed to appoint the whole of your provincial staff?—Exactly, and the provincial staff only—not as regards any imperial sections of that staff.

32296. Supposing powers somewhat on those lines were given you, would you still desire to have your revenue separated from that of the Government of India?—It seems to me that it would not be practicable to give us powers of dealing with provincial affairs unless the revenues were separated; so long as there is any head of revenue divided between imperial and provincial, the Imperial Government is necessarily entitled to have a say in the disposition of that revenue.

32297. Do they give you to-day the same powers with regard to divided heads as they do with regard to entirely provincial heads?—I think that is so.

32298. Do you see any reason why they should not continue to do that?—The difference seems to me that so long as they have to divide the revenue and expenditure their reason for interference is justified by the fact that they are interested to an equal extent with us.

32299. Would it be an unreasonable policy for them to assume that you could be entrusted to carry out the works properly and efficiently?—I think certain departments which are imperial ought always to remain imperial, and they ought to regard us as their agents and confide in us and allow us to behave to the best of our ability, but that in provincial matters they should leave us to act for ourselves.

32300. Do you think it would be a useful principle to lay down, having regard to divided heads, that the provincial Government might be trusted to do the work efficiently and well without any interference on the part of the Government of India?—It would be a very good thing if it could be laid down, but I do not think it would ever work because the fact of their being interested would lead to their desiring to know about what was going on, or desiring to do this, that, and the other.

32301. Would it be impossible to secure freedom of action unless you are entirely separate?—That would be my opinion.

32302. Are there not drawbacks with regard to separate revenues?—Yes, some have been suggested, but I do not think it would be unworkable.

32303. If your revenues were materially diminished would you come forward and ask for a new settlement?—Certainly, it would be necessary to have a new settlement if the revenues were so diminished beyond hope of recovery that we could not meet expenditure.

32304. It has been suggested that the allocations when once arrived at should be sanctioned by the Secretary of State and should not be altered without his concurrence—does othat meet with your views?—That seems to me to be a good idea.

32305. Would that be preferable to the greater elasticity which would otherwise be possible in the way of an amendment of the settlement?—Unless there were any order of the kind the amendment of the settlement would necessarily be carried out by negotiation between the Local Government and the Government of India.

32306. Would you prefer it to be made more formally?—It might very well be, but I do not think myself it would be necessary; I believe the two Governments here would arrive at a settlement without referring to the Secretary of State.

32307. In the Government Case a reference is made to the method of distributing the surplus; how would you suggest that that should be altered?—At present, when the Government of India are in possession of a surplus, they decide themselves as to whether there ought, or ought not, to be any remission of taxation, and they also write informally to the Heads of Local Governments, saying that such and such sums are available and "We can, if you like, give you a lakh or two for such and such an object and then two or three lakhs for another object; would you like to have them?" There is thus an informal consultation of the Heads of the Local Governments and, apparently, when the replies from the various Heads of the Local Governments are received, they are compared, and it is not clear, at any rate to any one in the Secretariat, what the deciding point may be as to the relative value or importance of the objects to which funds out of the surplus may be given by the Government of India. It would seem to me to be more in accordance with utility to allot whatever may be available simply to the balance of the provincial Government, so that it might spend it at its own discretion on whatever object it might think advisable.

32308. Would you dole it out *pro rata* to the different Governments?—Very likely *pro rata* would be a very good way, but I have not thought exactly how it should be, but it would not seem to be unreasonable.

32309. In your opinion would it be better than that the Government of India should decide what should be the works to be carried out?—It would in my opinion be distinctly better that the Local Government should be able to decide. They are better able to decide what it would be best to spend the money on.

32310. In that case would you allow the Government of India discretion to decide whether the claims of one Government were more pressing than the claims of another?—When I said just now that it might be proportioned, the Government of India would certainly use its discretion as to whether one Government should get more than another. If the Government of India saw that one Government was distinctly hard up and that its balances were exhausted, it might well give a bigger share to that Government than to a Government which had closed its year with a substantial balances to its credit.

32311. So that you get to the position, that the Government of India would discriminate between the requirements of the different Local Governments, which is what they do to-day?—I do not think they do it at all; they simply enquire whether a Government would like to have a couple of lakhs of rupees to spend on a specified object; the grant is made for that specified object and that object only, and an account has to be given as to its being spent on that object and no other.

32312. (*Mr. Meyer.*) There is a historical *resumé* in the statement by the Local Government. Were not the former powers of the Bombay Government all practically taken away by the Government of India Act of 1833?—I have not any knowledge outside of what is stated in the statement referred to.

32313. I put it to you that the Act of 1883 took away from the Bombay Government all their powers of making fresh appointments and all their powers of legislation?—That seems to be so.

32314. Consequently any subsequent powers in this and other respects are due to delegation from the Government of India?—From the Government of India under the Secretary of State.

32315. In the statement it is implied that it is a fallacy to suppose that the powers of the Local Government are derived from devolution. My

point is that, rightly or wrongly, those powers were taken away, and, since then, all the powers which the Local Government has got have been given by devolution from the Government of India with the sanction of the Secretary of State?—Yes; the phrase that "The Bombay Government once possessed very weighty powers which have been absorbed by the Government of India" means that they have been absorbed under the statute.

32316. And what you have got now has be devolved upon you?—That must have been so. You will see in the previous paragraph, "This is a fallacy similar in nature to the frequent assertion that the powers exercised by the Government of Bombay have been derived by devolution from the Government of India." The words "This is a fallacy" apply to the statement that all the revenues raised in India are the property of the Government of India. This seems to me to be a fallacy, because the revenues of India are not the property of the Goverment of India, but the property of the Secretary of State.

32317. As matters stand at present, the ultimate control of the Government of India vests in His Majesty's Government as represented by the Secretary of State in Council?—Yes.

32318. The Government of India itself is a subordinate Government?—It is a subordinate Government to the Secretary of State in Council.

32319. And the Bombay Government is therefore a subordinate administration in the second degree?—Yes.

32320. Do you think that the Bombay Government always sufficiently remembers that position?—I do not know whether they have always remembered the position; it is impossible for me to say what the Government has borne in mind and what it has not.

32321. I was referring to the correspondence between the Bombay Government and the Government of India; does the Bombay Government, to your mind, sufficiently recognise that it is, in matters relating to India, only a subordinate administration in the second degree?—I think it does.

32322. So far as financial matters are concerned, up to 1871, the Local Government had no powers at all so far as regards appointments; the whole budget was practically imperial?—I do not know about previous to 1871, except as may be stated in the Government Case.

32323. You know that under Lord Mayo's Settlement in 1871 they obtained the right to make appointments, more or less under present conditions, but in respect only of a few provincialised heads—police, jails, and so forth—and they only received fixed grants with which to meet the cost of those Services?—I cannot question that, because I do not know personally.

32324. Then under the settlement of 1877 expenditure under land revenue, excise, stamps, law and justice, was provincialised, giving the Local Government more power than they formerly possessed. They were also assigned some branches of growing revenues. In 1877 you got for the first time power to create appointments up to Rs. 250, and to deal with expenditure, generally under present rules, under the important heads of land revenue, excise, stamps, law and justice. On the other hand, your recipts and expenditure, which were formerly shown in lump as provincial, were put into the imperial budget, though in a separate provincial column, and your estimates came under review as they do now. I put it to you now that what you gained by the settlement of 1877 was far more than what you lost. You gained the large power of management and of making appointments, and you were *per contra* to a slight extent brought under budget control?—I am not prepared to dispute it.

32325. So that the implication that the year 1877 saw a considerable set back in the liberty of the Government of India is a little misleading?—The words in the statement are, "The provincial budget framed by the Accountant-General was sanctioned by the Local Government without reference to the Government of India."

32326. There is not a word said as to the much greater measure of liberty that you got in the other measures of that year?—No, there is nothing said of what you have just been referring to.

32327. Then in 1882 you got a system of regularly divided heads of expenditure and revenue between imperial and provincial, and the Local Government got the same powers of sanction with regard to divided heads as they had previously possessed only in respect of heads wholly provincial?—Very well.

32328. In 1904 you got a *quasi*-permanent settlement on far more liberal terms than the previous settlement, and including a partial provincialisation of major irrigation works and a minimum guarantee of your land revenue?—That is so.

32329. Recently, again, arrangements have been made which fix the liability for ordinary famines largely upon imperial funds?—That is so.

32330. The Government of India moreover, have, from time to time, delegated powers under the Civil Service Regulations to your Government, and allowed it to make delegations to subordinate authorities. In 1904, for instance, you received authority to make a number of delegations?—I cannot dissent from that.

32331. It is said that "The steady absorption of the powers of this Government by the Government of India has now reached a point at which measures are required either to restore its authority in local matters or to replace it by a less costly form of administration." I put it to you that so far as finance is concerned, so far from there being a steady absorption of power, there has been a steady devolution of powers from the Government of India to the Local Government?—According to the account you have just given that does seem to be so.

32332. Now as regards budget alterations. Have not the alterations made by the Government of India in your estimates been made, speaking generally, in the interests of accurate estimating?—No doubt.

32333. Have they not been justified by the facts?—I believe that usually it was worked out that they have been closer than the original estimates.

32334. I find for instance that in 1906-07 the Local Government's figure of expenditure exceeded the actuals by over 30 lakhs?—That is possible.

32335. I put it to you, from the point of view of accurate estimating, the real fault of the Government of India, was not that they cut what they did, but that they did not cut enough—that they were too tender to the representations of the Local Government in the matter?—I do not think that that would be a complete and full account of the matter at all.

32336. In what way?—In this way. The Government of Bombay submits its budgets in the month of January on figures received from the departments and checked so far as may be by actuals up to that time available; the Government of India, when they make the alterations in the budget, have later figures than are available to the Government of Bombay, when they submit their proposals. The Accountant-General sends up the budget as it is passed by the Executive Council.

32337. The Government of India has not more recent figures than the Accountant-General sends up to it?—They have before finally settling the budget.

32338. On each edition the Local Government get full opportunity of justifying its figures. You have the opportunity, which you do as a matter of fact exercise, of showing cause against any alteration which you think undesirable?—That is so.

32339. The statement puts forward the desirability of more practical discussion of the budget in the local Legislative Council. Do you not get the figures of the budget as passed by the Government of India before the end of March?—I think so.

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32340. It is the penultimate Wednesday in March, and you then get the figures?—Yes.

32341. When is the budget discussed in your Legislative Council?—It is discussed in June.

32342. Is there any reason why it should not be discussed as soon as you get the figures?—The difficulty seems to be to get the figures of the Financial Statement ready in time for a discussion in April; so far it has not been practicable. I have been out of the Secretariat for some little time past; I am only back for a few months, and I cannot say with accuracy, but I think the difficulty is that they have not got the figures out in the form of a Financial Statement earlier than May.

32343. Are you aware that in Bengal the provincial Government brings out its budget directly after the Government of India budget is out, and has a discussion thereon?—I was not aware of that.

32344. What one Local Government can do, another Local Government can do, can it not?—I suppose so.

32345. Then if there is a delay in the discussion of the budget in the Legislative Council, it is largely due to the Local Government itself?—If there were any discussion on the budget, but of course as a matter of fact no one has a word to say on the budget at all; what is called the budget meeting does not result in any discussion of the budget at all, because is is a *fait accompli*; nothing is to be done.

32346. But is it not better that the discussion should take place sooner than later?—It does not seem to me to make a particle of difference when you discuss it, if the budget is settled already.

32347. Mention is made in the statement of the Local Government of the desirability of being able to transfer money from one head to another with reference to the wishes expressed in the Legislative Council. Suppose you put your budget before the Legislative Council at the beginning of the year, is there anything to prevent your Government from making a transfer from one head to another if the budget debate showed that there was a public wish for it?—It has not been so regarded hitherto. So far as I know it is regarded that the budget is settled, and that except for minor re-appropriations as they come along in the course of the year, the main figures have to be adhered to.

32348. You have explained that you have considerable powers of re-appropriation?—Yes, from one imperial minor head to another under the same major head, or one provincial head to another, or from one divided head to another, but not outside those three.

32349. The statement sets forth that the Local Government should not only be free to spend the whole amount of the budget grants, but that they should be able to order increased expenditure, drawing from their provincial balance, at discretion, subject to its being kept at a prescribed minimum figure; you do not agree with that?—That is not my personal view.

32350. As a matter of fact it would entirely destroy the ways and means of calculation of the Government of India?—That is why I do not think it is sound.

32351. It would have, amongst other serious consequences, the result that the Government of India would be entirely upset in their calculations of what could be given in the way of local loans?—It would interfere with their power to deal with them.

32352. There is a remark in the statement that there is no harm in a local body seeking loans up to 50 lakhs in the open market without reference to the Government of India; do you agree with that?—No, that is not my opinion.

32353. Would not a few loans of 50 lakhs by the great Corporations of Calcutta and Bombay sweep the market?—It would be likely to interfere considerably with the amount of money available, undoubtedly.

32354. If, as you were saying to another member of the Commission, the Local Government, instead of what are called doles, were allowed lump sums to do as they liked with, would not that result in serious inequalities of treatment of such Services as Police and Education in the different provinces; one Local Government might go ahead with education and leave the police inefficient; another might go ahead with police and leave education inefficient?—That is conceivable. On the other hand, one Local Government might have greater need for going ahead with police, and another might have greater need for going ahead with education. A Local Government ought to have the discretion of judging which head it should go upon after consulting its own Legislative Council.

32355. There is a note given as to the accounts the Local Government has to furnish in the matter of these doles. I put it to you that there are not any regular accounts. Take education; there was a grant for primary education; surely all you have to send up is a statement comparing the total grant for primary education the year before the grant was made with the total expenditure now?—I do not think that is so. I understand that the enquiries that come down from the Government of India are for a definite statement of the amount spent out of the special assignment made that year for that purpose. If for police re-organisation 6 lakhs have been granted in the year, they want to know exactly how much of that 6 lakhs has been spent.

32356. Take education; do you know of any special accounts in the matter of education?—No, I do not.

32357. Now as regards police; the position is that the Government of India have got a lump sum to distribute among the various Governments year by year; naturally they want to regulate that distribution by the expenditure which the Local Government is incurring. Suppose the Madras Government, for instance, has not been able to expend all the grant given to it last year, that would be a reason for not increasing the grant to Madras this year, but giving it to some other province that was going ahead faster?—Yes, that would be a reason.

32358. From that point of view, are not these accounts possibly justified?—If the Government of India has to make the distribution under particular heads to each Government there is a necessity for these accounts.

32359. As regards existing restrictions, is not the Secretary of State pretty strict over the Government of India, especially in the matter of pensions and appointments?—I have no direct information about the relations between the Government of India and the Secretary of State.

32360. Is there not a tendency sometimes for Governors and other administrators to impose their own ideas within their own limited tenure of office?—I have not observed it.

32361. Is there no necessity to check that by requiring reference to an outside authority?—It has not occurred to me.

32362. It is observed that the Bombay Government "should be subject to control not exceeding that exercised by the Secretary of State over the Government of India"; I suppose you are aware that the Secretary of State exercises a great deal of control over the Indian budget; that he has to be referred to in such matters as fresh taxation or the remission of taxation, or the disposal of the surplus, or anything that involves a new departure in policy?—The exact limits in which the consent of the Secretary of State is necessary are not known to me.

32363. Is it not necessary that the Government of India shall continue to exercise the same power over the Local Governments as the Secretary of State exercises over it. Under the system contemplated by the Bombay Government in this statement, do you take it to be intended that the Local Government shall be controlled by the Government of India in the same way that the Government of India is in its turn controlled by the Secretary of State?—That is what I understand to be the position of the Local Government.

32364. Then in any case the Government of India is bound to exercise a great deal of control?—Yes.

32365. You put forward a scheme of your own as to the way in which imperial and provincial revenues should be distributed, and you say that the Imperial Government under it would get its present total net revenue from Bombay, less one-sixth of a crore only which you regard as a matter not sufficently big to trouble about. Do you think that if other provinces took the same view, these one-sixths of crores would not mount up?—Of course, if you multiply one-sixth of a crore by six it becomes one crore, but I think this one-sixth of a crore would disappear. I do not want to put this forward by any means as a completed plan; this is merely a general basis for negotiation on which you might arrive at a conclusion; actually that one-sixth of a crore would, I think, be wiped out entirely when the Government of India completed making their special assignment for police; it would disappear altogether; the balance would be the other way.

32366. Then, apart from that, you substitute a fixed assignment for shares of growing revenue which the Government get?—Yes.

32367. That fixed assignment is to be diminished permanently in order to allow the Bombay Government a margin for borrowing?—If they exercised any power of borrowing it would be diminished.

32368. Is the borrowing to be for unproductive works; I take it it leaves the railways and the productive irrigation works in the hands of the Government of India?—The railways undoubtedly; I do not know about irrigation works; that would be a matter of negotiation; it would have to be settled whether, and if so to what extent, irrigation should become provincial.

32369. The borrowing would not be so lucrative as the Government of India's borrowing?—That I am unable to say.

32370. Then further, the share of the Government of India is to be subject to reduction in any year in which failure of crops necessitated famine relief. With these stipulations, do you think that the Government of India could effectually finance the defences of the country?—It seems to me that the Government of India would have a large number of growing revenues left to them, such as stamps, customs, assessed taxes, interest, railways, mint.

32371. They would lose a lot of their existing growing revenues?—Of course they part with their share in a certain number of expanding revenues which they at present have.

32372. Then the provincial heads under your scheme are to be independent of the Government of India budget, that is to say, to the extent that the Government of India is not to interfere with the budget?—That is so.

32373. Will not that interfere with the Government of India's calculation of cash balances, which depend on the difference between provincial revenue and provincial expenditure in any one year?—Yes.

32374. And if they are not accurately estimated, the cash balances and the ways and means which rest on them are disturbed?—Yes.

32375. You admit that the Government of India must be responsible for the ways and means of business of the country?—Undoubtedly.

32376. And yet you debar them from seeing that the calculations are as accurate as possible?—The Local Government being placed in a position of responsibility, and having more time to work up its budgets up to the end of March, would be in a position to estimate more accurately than now; it would be also more likely to estimate accurately if it were relieved from the necessity of referring every scheme to the Government of India. So much goes wrong with the local budget, in that they put in each year a provision for forthcoming reforms and re-organisation in anticipation that in the following year these will be introduced. What happens in a number of cases, for instance, police, is that they do not get introduced; the matter is referred back for further information, and therefore the expenditure stands over. But if we had the power to settle for ourselves, we should be able to estimate more closely what we were going to spend in the following year.

32377. Hope would still spring eternal?—But I think we might hope with some good ground.

32378. Is the Government of India Office not stronger than that of any Local Government?—It has got to be.

32379. And therefore has it not better opportunities for scrutinising the figures?—In this list of functions it is stated that all matters which are not specially assigned to the Central Government are to go to the Local Government; do you agree to that personally?—No, I think that is too wide.

32380. Then (possibly as a matter of unconscious satire) the list of functions of the Imperial Government is headed with the word "bankruptcy." What would happen if any province went bankrupt under this scheme?—I cannot answer for that entry exactly, but I understand that it is dealing with the Bankruptcy Act.

32381. Do you think that the Government of India could really allow a provincial Government to go bankrupt?—I have not thought that it was suggested anywhere that it could.

32382. Full freedom of financial responsibilities does include a possibility of entering into the Bankruptcy Court?—I suppose it is to be assumed that a Local Government will have some discretion in its finance.

32383. Still, the Government of India could not really afford to let a provincial Government become bankrupt, and therefore it must take steps to prevent such an unfortunate event occurring?—If the necessity arose it would have to.

32384. The Local Government claim a larger power of delegation in regard to Imperial Departments, that is to say, departments which under their scheme have to be imperial. Is the Government of India to be absolutely at the mercy of an agency that might possibly have caused justifiable distrust? Suppose in some particular province the estimates for Public Works had always been largely exceeded, or the engineers were not thought competent, is the Government of India nevertheless to accept without question the agency of this Local Government?—So far as the Local Government is the agent of the Government of India it must necessarily be under the control of that Government.

32385. Therefore if the statement in the Local Government's memorandum means that the Government of India is to absolutely surrender itself to the agency of the Local Government, you disagree?—I certainly do not think that it is suggested that the Government of India ought to surrender itself to the agency of the Local Government.

32386. It is suggested that the Local Government, as agent for the Central Government in imperial matters, should have larger powers of creation of appointments up to Rs. 250, provided budget provision is available; would that not be dangerous? The budget provision might accrue from temporary savings, and your power of making appointments would add a permanent liability?—A permanent liability on condition that provision has been made by the Imperial Government for such items. It says, "if budget provision is available for such items"; if the provision is there for an appointment, the Local Government might make it.

32387. But if provision has been made for such items, the Local Government gains nothing by sanctioning them?—Except that it saves a reference.

32388. Suppose there is a lump sum of Rs. 10,000; you mean the Local Government might exercise its discretion within the Rs. 10,000?—That would be one way of working it.

32389. Then it is claimed that they should have the right to spend for Public Works up to 10 lakhs without reference to the Government of India; is it not the fact that, with the best intentions, engineers' estimates are often largely exceeded?—That might happen.

32390. Therefore this power might land the Imperial Government for not merely the amount that was down in the budget, but perhaps twice that money?—That might happen.

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32391. Do you not think that that requires to be guarded against?—It might happen to the Imperial Government when it has sanctioned up to ten lakhs that the engineer's estimates were exceeded, and it would still find itself landed with the excess amount.

32392. But there is some difference in your having to pay the piper for your own mistake, and having to pay for the mistake of somebody else?—If the agent is so distinctly somebody else's that you cannot be expected to carry his mistakes, then of course that is so.

32393. The Government of India has nothing to say to the promotion or appointment of Bombay engineers?—I do not know for certain with whom it rests.

32394. Among the matters in which the Government of India is said to have blocked the Bombay Government for a series of years there are mentioned proposals as regards Commissioners. Did not the original letter from Bombay come up in 1895?—I think that is so.

32395. It was answered by the Government of India in March, 1896; they said they were not in favour of a general delegation, and they asked the Bombay Government to be kind enough to specify what powers they actually proposed to delegate. That letter was not replied to by the Government of Bombay until the end of 1906?—I think that is so.

32396. Then is it fair to say that the block rested with the Government of India? I put it to you that the block was by the Government of Bombay?—I do not know about that. I was thinking of the case in which the delegation was made to the Commissioner in Sind. In that case a recommendation was made to the Government of India; it was accepted without any reference back again; the thing was put through in a short Act in about one year. If a similar course had been adopted here, the ten years' delay would not have arisen at all.

32397. If the ten years' delay was unnecessary, was it the fault of the Government of India?—As to how it occurred I cannot give you any account at all.

32398. There is another case in which complaint is made that there was a block by the delay of the Government of India, namely, owing to the revision of the Subordinate Forest Service. Do you know anything about that case?—Yes. I cannot remember the exact dates without looking up the correspondence, but proposals went in from this Government to the Government of India in 1888. They came back again with suggestions from the Government of India; those were not accepted here, and a further statement was prepared by the Inspector-General of Forests; that took another three or four years; then it went on with correspondence, until we sent up a scheme in 1905.

32399. In August, 1892, the Government of India forwarded a scheme by the Inspector-General of Forests; in December, 1892, the Local Government expressed their inability to adopt it; then the matter slept until 1905 as far as the Government of India was concerned; the Local Government occupied these 13 years in discussing the case in its various aspects?—That is so, because other matters came under inquiry, partly under the impetus of the Government of India, partly on the motion of this Government. It was not until 1902, owing to plague and famine, that the matter was definitely taken up and submitted in 1905.

32400. But is it fair to blame the Government of India for the slow gestation of the Bombay Secretariat?—I do not think there was any slow gestation of the Bombay Secretariat; I think it might have been got through more quickly if it had not been thought necessary to give so much discussion to the original proposals of 1891; for instance, twice the Government of India thought it necessary to send down for further consideration what the Local Government were unable to accept. If they had been able more to meet the views of the Local Government that delay would have been avoided.

32401. (*Sir Steyning Edgerley.*) As regards the 30 lakhs excess in the budget for expenditure in 1906-07, was not the reason that great famine was feared and a large sum was provided, and fortunately the Bombay Government had not to expend it?—I think that was so; I was not here at the time, but I understand from the papers that that was so.

32402. Is one reason why the Bombay Government do not discuss the budget before June that they give the members the detailed civil estimates for consideration; the members are not asked to discuss the budgets until they can have the civil estimates in their hands and see the details?—Undoubtedly they always have them before the budget meeting.

32403. As regards the grants for police, of course the Government of India regulate the distribution of them, but would it surprise you to hear that Burma got the whole of its contribution as part of its new contract before it got its proposals passed?—Certainly it does surprise me to learn that that is the way in which one Government was treated.

32404. As regards your scheme for the separation of finances, you yourself do not propose that there should be actual separation, but that there should be a new settlement with the Government of India?—That is my idea.

32405. Why do you think that better than actual separation?—It seems to me so, because an actual separation would involve necessarily a separate balance. Our balances would have to be kept separate, and it would be a very complicated business to have separate provincial balances and Government of India balances.

32406. Would that be met if it were provided that the Local Government should bank with the Government of India?—That would amount to the same thing; it would work, practically speaking, in the same way.

32407. Also, just as the Local Government is the agent for the Government of India in managing certain heads of revenue and expenditure, it would be perfectly easy to work a system by which the Government of India should be the agent of the Local Government for the purpose of borrowing?—So it seems to me.

32408. Taking the average of past years just as a banker might do and the average of the accounts, there ought not to be any difficulty in the Government of India regulating their ways and means?—So far as I can judge I think not; I have had no particular means of judging.

32409. It is a possibility?—Yes.

32410. If the Local Government got a separate title to their revenues it would finally prevent that sort of suck-back which is the tendency of every controlling Secretariat—that sort of gradual re-absorption of authority?—Exactly; that is the idea—that if the Government of Bombay had control of its own separate heads of expenditure there would be much less cause for the Secretariat of the Government of India to interfere with the control and disposition of that expenditure.

32411. Looking back to the history that was given by Mr. Meyer, it was perhaps an unfortunate and retrograde change that in 1877 (though I quite admit that other particular powers were given) Lord Mayo's principle of separate heads of revenue and provincial budget freedom was departed from?—So it seems to me.

32412. I take it that all your figures are only intended to show that negotiation is possible?—That is so; they are not intended to be an absolute definite scheme at all.

32413. What is your view about major irrigation? I think you have put it all into provincial?—We have put it all into provincial in this outline on the idea that we would be able to undertake it all with borrowing powers.

32414. Do you consider that that is feasible in view of the very heavy protective works that are contemplated in this Presidency, the total of the

irrigation schemes of this class amounting to 10 or 15 crores; would you still be able to keep it in provincial?—If we had borrowing powers and exercised them, the possibilities of this Government with such a scheme as that, and undertaking its protective works even, have been worked out by the Public Works Department, and it appeared to show that we should be able to undertake the whole.

32415. Are the establishments of the Imperial Departments entirely distinct from those under divided heads, *e.g.*, salt and excise?—They are not entirely distinct.

32416. In any scheme of that sort how would you propose to deal with the control of such mixed establishments?—Something like we do now. Salt is an imperial head, excise is a divided head, and an agreement is come to as to the proportionate share of expenses which shall be debited to either head.

32417. But as to the control of expenditure on establishments?—Even at present, of course, so far as the establishment is described as salt, it is an imperial establishment entirely, and has to be treated under the rules applicable to imperial expenditure. Excise being a divided head, that also has to be treated practically under the same rules. If excise were an absolutely provincial head all establishments that were definitely placed as excise would have to be dealt with by the provincial department.

32418. It would be rather uneconomical to divide the establishments?—Undoubtedly.

32419. And that would have to be negotiated?—Yes.

32520. Take salt or opium; is it in your experience that Collectors or other officers who have to deal with the detail work make any difference in the amount of labour that they put into their work because a thing is an imperial head or a provincial head?—I have not observed any at all; it is all the work that one has to do, and one does it.

32421. There is no greater zeal, for instance, for land revenue than for opium or salt?—No.

32422. In a matter of expenditure, either as Secretary or as Collector, have you ever noticed that there has been a tendency to say, "This does not matter to us, it is Government of India expenditure, let us get as much as we can," or is there due economy?—It seems to me that we examine, in the Secretariat certainly, as closely what is imperial as what is provincial.

32423. That being so, do you see any particular reason, assuming that the Government of India can fix the principles of administration and also have an independent audit, why they should not trust the Local Governments as agents to the same extent as they trust them at present in the shared heads of revenue?—Under what conditions?

32424. As to imperial heads of revenue and expenditure. There is a very great difference as to powers of sanction under imperial and shared heads; the suggestion is that, if there is no difference as to the zeal of the agents, and if there is no difference as to the power of the Government of India to lay down principles and guiding rules, and if there is no difference as to the independent audit, there is no real practical reason for that distinction in the powers accorded to Local Governments?—I cannot see that there is.

32425. That is to say if you recognize the solidarity of the Government of India and the Local Government?—Yes.

32426. As to the tendency towards uniformity and rigidity, is there not a tendency of that sort in the Government of India?—No doubt.

32427. Did not the Bombay Government have an instance lately; when they sent up a scheme of regrading the *mamlatdars*?—The proposal was to abolish the existing magisterial allowance given to *mamlatdars*, Rs. 40 a month, and institute a new grade of *mamlatdars* on Rs. 275 a month.

32428. What was the answer?—The answer was that they agreed entirely with the abolition of the magisterial allowance of Rs. 40 a month, but they could not agree with the creation of a new grade of *mamlatdars* at Rs. 275 a month on the ground that no such grade existed in any other province and that the creation of such a grade would cause an embarrassing precedent. *The Hon. Mr. R. A. Lamb.* 5 *Mar.*, 1908.

32429. Is there any other province where a *mamlatdar* or a tahsildar or a *myook* is a First Class Magistrate?—I do not know what they do in other provinces.

32430. The answer, to all intents and purposes, was simply that "uniformity must be observed whatever the local conditions might be"?—Absolutely no reason was given except the necessity of uniformity in every province as to officers of that class.

32431. Are not *mamlatdars* extremely heavily worked and utilized in all branches of the administrations?—Yes, practically every branch of the administration is referred to them; for the major part they are Graduates of Universities, men highly trained and educated.

32432. You suggest that Inspectors-General should be absolutely debarred from correspondence. Instances have come to notice of correspondence between officials of the Bombay Government and of the Government of India; how did those come to notice?—I cannot say how they came to notice. In the instance that is referred to in the Government Case with regard to the inspection of salt, I think it was brought to notice by the recipient of the letter.

32433. It was found out in the course of the preparation of the materials for the Government Case for this Commission?—Yes, I could not say how each case was traced.

32434. As a matter of fact were not the correspondence files of some of these provincial officers sent for to see what was on record?—That may be so. I did not prepare the Case myself.

32435. Ordinarily there is no means by which such correspondence can come to notice?—Ordinarily there would not be.

32436. Do you consider that these Inspectors-General are usefully employed in the matter of research, as, for instance, the Director-General of Agriculture at Pusa, the Inspector-General of Forests at Dehra Dun, the Sanitary Commissioner at Kasauli and so forth?—So far as they are employed on research I should say they are usefully employed.

32437. The Government sent up these delegation proposals about which you have been questioned again in 1906; do you know what the answer was?—You mean the delegations to Commissioners; the answer was merely that they would be kept pending the result of the enquiries of this Commission.

32438. That means another two or three years' further delay?—I presume so.

32439. The last reference back about the forests establishments reorganization was a call for any amount of information about the beats?—We were required to send in full information as to every forest guard's beat in the Presidency; similarly in the case of the police, they also required to know where every police post was stationed and the strength of it.

32440. Could even Local Government with its greater local knowledge deal with that mass of detail?—I think not; I have not looked at the papers supplying that information.

32441. We were told in one province that one reason why the Government of India has to keep up the very large amount of information, and so on, was in order to keep the Secretary of State informed as to matters that were likely to come before him in Parliament; is it at all uncommon for the Secretary of State, if he wants information in order to answer a question, to come to the Local Government direct?—He comes to the Local Government direct. While I have been in the

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Secretariat there have been three or four direct references to the Secretary of State to answer questions in Parliament.

32442. There is no apparent inconvenience in that procedure so far as you know?—None at all; the information required has been supplied and the answer has been given.

32443. Are there not Standing Orders that copies of all communications to the Secretary of State go to the Government of India?—I believe there are.

32444. So that they have complete opportunity of control or comment if anything is said as to which they wish to exercise control?—Yes, the full information is supplied to them equally with the Secretary of State.

32445. So that, so far as one can see from here, there is no particular reason why the Government of India should endeavour to keep themselves armed at all points and with the result of increasing work, to provide information which could be obtained direct without diminishing their control?—There does not seem to me to be any reason.

32446. There is a witness coming before us who urges the appointment of a Chief Conservator of Forests in this Presidency; what is your view as to that?—My own view is that it would be a useful thing to have a Chief Conservator of Forests.

32447. Do you know what the view of the Government is?—Hitherto they have not accepted that view; they thought it would be an unnecessary increase of expenditure in the higher grades of the department.

32448. He also suggests that the opinion of a Conservator who has no power to visit localities, where working plans are being prepared is worthless as to such plans; do you share that view?—I do not; I think the review by the Senior Conservator of working-plans submitted to him is useful. A case occurred within my own knowledge in which a working-plan was submitted to the Inspector-General of Forests in India, who gave his opinion without having seen the forest; it was a very useful opinion, and settled the question.

32449. Should you describe the attempt to utilise the first grade Conservator to formulate and coordinate recommendations on technical matters as "futile"?—No, that is not my view at all.

32450. With regard to those proposals scheduled to the second part of the Case, I understand that the Government will dispose of them in due course on the principle that power should be placed as low down in the administration scale as is safe?—That is the intention indicated in the Government Case, that it should be put down as low as possible, and that even the risk of the officer to whom the power is given making a mistake should not be given undue weight; that is to say that the risk of his making a mistake will be taken, in order that he may have the power.

32451. I suppose that will take a considerable time to work through?—Undoubtedly a considerable time.

32452. It will probably also involve the amendment of a good many Acts?—Yes; wherever there is a specific enactment requiring the sanction of Government, it will require amendment by law.

32453. Would you propose to put in the Act a schedule of everything you wanted to do, or would you propose to pass a succession of Acts year after year as you found out by experience what delegations were needed in preference to having a sort of general delegation Act which would enable you to delegate as each case came up?—If one could find out at once what all the Acts are which require the sanction of Government, and could amend them all in one Act now, it would be a good thing to do; then the thing would be done with.

32454. And next year as you absorb these powers you suddenly find there are a great many more powers which you have overlooked in preparing the amending Act, or powers which may not have been overlooked, but which may not have been ripe for devolution?—That might occur; it might be decided that delegation was not desirable, and a year or two afterwards it might be decided that it would be desirable to delegate.

32455. Would you go on passing these special Acts with precise schedules?—Unless there were any general delegation Act passed it would be necessary.

32456. Have you ever in the course of your general service in this Presidency heard any complaint as to the operation of the Sind Act?—I think not. I looked up the Secretariat records recently to see whether I could find any trace of any trouble in connection with that Act, and I was not able to find any.

32457. If you had an Act of that sort coupled but supplemented by provisions regarding the notification of proposed delegations and invitation of objections, you would really give everybody exactly the same notice as you would give by bringing forward specific Acts in Council?—Certainly, if you had notification and called for objections.

32458. You would further not have to wait for delegation in a particular instance until you were satisfied that you had looked round every corner and swept up everything as to which legislation was necessary?—That is so.

32459. So that with reference to a phrase you use in your statement the general Act would be the speedier means?—That I think would be so on the whole.

32460. (*Chairman.*) Are you of opinion that it is desirable to have a permanent Settlement Commissioner?—I think so; he was abolished altogether and had to be re-instituted.

32461. When was he abolished?—When the old Settlement Department came to an end. For a time there was no Settlement Commissioner at all, and the Director of Land Records was put in charge of the old Survey Department, and it was left somewhat indefinite as to who should do the work previously done by the Settlement Commissioner; ultimately it was decided that the director of Land Records must do it, and, if he had to do it, he had better be called Settlement Commissioner also.

32462. Then in this case the Director of Land Records and the Settlement Commissioner are one and the same person?—Yes.

32463. He submits nothing to Government without consultation with the Commissioner?—Yes.

32464. Who is the final judge in settlement appeals, the Settlement Commissioner or the Commissioner?—I do not think that settlement appeals come into question at all in this Presidency. The officer gives final form to and submits proposals for a settlement of a particular district for the proposed period of guarantee, ordinarily 30 years; then the thing comes up, orders are passed and the assessment is generally guaranteed for 30 years, and it remains.

32465. But who has the deciding voice?—The Government. It comes up to them.

32466. It does not stay with the Settlement Commissioner?—No.

32467. Does the Divisional Commissioner interfere in any way with settlement?—Yes, he records his opinions.

32468. It first of all goes through the Settlement Commissioner, then through the Divisional Commissioner, and then comes up to Government?—Yes, to the Revenue Secretary.

32469. In this case the Revenue and Financial Secretary are the same?—Yes.

32470. It comes up to you and then goes from you to members of the Government as a whole?—Yes.

32471. That is to say, four different persons have to decide upon the question of settlement appeals?—There are even more than that concerned; it is usually prepared by an Assistant Collector, or it may be according to convenience by one of the Assistant Superintendents of Land Records; he

submits it to the Collector; the Settlement Commissioner then deals with it, and it then comes through the Commissioner to the Secretary. Of course the Secretary merely submits for orders; he records his own opinion, but he merely submits for the orders of Government.

32472. Are all those various stages necessary?—They are very necessary, because it is a matter of taxation to be imposed on a tract of country for a period of generally 30 years, and it is very necessary that it should be considered by everybody who has to administer the tract during that coming period.

32473. With regard to the remission of revenue, the Collector cannot now remit revenue up to a certain extent?—He can remit without limit.

32474. Speaking generally, there are both what are known as wet and dry assessment and revenue?—We do not speak of them exactly in those terms; there is the dry crop and the irrigated or garden crop.

32475. Can the Collector remit revenue on both those kinds of crops?—Yes.

32476. Up to the same extent?—I think so; I think there is no differentiation.

32477. You have not found either in your experience as District Officer, or as Revenue and Financial Secretary, any harm resulting to the revenue from the power of the District Officer to remit revenue of both kinds?—I think not generally. I do remember one case in which there was a remission made by a Collector on irrigated crops in which it was questionable whether he had exercised his discretion wisely.

32478. But there has been no general harm follow upon his general power?—I think not.

32479. Is there any rule in the Government of Bombay as to the length of employment of officers in the Secretariat; would they pass through your offices?—No, not necessarily; in fact, I do not think I should have anything to do with any appointment of a Secretary except only the Under-Secretary in my own department.

32480. What department deals with the selection of officers for the Secretariat?—The Private Secretary.

32481. You do not know whether there is any rule which governs his selection?—No, I cannot say that I know of any rule.

32482. Are there any rules governing the transaction of business between department and department?—Yes, there is a set of Standing Orders governing the Secretariat.

32483. Suppose a question, as must often be the case, is referred from one department to another, in what form must the communication pass; you are all more or less in the same building I take it?—We are all in the same building except the Public Works Secretaries. It is laid down in the Standing Orders that when a department is dealing with a case it must make an unofficial reference to every other department which is even indirectly concerned in the case; if on unofficial reference it appears that a case can more reasonably be disposed of in another department, then an official reference is made, and it is transferred to the other department.

32484. When you say that an unofficial reference is made to another department is that orally or by writing?—In writing; the papers are sent across with a sheet detailing what the facts are and the words are "Unofficial Reference."

32485. Does that run into two or three pages of foolscap?—No, just two or three entries on the sheet covering the papers in the case.

32486. Are the whole of the Secretariat housed in the same building?—Except the Public Works Department.

32487. Has the Governor got an office in the Secretariat?—He has his own room.

32488. Does he attend at the Secretariat offices?—He comes twice a week for the transaction of business.

32489. Do you find that that facilitates the transaction of business?—Certainly it does.

32490. Do Members of the Council attend at the Secretariat?—That is largely in their own discretion; a room is provided for each of them.

32491. Do they as a matter of fact attend at the Secretariat?—Personally I have been here just three months; I notice that one Member is here daily and the other occasionally.

32492. Do you find that the presence of Members of the Council in the Secretariat building facilitates the transaction of business?—In urgent cases one gets through the work just the same, because things are sent by special messenger, but in ordinary work it results in a case coming back rather more quickly than if a Member were in his own house; it comes back the same day or the next morning, instead of on the following morning or the following evening.

32493. When cases are put up by the Heads of Departments, such as the Director of Public Instruction or corresponding officials, does the Head of the Department consult with the Secretary of the Department before he puts up the case officially?—I do not quite understand what you mean by putting up the case; the Director of Public Instruction sends in a case addressed to the Secretary to Government in the Educational Department.

32494. He has some proposal in his head; does he before he sits down and writes a long official memorandum explaining the proposal come and speak to the Secretary in the appropriate department and say, "My plan is so-and-so; what do you think of it?"?—It depends very much on the personal equation. Some officers are fond of personal discussion before putting pen to paper; others prefer to work it out for themselves and then put it on paper.

32495. We were told that the Secretary to Government in a particular department refused practically to allow the Head of a Department, like the Director of Public Instruction, to deal with him except upon paper; is such a procedure wise?—No, I do not think any Secretary here would ever think of doing that.

32496. In the instance which is mentioned in the Government of Bombay statement as to the advising of the Collector of Salt Revenue by the Inspector-General of Salt and Excise to do certain things, what has been the result of that?—There has been no result that has been arrived at; the only thing I have received from the Secretariat through the Commissioner of Salt is a proposal for the strengthening of that particular frontier line.

32497. Was the advice of such a character as to take almost the aspect of orders?—I do not know. I have not seen the actual papers.

32498. Therefore you do not know whether the advice was legitimate advice or whether it was advice of such a peremptory character as to interfere with the administration of the Government of Bombay?—No, I know nothing more than that he did address him on the subject; in what terms I do not know.

32499. You are the Secretary in the Department of the Government to which all excise matters come. If anything improper in the action of the Inspector-General had arisen, your department would have been cognisant of it?—It would have been cognisant if it had been reported.

32500. If anything had gone wrong, your department must have known; what other department could have known?—It would not go to any other department.

32501. You as Secretary must have known the details of the case?—If they were reported, not otherwise.

32502. This case is mentioned by the Government of Bombay; it must have come through your office; can you give me the details?—All I can say is that it has not come up departmentally at all.

32503. Then how did this come to the light of the Government of Bombay?—It came to light by the Government being informed by personal communication from those who knew of it.

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32504. But you officially know nothing of this case?—It has not come into the Secretariat officially; I happen to know it personally.

32505. Therefore, may it be taken that officially no harm has been done to the Government of Bombay?—No harm has been done to the Government of Bombay, except, as the Government of Bombay say, that the officers of the Local Government were placed in an awkward position.

32506. But you, as Secretary, know nothing about the awkward position?—Not *quâ* Secretary.

32507. Do you know it as an individual?—I do know it as an individual, certainly.

32508. Then will you tell us, as an individual, what you do know, because it seems to be a case on which the Government of Bombay lay stress?—What I know as an individual is that the Collector of Salt Revenue received a letter from the Inspector-General of Salt and Excise stating his opinion that measures should be taken for the abolition of this line, because it was as useless as the Great Wall of China.

32509. Was that an improper expression of opinion? May it not be quite true?—It may be in the Inspector-General's opinion advisable that the line should be removed as useless; the point that is sought to be made here is that it is an improper way of bringing it up for discussion at all.

32510. You object to that expression of opinion to one of your Government officers?—That I understand is the Government case.

32511. Do you agree with the view put forward by the Government of Bombay that there should not be this informal correspondence?—It is desirable that there should not be this informal correspondence suggesting the removal of a method of administration which has been adopted by the Government.

32512. But there was nothing more than expression of opinion?—The suggestion was that he should take measures for the abolition of this measure of Government.

32513. Now about vernacular correspondence; you say that a good deal of discussion, or it may be correspondence, in the vernacular takes place between a Collector and his assistants?—They do a great deal of their work in the vernacular.

32514. Is that in writing as well as by oral communication?—I was particularly thinking of writing; they do not write in their own hands of course; each Assistant Collector and each Collector and Commissioner has a vernacular branch to his office in which all minor things that have to be dealt with are written out by the vernacular clerks, and the assistant in the office brings up the papers to the Assistant Collector, Collector or Commissioner; he reads out as much as is necessary, reads out a draft of the order that is desired, and asks for an order.

32515. Can the Collector as a rule read this correspondence?—I think so, provided he has been long enough in the district.

32516. Is it essential in the correspondence of the office that the Collector should be qualified in the vernacular?—I do not say that it is essential; that is rather a strong word, but it is the quickest way to dispose of the work.

32517. And the most sensible?—I think so; they all start on vernacular papers to begin with, and it is best that they should be carried through in the vernacular.

32518. (*Mr. Meyer.*) I gather that this rather stern denunciation of Inspectors-General by the Local Government does not meet with your agreement as a private individual?—No; my own views are as stated; the Government statement is not my own at all, nor do I go all the way with it.

32519. You think that, in their sphere, Inspectors-General are useful?—I think so.

32520. May I put it that one of the reasons is that they enable the Government of India to know more about the circumstances of the province than a Secretary or Member of Council sitting at Simla or Calcutta can know?—I think that is so probably.

32521. And they would save perhaps the long official correspondence referred to in the statement—"Every reference to the Government of India has to be explained at full length and on paper to a distant official." Might not an Inspector-General abridge those lengthy documents?—The Inspector-General would be able to supply the Government of India with the information that he himself had collected on his tours, no doubt.

32522. If as the Government of Bombay admit salt is to be an imperial item of receipt, it is a matter of reason, is it not, that the Government of India should have an Inspector-General for Salt?—If they find it necessary, certainly.

32523. As regards excise, you sat on a Committee which unanimously made a recommendation that there should be an Inspector-General of Excise?—Yes; it was not a matter definitely referred to the Committee, and therefore they did not make any very strongly expressed recommendation on the subject; they adverted to it, and there was not any very strong feeling; there was a general feeling, that was all, that it might be desirable.

32524. And as a Committee you also adverted rather strongly on the way in which the different provinces had got into compartments in the matter of excise?—That is so.

32525. And you pointed out that in present day conditions you wanted freer communication between the provinces and a greater amount of co-ordination than could be obtained by purely provincial departments?—That was the view of the Committee.

32526. Then as regards printing and stationery, is it not the fact that the Bombay Government have periodically referred to the Comptroller of Printing and Stationery and asked him to sit on committees dealing with the Government presses?—I do not know.

32527. If that is so, it can hardly be said that he is useless?—Of course if you make use of an official you can hardly say that he is useless.

32528. You said in your statement that the Bombay Government were never rigid unless they were obliged to be rigid by the Government of India?—I do not know that I used those words.

32529. That is the gist of it; may I take it that that is qualified by your answer in which you admitted that the Bombay Government had been a little rigid in the matter of land revenue?—Formerly the policy was one of collection of land revenue with very little of remission.

(*The witness withdrew.*)

Mr. H. Murray was called and examined.

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32530. (*Chairman.*) You are a Conservator of Forests?—Yes, I am officiating in the first grade, but I am permanently in the second grade.

In regard to the Forest Act there are two restrictions imposed by law on the Bombay Government which might be relaxed with advantage. (1) Under Section 26 the sanction of the Government of India is necessary in the case of all disforestments, necessitating a very large number of references every year. In most cases the area in question is of very trifling extent, the land being generally required for purposes of cultivation, burial grounds, house-building, etc. Where larger areas are concerned it is generally a question of railway or canal extension. It is believed that sanction has in no case been refused, and the necessity of applying for it may very well be dispensed with.

(2) Section 77 requires the sanction of the Government of India in the case of all rules made under Sections 27, 31, or 41 of the Forest Act. As all such rules are made to meet purely local requirements, of which the Government of India cannot possibly have proper cognizance, and their scope is limited by the sections of the Act under which they are made, there would appear to be no reason why the matters should not be left to the Local Government.

In the event of anything really effective in the shape of decentralization being carried out whereby the Government of Bombay is given full, or at any rate largely extended, powers of control, there will be little or no scope in that province for the active exercise of functions by the Directors and Inspectors-General appointed under the Government of India. Under any circumstances it is difficult to understand in what way these officials can justify their existence in so far as concerns their relations with Local Governments like those of Bombay and Madras. In the case of Local Governments more immediately under the control of the Government of India, it is probable that their influence is more apparent than real in so far as it may be found expedient by the Local Heads of Departments in those provinces to allow the Director or Inspector-General to voice their own opinions in order to acquire for them greater weight. On the one hand it is hardly likely that these officials, appointed, as they are, late in their service, are capable of acquiring sufficient knowledge of local conditions obtaining in any of the various provinces in which they have not already served to enable them to give advice of any real value to men who have spent the best portion of their lives in studying and adapting their methods to these same conditions; while, on the other hand, there is no reason to suppose that at least some of the local officers are not quite as capable as the Director or Inspector-General himself. Moreover, a local officer has ample facilities for learning what is taking place in other provinces by reading the administration reports and the Service magazines. From a purely departmental point of view, these appointments are not regarded with entire disfavour as it is a distinct advantage to have at the head of the department an experienced officer in close touch with the Central Government who can make known the grievances and wishes of the Service as a whole. No doubt there is plenty of scope for at least some of these appointments, but the officials should remain at headquarters surveying the work of their respective departments throughout India, collating and distributing information, advising the Government of India as to the broad lines of policy, and giving advice to the Local Governments when asked for.

So far as the Forest Department is concerned, there has been a distinct tendency towards administrative reform within the last few years, more particularly in the further delegation of powers to Conservators and Divisional Officers. The suggestions apparently all emanated from the Government of India. This, however, is merely an example of the evils of centralization, under which there is always a tendency to leave the initiative to the controlling power.

Provincial Governments should certainly be allowed to develop their administration on their own lines as far as is compatible with the general policy of the Imperial Government. They must surely know what is best adapted to the needs of the province in which they have spent the best portion of their lives. On the other hand, the Government of India by means of annual administration reports, and those of their Inspectors and Directors-General, is in a position to know the details of administration in each and every province, and no doubt would be able to offer useful suggestions and advice to the Government of any particular province, but these should not be given in the form of mandates.

There does not appear to be any good reason for curtailing the right of appeal to the Government of India now granted to officers of Government against orders applying them personally, except in the case of supersession in the matter of higher appointments for which selection is exercised by the Local Governments. If the Local Government is not in a position to decide whether an officer is suitable or otherwise for a certain appointment, it is extremely unlikely that the Government of India will be in a better position.

The right of appeal allowed under section 35 of the Land Revenue Code is unnecessarily liberal and its exercise leads unduly to increase work and to weaken authority.

No appeal should lie against a Collector or an officer of corresponding position in any other department in the case of fine, suspension or reduction inflicted upon an officer whose monthly salary does not exceed Rs. 35 per mensem, and similarly no appeal should lie against an order passed by an authority superior to the Collector or by an officer of corresponding position in any other department in the case of an officer whose monthly salary does not exceed Rs. 99 per mensem. In regard to an order of dismissal one appeal should always lie against such order passed by any authority on his own motion.

So far as the Forest Department is concerned there have been no undue demands for returns and information in recent years.

Without doubt the influence of the Bombay Government has in more recent years been in the direction away from rigidity and uniformity, though further decentralization of power is indicated in the interests of efficiency and sympathetic administration. Secretariat rule has become much less pronounced, and there appears to be greater inclination to trust in the judgment of the man on the spot. Much good in this direction is brought about by the frequent tours of His Excellency the Governor which bring him into contact with the local officials, as well as with the people and the actual state of affairs in the *mufussal*. The influence of the Governor is consequently almost always opposed to undue rigidity and uniformity. Both these defects, when they exist, are due more than anything else to the existence of a too powerful Secretariat composed of men who have spent most of their service there, and who, in consequence, are out of touch with the District Officers and the march of events outside the headquarters of Government, with the result that they tend to become more and more machine-like in their methods subordinating every other consideration to form and precedent. The remedy lies (1) in delegating further powers to officials outside the immediate governing body, trusting more to their discretion in disposing of matters falling within their jurisdiction, and in giving due weight to their opinions on subjects which come before the Local Government for disposal, and (2) in selecting as Members of Council men who have spent a considerable portion of their service in administrative appointments, and in preventing undue rigidity on the part of the Secretariat by constant changes amongst the Secretaries. It would be a good thing too if Members of Council made tours of inspection whenever possible.

The Forest Department has no complaint against the Bombay Secretariat. There was a time when the department was harassed, not to say bullied, but the fault was as much on one side as the other, and those days are past. Nor does it appear that the Bombay Government is too much dominated by considerations of revenue. The introduction of working-plans constitutes a guarantee against over-exploitation of the forests, and no difficulty is experienced in obtaining as much money as can reasonably be expected for expenditure on capital outlay or on works of improvement.

The influence of the Commissioners might with advantage be increased in matters appertaining to forest administration. In questions of technical interest it would be difficult for the Commissioners to do more than record a pious opinion, passing the papers on to Government, who in the absence of a Chief Conservator whose advice they might seek, would be in no better position for adjudicating upon them. But in matters affecting the relations of the Forest Department with the general revenue administration the Commissioner's authority might be greatly increased, reserving, however, the right of the Conservator of Forests to appeal against any decision of the Commissioner on matters of general policy.

In the case of District Officers the opportunities for seeing the people personally exist, but there are obstacles in the way of their being fully utilised. One is early marriage, early that is from the point of view of service. It is impossible for a young married man to devote as much time to personal intercourse with the people, to be on

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such friendly terms with them, or to get about his charge so readily, as a bachelor. It would be sound policy to rule that young officers in all branches of the Service should not marry until they had completed at least 5 years' service. A young, healthy-minded, able-bodied officer, fond of riding, shooting, and being generally on the move, is much more likely to fraternise with the people and learn sympathy with them than one who suffers from mental or physical anæmia. More attention should be paid to physique in the selection of candidates, especially in the case of the Civil Service.

The answer to the question as to whether Executive Officers possess sufficient knowledge of the vernaculars is to a certain extent bound up with the considerations above referred to, but to these may be added a third in the shape of frequency of transfers. An officer who is frequently transferred during the early portion of his service to districts possessing different vernaculars has very little chance of learning any one of them really well, while on the other hand, if he is given a chance of learning one vernacular really well he is in a much better position for acquiring others subsequently. An officer can hardly be expected to be able to converse in any of the vernaculars with fluency and idiomatic freedom with less than 3 years of constant practice, so that it would be highly advisable to afford him the necessary opportunity. Moreover, more attention should be paid to colloquial proficiency than is at present displayed in the departmental examination of officers in the vernaculars. Experience shows that as a general rule members of the Civil Service and the Forest Department in this Presidency possess a very fair knowledge of the vernaculars.

In regard to the Forest Department in this Presidency an increase in the administration staff is distinctly necessary. At present there are 4 administrative charges or circles, but only 3 Conservators, the 4th charge, that of Sind, being held by a Deputy Conservator. The Sind circle is an important one with a large and increasing revenue, and there is no valid reason why the officer administering it should not be a Conservator. At present the officer in charge exercises all the powers of a Conservator while drawing the pay of a Deputy Conservator supplemented by a charge allowance of Rs. 100 per mensem. The difference in pay, including the allowance, between the pay of a first grade Deputy Conservator and that of a Conservator is only Rs. 150 per mensem, and in all fairness the change of rank should be sanctioned.

Further, there is urgent need for the appointment of a Chief Conservator as recognised Head of the Forest Department in Bombay. Similar appointments have clearly been made in Burma and the Central Provinces with excellent results. It is a fact worthy of notice that the Forest Department is the only department in this Presidency which does not possess a recognised Head. In Bombay there are 4 circles against 3 each in Madras and the Central Provinces, and 4 in Burma. The Government of India has already recognised the necessity of appointing a Chief Conservator in all provinces where there are 3 or more circles, but so far the Governments of Bombay and Madras have not taken advantage of the proposal. The arguments in favour of a Chief Conservator in Bombay are overwhelming. In the purely technical working of the forests the present arrangement under which 4 Conservators are working independently of each other with no attempt at co-ordination or correlation of effort results in much waste of energy and to a very distinct loss of efficiency, while in the most important branch of all, *viz.*, the organization of the forests under working-plans, the absence of an expert adviser with general control over their preparation and working leads to want of continuity, lack of system and general chaos. In financial matters Government has no means of deciding whether the expenditure budgeted for is legitimately necessary or wisely expended. In matters of establishment Government is equally in the dark, each Conservator rolling his own log regardless of the others. There is great need of a recognised authority who can advise Government impartially on the many questions of privileges and general policy which are constantly arising in a province where forest conservancy is so intimately bound up with the interests of the public. As a matter of fact there is full-time work for a Chief Conservator in respect of working-plans alone.

An attempt to remedy the lack of an administrative Head has been made by appointing the first grade Conservator as Superintendent of Working-plans, and consulting him occasionally on the subject of appointments and other matters. The attempt has proved futile in both respects, in regard to working-plans because an officer in charge of an important circle has no time to visit the localities where the plans are being prepared and without local knowledge his opinion is worthless, and in regard to consultation a Conservator with a territorial charge cannot detach himself sufficiently to be able to give an independent and unbiassed opinion.

The grant of larger powers to Commissioners of divisions would certainly entail greater care in their selection, though this should present no insuperable difficulty. In the case of Collectors the difficulty is much greater, owing to the comparatively large number of men required and to the fact that so many of the best men are taken away for special duties. The danger of selection is that those who are superseded lose interest in their work and they cannot all be retired without unduly increasing the charges of the pension list. Selection is certainly necessary in the case of Heads of other Departments, though there is no need to go out of the way to select only the very best, thereby causing discontent and alarm throughout the whole Service.

In the Forest Department frequent changes of officers are to be deprecated, especially in the more important districts of Kanara, Thana and Khandesh, and more particularly in Kanara, which is the principal forest district of the Presidency. It is impossible for an officer to acquire a thorough knowledge of the forest requirements of these districts in less than two or three years, and he is of comparatively little use without such knowledge. Assuming that a Forest Officer will serve for 20 years before he is appointed as Conservator, this period might be distributed as follows:—Seven years in the Southern Circle, five each in the Northern and Central Circles, and three years in Sind. In Kanara, Thana and Khandesh an officer should serve for at least five consecutive years though not necessarily in the same forest division. In other districts a period of two or three years would be sufficient. In far too many cases transfers are necessitated by domestic reasons which could be obviated by bringing in the rule about early marriage.

The panchayat system for centuries past has played a very important part in local administration, and if properly worked is so thoroughly sound in principle that it should be encouraged as far as possible to exercise its influence and control in all matters affecting the interests of the village community. In forest matters a well regulated panchayat system might find ample scope for its authority in dealing with forest offences and general control over the exercise of privileges. Under present rules in the event of privileges being abused or forest fires too frequent, the Collector is authorised to stop the exercise of all privileges and levy double grazing fees during a fixed period. In such cases the village panchayat could be called upon to submit an explanation and if possible to trace the actual offenders. In fact there are many ways in which the regularly constituted panchayat could be utilized with advantage in dealing with forest matters. The great danger would, of course, lie in the tendency of these bodies to maintain an attitude of constant opposition to the department, though possibly this might be overcome by generous treatment in the matters of privileges and by insistence on communal responsibility in the event of their abuse.

32531. Who is the official adviser to the Government of the Presidency of Bombay in forest matters?—As a rule all the Conservators express their own opinions, but occasionally the first

grade, or Senior Conservator, is asked his opinion. Sometimes he collects the opinions of the other Conservators and expresses his opinion upon them.

32532. So that at all events he is treated from time to time as a first grade Conservator?—Yes. But there is no real distinction except as regards the pay.

32533. Is there any advantage in having a Chief Conservator?—Yes, I think so. There are at present four circles, and all the men are working independently. There is no co-ordination. Every man is working according to his own ideas, which may be good, bad, or indifferent; but a Chief Conservator would be able to go and inspect and advise Government as to what should be done regarding any questions arising in any of the circles, and also as to the control of working plans.

32534. Is there any selection of officers in the Forest Department?—Yes—or Conservators. It commences there now.

32535. Do all forest working-plans have to go to the Government of India?—No, copies are sent for information, but not for criticism.

32536. So that Bombay, which has not a Chief Conservator, is free from that control in the preparation of plans, which other provinces that have a Chief Conservator are not free from?—Yes.

32537. Is it necessary that forest working-plans should go up for the consideration of the Local Government, and of the Conservator, and of the Inspector-General of Forests?—No.

32538. However large the forest?—No. The size would not affect the plan.

32539. Has the Conservator experience enough and skill enough to prepare a forest working-plan?—He does not prepare the plan; he approves it.

32540. Is his experience sufficient in all cases to deal with such plans?—No. I think it would be much better to have another authority who has experience.

32541. In this Presidency, is there a schedule A and B classifying correspondence between the Collector and forest officers?—More or less; but it is not very well defined.

32542. Is it defined at all. Yes. The headings are roughly defined in Government orders, but not in the rules. The original rule was that all correspondence was to go through the Collector. Then the Collector objected, because of the extra work, and the Government altered the rule.

32543. What are control forms?—They are to show whether the provisions of the working-plans are carried out, and to what extent, and the results of the working.

32544. Do they go through the District Officer?—No. The forest officer sends them direct to the Conservator, as they are purely technical matters.

32545. Have you served in any other Presidency?—No. Always in Bombay.

32546. You have no knowledge, therefore, of what happens outside Bombay?—No, except what one hears and reads.

32547. Do you agree with the proposals of the Local Government with reference to Sections 36 an 77 of the Forest Act?—Yes.

32548. You tell us that of late years there has been a considerable delegation of powers to Conservators and District Officers; was that from the Local Government?—No, it emanated from the Government of India.

32549. Are there any powers which the Local Government could delegate?—A great number.

32550. Have they been delegated so far?—No, but it has been suggested that they are to be.

32551. (*Sir Steyning Edgerley.*) Is the Inspector-General of Forests likely to be able to acquire very much useful knowledge of Presidencies other than those in which he has served?—No, I do not think so.

32552. Do you think that the powers deputed to him cover the extent up to which he can be of service to the Presidency?—There may be cases where local opinions may differ, or in which the Government may be doubtful; and in these the Inspector-General might be asked to come and give his advice.

32553. But, generally, looking at the time of his service, at which he is appointed, can he be so well acquainted with Bombay as to give more than technical advice?—No.

32554. At the same time you think there is a certain advantage in having an officer with the Central Government to make known the wishes of the Service as a whole?—Yes, but the advantage is a selfish one entirely.

32555. Do you think that you ought to be allowed to correspond with him on departmental subjects?—No, it would not be good for discipline.

32556. Then he would only be of use when some recommendation came up from the Local Government?—Yes, unless we were allowed to ask his advice through Government on matters regarding which we were in doubt ourselves.

32557. You do not think you could use him as a lever on Service questions?—I think we could.

32558. Have you derived very great benefit from the Dehra Dun Institution as regards research, and inquiry, and the collection of results?—No. I do not think there are any results apparent so far.

32559. Is not the "Indian Forester" of service?—Does it not give you a good deal of useful technical information; is it not used as a vehicle to disseminate information from Dehra Dun?—It is used universally.

32560. So that so far as the Inspector-General can assist in bringing information together from the different provinces he is a distinct advantage?—In that sense, yes.

32561. Are you satisfied with your relations with the Revenue Department?—Yes.

32562. You suggest that the powers of the Revenue Commissioner should be extended. You mean that instead of a question going up to Government he might dispose of it?—Yes.

32563. You do not propose he might have more authority inside the department?—No.

32564. You say you think you could get considerable help in various matters from a village system?—I am afraid I have rather exaggerated that, because the forest villages are generally the most backward.

32565. (*Mr. Meyer.*) Suppose the Inspector-General came down here and did not have much local knowledge, could he not help you a great deal in the matter of technical forestry? For instance, he has seen teak forests in Burma?—I think we could learn all that by reading.

32566. You think you can read as much?—I cannot imagine how a man who comes and spends a week or so in the Bombay Presidency can give you information of much value as to how to work teak forest which you have been working 25 years yourself.

32567. You think you could not get much benefit from him?—I think yes, in many ways. Take the question of fire conservancy; but such information could be just as effectively given in the form of pamphlets describing the procedure in the various provinces.

32568. You say he might give you some useful tips about fire conservancy possibly?—Yes, but I am not quite sure that he could about revenue. My own opinion is that the local Forest Department should know how to deal with their own special questions.

32569. You say that if Inspectors-General exist they might remain at their headquarters. Is that as useful as travelling around?—No. I mean that they could come when they are asked.

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32570. Are you satisfied with the training of your men at Dehra Dun?—Yes.

32571. Should that be kept as an Imperial Institution?—I think so.

32572. Have you a separate Forest Code in Bombay?—The Government of India Code holds good in most cases, but not the whole Code. Some parts do not apply to Bombay, which has its own special rules.

32573. You cannot alter it without reference to the Government of India, therefore?—No. We cannot alter the Code, but the Bombay Government can alter its own rules.

32574. Is not the Revenue Commissioner recognised as Head of the Forest Department in his division?—Yes, that is, of the forest administration within his division.

32575. And yet you say that the Commissioner's decision should be subject to appeal to the Conservator in matters of general policy. What are the matters to which you refer?—There are questions that arise about grazing rules and privileges.

32576. Matters which really affect the people?—Yes.

32577. Then you say that the Commissioner is not legally to be Head of the Forest Department, because the appeal should go to the Conservator rather than the Government?—The Bombay Government is competent to deal with some things and the Government of India with others.

32578. Yes, but no officer of the Bombay Government can require an appeal to the Government of India?—No.

32579. Then I take it that you hold that you are not subordinate to the Commissioner, but are independent?—No. I do not say we are independent, but we should have an appeal.

32580. It is then that you would obey him when you wished to obey him, but that when you do not want to obey him you should be able to go to the Government?—Yes, I consider that the advice of the department ought to be heard by Government.

32581. Was not a system tried of giving the villages communal rights and did it not fail? Do you know about that?—No, I do not unless it was tried as regards the grazing.

32582. (*Mr. Dutt.*) You have reserved forests and also unreserved forests?—We have reserved and protected forests.

32583. What are these reserved forests? Are they tracts growing valuable timber?—Yes, taking the Southern Circle. The whole of the Canara forest is reserved, except a few square miles. The only remaining protected forest in the Southern Circle is in what we call garden assignments, where the gardeners have the right to lop the trees in fixed areas.

32584. Your protected forests do not include any lands for the growing of valuable timber?—No.

32585. Would there be any objection to making over the management of all the protected forests to the Revenue Department?—We have what we call pasture reserves which are practically the same, and these have all been handed over to the Revenue Department.

32586. But, still, you have some control over protected forests which cannot grow valuable timber; might the management of these be handed over to the Revenue Department?—Yes, but I think you refer to what we call here in the Bombay Presidency "pasture reserves." These are all in the hands of the Revenue Department, and we have no control over them at all.

32587. What are those pasture reserves?—They are large areas of low grade forest situated in almost all the districts, and principally used for grazing and the production of small firewood.

32588. Apart from pasture reserves, would there be any objection to transferring the control of the protected areas altogether to the Revenue Department?—No.

32589. You have spoken in the first part of your note to the effect that the disforesting of any area would require the sanction of the Government of India. Would you suggest that within certain limits—say when the area is within 100 acres or less—the Local Government should have power to disforest without going to the Government of India?—Yes. I see no reason why the Local Governmen should not be entrusted altogether.

32592. Who is the district forest officer? Of what rank is he?—There may be more than one forest officer in each district. There is no head district officer.

32591. Are these district forest officers in any way subordinate to the Collector in so far as the interests generally of the people are concerned?—Yes, and they have to carry out his orders in these matters.

32592. What do you mean when you speak of village panchayats being responsible for village privileges?—I refer to grazing privileges, the collecting of dead leaves, etc.

32593. And in the reserved forests you have no objection to the panchayats being entrusted with these?—I have qualified that because the villages are more backward there than in other places.

32594. But would you like to see the principle tried in villages where the people are more advanced?—Yes.

32595. (*Sir Frederic Lely.*) Are the people content with the Forest Department?—Yes.

32596. Do they appreciate its methods more than before?—I think there is less opposition than there used to be.

32597. Are there many grievances outstanding?—No.

32598. Much grumbling?—No—not very much—a little; but on the whole the relations between the department and the people have improved. There is no question about that.

32599. Are you satisfied with the staff?—I think that the class of men we get now is very good. They are trained at Dehra Dun.

32600. Are you speaking of the round guards?—No; they are not satisfactory at all. It is very hard to get men for that work.

32601. Are the higher class sufficient in number?—No.

32602. Nor in qualification?—No. And the pay is not sufficient.

32603. Is that the main reason why there is not so much supervision as there should be?—No. I would not say that. I think the reason is that the establishment has not been sufficient and that the rangers and forest officers have not been good.

32604. Then they are attaining satisfaction?—They are improving.

32605. Then how about the round guards? What is necessary to bring them up to the proper pitch?—I think increasing their pay and prospects and their training, which we are doing now.

32606. But the main thing is money?—Unquestionably.

32607. If you had your choice would you rather spend money on improving your subordinate staff than on Directors of the Government of India?—Certainly.

32608. It has been said that in Bombay the principle is not thoroughly recognised that the forest officer should have control in technical matters and the Collector in all those matters affecting the people. As a matter of fact is that recognised in Bombay?—Yes.

32609. No less a person than the Director-General thought that you did not recognise it

sufficiently?—The system is not in accordance with the rules in Bombay—a good system and bad rules.

32610. Have you any suggestion to make on that score?—No.

32611. Is the influence of the Commissioner useful to your department?—Yes, I think so.

32612. In what way?—There must be some authority over the Forest Department whether it be the Commissioner or the Local Government.

32613. And you think that the Commissioner, from his experience, his wider views, his knowledge of the people, etc., is likely to exercise a salutary influence?—Yes. *Mr. H. Murray.* 5 *Mar.*, 1908.

32614. He exercises something more than a pious personal influence—he has real authority?—Yes.

(*The witness withdrew.*)

Adjourned.

FIFTY-SECOND DAY.

BOMBAY, *Friday, 6th March*, 1908.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Mr. R. C. ARTAL was called and examined.

32615. (*Chairman.*) You are Deputy Collector of Belgaum?—Yes. I have been a Deputy Collector since 1888. *Mr. R. C. Artal.* 6 *Mar.*, 1908.

Subject to the general lines of policy laid down by the Government of India, the provincial Governments should be entirely independent of the Imperial Government in preparing their budgets and regulating expenditure accordingly. Copies of budgets should only be sent to the Government of India for information. If any changes are subsequently required and supplementary budgets become necessary, they should be issued on the responsibility of the provincial Government itself. The budgets should be placed before the Legislative Councils at least a month before the commencement of the financial year in order to allow the public sufficient time for criticism on them. Even in the assigned shares of heads of revenue the management and financial control should be left entirely in the hands of the provincial Governments, except in cases where uniformity is deemed necessary, such as salt, customs, stamps, &c.

I am not in favour of granting borrowing powers to provincial Governments, because the grant of such powers would create competition against each other for raising loans which, it seems necessary, should be avoided. They should, if necessary, borrow money from the Government of India.

Full powers should be given to Local Government to lay down general conditions as to the recruitment, pension, leave, &c., of the Provincial Service. In fact, the provincial Governments should have an independent Civil Account Code and a Code of provincial Civil Service Regulations. The Local Governments should have Accountants-General of their own.

Secretaries to Government should be appointed from amongst the Collectors who have put in at least 10 years' total service as First Assistant Collector and Collector. The Under-Secretaryships either in the Revenue or Judicial Department should be available only to Assistant Collectors of at least 6 years' experience of district work in the Revenue Department. The Assistant Secretaries and the Superintendents in the Secretariat should be men who have actually served in the Revenue Department for at least 6 or 7 years, and should be recruited from different districts. Secretaries and Under-Secretaries should not be allowed to serve in the Secretariat for more than 5 years in all.

A Revenue Board in place of the present Commissioners' offices would work better. It should consist of the Divisional Commissioners of the Presidency proper and the Commissioner of Customs, &c., who should deal with different branches of the administration. The joint work of the Board will be more sound and command more weight. Poona should be the headquarters of the Board, as it is a convenient and central place, and also the seat of the Government during the monsoon; and the members of the Board will be in touch with the Government, at any rate during the four months of a year. The Local Government can delegate to the Board safely, and with the greatest advantage, all the powers now exercised by them under different Acts and rules having the force of law. It should have one or two Secretaries of the First Assistant or Junior Collectors' rank assisted by three Native Assistants (belonging to three different parts of the Presidency). The Board should have a touring of four months to inspect the Collectors' and Assistant and Deputy Collectors' offices. This will secure great uniformity in the working of the Presidency. The members of the Executive Council should also pay visits to districts and their tours should extend over two or three months.

Administration reports should not be submitted annually as at present. I would limit the submission of reports to triennial periods, which will save an amount of unnecessary labour of all from Secretaries to Government down to village officers.

The Collector should have power to transfer *mamlatdars* in his own district and to punish them by fine or suspension after recording in writing his full reasons for doing so. The appointments, promotions and dismissals of *mamlatdars* would rest with the Revenue Board.

When references are received from the Board or higher authorities for opinion, instead of circulating them for opinion, the Collector should hold conferences of his Assistants and Deputy Collectors in the monsoon and personally discuss all important matters so as to dispose of them quickly. This was tried in my district and worked with success.

Mr. R. C. Artal.

6 *Mar.*, 1908.

The Collector should have an Advisory Council consisting of able native gentlemen. They should be selected by him. He should hold durbars of his councils whenever he deems necessary, but he need not be bound by their opinions. The members, when called away from their *taluka*, should be paid conveyance charges, &c. The selection of the Collector's Council should be regulated on the principle of admixture of castes and creeds representing various interests. When on tour he may convene a meeting of the members of the Advisory Council from the *taluka* to consult them on important matters.

An Assistant Collector should be first put in charge of a sub-treasury at a *taluka* station (where there is good accommodation for Europeans) for about six weeks. He should afterwards be asked to study carefully the accounts and other details of about 10 villages of the *taluka*. He should go about in villages especially at the time of revenue collections and spend a few hours in the village *chávri*. As Magistrate and Assistant he will at the same time dispose of short criminal cases and heirship inquiries.

A Sub-Divisional Officer should have a light charge consisting of two or three *talukas* only. The lighter the charge, the greater the chances of understanding the needs of the sub-division.

The work in every district has, of late, increased to an enormous extent. Even the ablest Collector cannot finish his work without working many hours in excess of office time. Much less can he find time to discuss patiently important subjects, concerning the needs and improvements to be introduced, with native gentlemen of influence and education. The Collector should therefore be given a personal assistant of the rank of a First Assistant Collector having local knowledge. In addition to the personal assistant, the Collector should have a trained staff especially intended for the thorough inspection of the *mamlatdars'* and *mahalkaris'* offices and a certain percentage of the village records in succession of each *taluka*. The inspecting staff should go ahead of the Collector and complete the inspection work. The Collector will, on his tour, see to the irregularities detected and satisfy himself as to whether the inspection done is complete and thorough.

The present system of examination of the vernacular languages is more or less formal. A higher standard of proficiency should be required in the case of all Civilians. At present the vocabulary of Civilians is indeed very small, although they manage to pass the Higher Standard Examination in vernacular. There is a deep-rooted impression in the minds of the masses that the Sahib knows nothing, and that everything is managed by the *munshis* and *karkuns* under him. This misunderstanding is, in a great measure, due to the ignorance of the vernacular language on the part of the Civilians. If they mix with the people and are able to talk freely and on equal terms with them in their own language, the general administration will be very popular. Civilians also should try as much as possible to attend public festivals on Hindu holidays, marriage ceremonies, etc. This course will, to a great extent, tend to enlist the sympathies of the officer, bring the rulers and the ruled in close touch with each other and also add much to their knowledge about the customs and manners of the natives. The Sahib's visit to a poor man's dwelling on such occasions will be hailed with great rejoicings and talked over with the highest satisfaction and pride.

I believe that Directors and Inspectors-General to the Government of India are the instruments of centralization. The creation of these offices has undoubtedly tended to bring every department under the domination of that Government. They had better be done away with, if meant to interfere with anything in the executive work of the Local Government.

There should be only one appeal against the original order passed by the Local Government. It should also be a rule that appeals should not be entertained without a certificate, from the authority passing the order appealed against, that reasonable grounds of appeal exist. I am not in favour of curtailing the right of appeal as a policy in the case of officers of Government against orders affecting them personally. I, however, think that officers, whose pay is less than Rs. 250, should not in any case be allowed to appeal beyond the Local Government.

All powers, regarding matters relating to Court of Wards which can be conferred by law, should be given to the Board of Revenue and Collector.

The Board of Revenue and the Collector should have full control over the contract grants allotted to them.

I am in favour of allowing the delegation of powers, now vested in Local Governments by the Civil Service Regulations, to the Revenue Board or a Divisional Commissioner. The Revenue Board may, if it chooses, delegate some of its powers to Collectors. But no class of officers should as a whole be included in the scheme of delegation. Entire freedom of selection of the best men should be left to the Board. Certain powers might be delegated to one officer which might be denied to another in the same class. The Board should also be free in withdrawing powers from any individual officer, who proves unfit to exercise them.

There should be two appeals in administrative matters against the *mamlatdars*, *mahalkaris* and Sub-Divisional Officers' original orders. There should be only one appeal against the orders passed by the Collector or Commissioner. Revision applications should not be accepted unless the officer passing the order grants a certificate, that there are reasonable grounds for a review, just as the High Court does in the case of an appeal against its decision to the Privy Council. These restrictions will reduce the appellate work to an appreciable extent.

I would suggest that the pay of the last grade *karkun* should not be less than Rs. 30 a month; otherwise we shall have to connive at the secret gains of the Subordinate Service. With a general increase in the staff, there will be no need for the reduction in the area of districts.

I do not consider that larger powers can be granted to municipalities and Local Boards with advantage, as those bodies are not even now able to manage their affairs satisfactorily without the aid and advice of officials.

The only village union found in this part of the Presidency is the Sanitary Board or Committee. Sanitary Committees often find it difficult to raise the requisite voluntary popular contribution. Instead of being placed at the mercy of the subscribers, the Sanitary Board should have the power of levying a light house-tax or other cess without restrictions as to the amount to be raised. It could then take the place of the expensive municipalities in towns of under 10,000. The functions of municipalities and Local Boards are already far more than they can perform efficiently. So far as my experience goes, a very few of the non-official members take any real interest in their work. The Sanitary Boards, when invested with the power of raising small taxes, might be required to take up the lighting of streets and some other duties acceptable to the people.

I do not think that anything is to be gained by investing the District Boards with powers of supervision and control over the smaller municipalities. The control should be exercised by the Government officers as at present, because these Boards will go astray without the guidance of the official shepherds.

It is desirable to see the experiment of reviving the old panchayat system in a few selected villages of one of two *talukas* of every district. At the beginning it would be necessary for the Collector to nominate members and after some experience to allow the people the right of electing the members by common consent. The panchayat might, with the officiating police *patel* as its President, be invested with police and revenue powers, the officiating *kulkarni* acting as their secretary. The offences of petty assaults and abuses under section 14 of the Village Police Act as well as under sections 15 and 16 and petty thefts up to Rs. 10 might be safely entrusted to them for disposal by fines or other punishments, and the petty civil suits up to Rs. 25 might be disposed of by them. I should

certainly prefer the panchayat to the institution of Conciliators and Village Munsifs under the Deccan Agriculturists' Relief Act. Although the villages have lost the habit of joint action due to factious tendencies, they had better be taught and initiated into administrative details. The repairs of tanks and wells, the care of the village school and grazing land might be entrusted to them in all villages where there are no Sanitary Committees.

32616. Have you been in Belgaum sufficiently long to know the district well?—Yes. I have been in Belgaum 10 years.

32617. What is the area of your charge?—I have four *talukas*, but I do not know what the area is.

32618. Have you charge of the whole of the work in these four *talukas*?—Yes. I have *mamlatdars* subordinate to me.

32619. Is there a *mamlatdar* over each *taluka*?—Yes.

32620. Does he control the whole of the work in his *taluka*?—Yes, he is responsible for everything.

32621. Who is there below the *mamlatdar*?—A head *karkun*. They are in charge of the treasury and I have two extra head *karkuns*, and they have to do the work which is given them by the *mamlatdar*.

32622. They have not charge of a part of the *taluka*, but they have charge of some of the work?—Yes.

32623. Who are the officers below the *mamlatdar* in charge of territorial area?—There are none.

32624. Is there any grouping of villages for revenue purposes, or are there any revenue inspectors?—There are circle inspectors in charge of groups of villages.

32625. Are there any village headmen?—Yes; the *patels*.

32626. Is there anybody below a *patel* in charge of a village?—There is a *kulkarni*.

32627. Are all these people responsible to you as Deputy Collector?—Yes.

32628. Do you tour about your four *talukas*?—Yes; I am on tour for about seven months.

32629. Can you transfer any of the *mamlatdars* or the *mahalkaris* or any of your officers?—No.

32630. Do you appoint your own office staff?—No. That is done by the Collector.

32631. Can you remit revenue?—No, I have no power to do that.

32632. Have you any power with regard to agricultural loans?—Yes. I can make advances up to Rs. 1,000.

32633. You are President of three *taluka* Local Boards and four municipalities?—Yes.

32634. Can you find time to take the Chair at the meetings of all these Boards?—No; it is only once or twice in the year that I can find time; when I am on tour I visit them about twice or thrice.

32635. Who does the work for you at other times?—The Vice-President. He is generally the *mamlatdar*.

32636. Are the Vice-Presidents official or non-official?—They are official, but there is one who is a non-official.

32637. Does the Vice-President prepare the budget of the *taluka* Boards?—Yes.

32638. Does he work with the aid of committees?—Yes, and the budget has to be approved by the general body.

32639. Is there more than one committee on a *taluka* Board?—Generally there is only one, the Managing Committee.

32640. In a municipality how many committees are there?—Generally four. There is a Managing Committee, a Schools Committee, a Sanitary Committee, and a Dispensary Committee.

32641. Is the Sanitary Committee separate from the Managing Committee?—Yes, different members are appointed.

32642. In the case of municipalities is the Vice-President Chairman of the committees?—No, the Chairmen are different.

32643. What is the practice on *taluka* Boards?—The Chairman of the Works Committee is different and the Vice-President is different.

32644. The work therefore of the Boards is done through committees; does that system work satisfactorily?—Yes, provided that the members take an interest in their work. As a rule they do not; most of the work is done by the official members. The *mamlatdar* is a member of the Board.

32645. Then although there are committees which nominally do the work of the municipalities and the *taluka* Board practically it all comes back to the work of the Vice-President?—Yes.

32646. (*Sir Frederic Lely.*) Do the touring rules apply not only to yourself, but to a large number of the subordinates of other departments?—Yes.

32647. Every year there are a large number of subordinates and others going out on tour; do they require carriage for their kit and provisions for themselves and servants?—Yes.

32648. Are those things always paid for?—No. They are not fully paid for.

32649. They are supposed to be paid for?—Yes, the standing orders state that they should be.

32650. At certain times of the year is it not highly inconvenient to the cultivators to part with their carts?—Yes, at the time of sowing or that kind of thing.

32651. Do the people consider touring a burden upon them, or not?—They do sometimes. They are on the whole satisfied, but there are sometimes complaints.

32652. Do they recognise the advantages connected with touring?—Yes, because at headquarters I get very few complaints, but when I go to the villages I have many.

32653. Are they genuine complaints?—Some of them are genuine and some of them are not.

32654. It is said that one advantage of touring is that it enables an officer to make local inquiries; do you agree with that?—Yes, and it enables him also to inspect the village officers' work and to detect faults. Sometimes the village officers do not write up their receipt books.

32655. Is not one result of constant touring that people never know where the officer is?—Of late we have altered that. I send a programme ahead to all the *talukas*.

32656. Is it found possible to stick to that programme?—Generally, but sometimes we are called away on some other duty and it has to be modified.

32657. Then in that case the programme would be worse than useless?—But if it is modified we always send an amended programme.

32658. If a raiyat in a village wishes to go to the Collector, or Deputy Collector, has he any means of knowing where he has to go to?—Yes, he can go to the *mamlatdar* and find out, but I have known cases where people have gone to the wrong camp.

32659. So that, so far, that is a disadvantage?—Yes, but it is very convenient for the pleaders to be able to attend the camp, and we send programmes to the headquarters which the pleaders see and attend to.

32660. Do the people as a rule consider it much inconvenience to have to come to headquarters in these days of railway facilities?—At some out-of-the-way places they do find it rather inconvenient, but on the railway line they find it rather convenient.

32661. Has any change taken place in recent years, and with the advent of railways is it less necessary for the Deputy Collector to penetrate into every part of his district?—No. I think out-of-the-way villages must be visited.

Mr. R. C. Artal.

6 *Mar.*, 1908.

32662. Certainly; but is it well to keep the Deputy Collector constantly on the move?—Yes, I think so.

32663. Is it a good thing for him to camp at out-of-the-way small villages, bearing in mind what you say as to the burden that it is upon the people?—Yes, although it is rather troublesome sometimes to supply carts and bullocks.

32664. Would it not be sufficient if he made three or four or even five central camps each year in each *taluka* so as to bring himself within reach, or, at any rate within 10 miles, of every village?—Yes.

32665. Then it would not be necessary to insist on keeping him on the move?—No; we generally do make central camps in four or five places in a *taluka*, and that, I think, is enough.

32666. Do you so distribute your camps as to bring every part of your charge within 10 or 12 miles of you?—We appoint convenient centres and make camps there.

32667. Would you not approve of that practice rather than of the general rule that the Deputy Collector must be on the move throughout the year up to June?—That would not be required if he makes five or six camps and spends about a month or six weeks in each *taluka*. I make more than five or six camps in each *taluka*.

32668. Is it necessary to make them?—Yes.

32669. Then on the whole do you consider that in spite of its being a burden upon the people you do not tour too much?—We tour for about seven months, and we make central camps convenient to the places, and the people know where they are.

32670. Do you not think that it is a hardship on the people?—I do not think so except when they have to supply the carriage, and in some cases to look after subordinates.

32671. Is there any complaint that the local funds in your district are not equally distributed, and that some villages which pay the local cess never get any benefit from it?—Every village thinks that.

32672. Are the complaints in many cases just?—No doubt they are in some cases.

32673. Does the Government make any assignment to the Local Board except for education?—No.

32674. Is the system of *taluka* Boards a good system?—Yes, provided the members take an interest in the work.

32675. In some places it has been said they could do without a District Board, what is your opinion as to that?—That is not my experience.

32676. Do you employ overseers for small works?—Yes.

32677. Could you entrust those small works to the villagers themselves and do away with overseers altogether?—Yes.

32678. Would it be better to do without an overseer and give the money to the villagers and tell them to execute their own works, as, for instance, making a well?—That could only be done in a few selected villages.

32679. Would you recommend trying it in some villages?—Yes.

32680. If it succeeded in some villages other villages might follow the example?—Yes.

32681. Is the village work well done at present?—No, because the *kulkarnis* are a very bad class and not honest.

32682. Can you suggest any means of improving them as a class?—Only by strict supervision—nothing else.

32683. Are they hereditary?—Yes.

32684. Does the root of the trouble lie in that?—Yes—they are very troublesome people.

82685. (*Mr. Dutt.*) Did you enter the Government Service as a Deputy Collector?—No, I entered the service as a *patel* first of all and was promoted to be a Deputy Collector.

32686. Generally speaking, are Deputy Collectors appointed as Deputy Collectors, or are they selected from the lower ranks of the Service?—They are generally selected from the ranks of the *mamlatdars*.

32687. In what proportion are they selected or appointed direct?—Mostly they are selected from the ranks of the *mamlatdars*.

32688. You are a Sub-Divisional Officer. Who forms the four *talukas* into a sub-division?—The Collector does it generally and submits his proposal to the Commissioner for sanction.

32689. Can the Collector change the limits?—Yes.

32690. In Bengal and Madras the limits are fixed by Government, and the Sub-Divisional Officer has always to remain in his sub-division; what would be your opinion as regards such a scheme?—The Sub-Divisional Officer should always remain in his sub-division.

32691. On the whole is the scheme which you have here preferable to the scheme which I have mentioned?—The Sub-Divisional Officer would be more in touch with the people if he remained in his sub-division during the monsoon.

32692. What is your opinion with regard to appointing *mamlatdars* Presidents of *taluka* Boards so as to avoid the necessity of your going to all *talukas* to preside?—I do not know that they would be able to carry the same amount of influence with the Boards.

32693. Would not a *mamlatdar*, as President of a *taluka* Board, be able to discharge the duties as well as a Sub-Divisional Officer?—I do not think so.

32694. Would not the fact of his being always on the spot be a compensating advantage?—He is at present Vice-President, and I would not change that system.

32695. Do parties who have cases suffer inconvenience from the Sub-Divisional Officer moving about from place to place on tour?—Yes, to some extent they do.

32696. The inconvenience would be removed if the Sub-Divisional Officer permanently resided within his own sub-division?—That would be convenient only with regard to one *taluka* and not to all, and, besides, the Government have now appointed First Class Magistrates and the cases go to them.

32697. In one *taluka* you have a First Class Magistrate, but in the other *talukas* under your charge all cases to be tried by a First Class Magistrate have to come to you?—Yes, but lately another First Class Magistrate has been appointed.

32698. Is it possible to find local men who might perform the duties of Presidents of municipalities?—No.

32699. In not one of your four municipalities?—No; we have tried it and we could not find any one.

32700. Are the Vice-Presidents of those municipalities officials or non-officials?—Out of four, three are non-officials and one is an official, but I must say the work is done very badly where there are non-official Vice-Presidents.

32701. Do they not take sufficient care over it?—No.

32702. Have you sufficient control over them?—No, I am touring, but I know of a case in which a fraud was committed by the Secretary of a municipality, and the matter was left without inquiry because the Vice-President was non-official. When I went on tour and took my camp there and ascertained what had happened, I said, "Why did you not report the matter to me?" and he said that he thought he would wait and try to recover the money, but that in the meantime the man who had committed the fraud was dead.

32703. That sort of thing could not have happened if the Vice President had been an official?—No.

32704. You say that it is desirable to allow provincial Governments to develop their administration on their own lines. Taking for instance certain matters which have been initiated by the Government of India such as the new rules for remission of land revenue in cases of scarcity and famine, would you not allow the Government of India to impose such rules on the provincial Governments?—No; the provincial Governments should have full authority in these matters because they know the circumstances better than the Government of India do.

32705. I am asking you about a particular case in which the Government of India prescribed certain rules for the remission of land revenue; do you think that the Government of India should have the power to impose such rules or not?—I think they should not.

32706. Should provincial Governments have a free hand as regards remitting or not remitting as they think best?—Yes.

32707. You say that you are in favour of allowing a delegation of powers now vested in the Government. There are numerous classes of powers in the Civil Service Regulations; do you refer to them all?—No; I refer to those powers only which can be satisfactorily delegated.

32708. Are the Sanitary Boards elected in important villages?—Yes.

32709. Are they termed Sanitary Boards?—They are Sanitary Committees.

32710. Are they dependent for funds on local subscriptions?—Yes; the Local Government should make some contribution and the District Local Board should make some contribution.

32711. Instead of that do you want an unlimited power to raise a house tax?—Yes, but simply sufficient to pay the expenses.

32712. Would that not make the Sanitary Committees unpopular?—I cannot say.

32713. (*Mr. Hichens.*) What are the heads of revenue that make up the local fund?—The one-anna cess—8 pies go to the Public Works and 4 pies to education, and there are also sand and *kankar* fees, tolls, cattle pound receipts, etc.

32714. Does all of that go to the District Board, or does the *taluka* Board get some of it?—A portion of that is granted to the *taluka* Board.

32715. Has the *taluka* Board a right to a definite proportion of the money collected in its own area?—No. Properly speaking it should have, but in that case the District Board would have no funds to carry on their work.

32716. They might get a half, for example, of the money collected as of right, and give the rest over to the District Board?—The distribution is now made by the District Board.

32717. Is there a sort of scramble for the money?—Yes, but it is a very small amount as a rule.

32718. If it could be managed, would it be desirable that each *taluka* should have a definite sum of its own which it would count upon?—Yes, but in that case the District Board would not be in a position to carry out any work of its own.

32719. Have District Boards enough money to enable them to carry out their work properly now?—Even now they think they have not sufficient funds; they are always applying for assistance.

32720. But is the work which they carry out seriously hampered for lack of funds?—To some extent they are not able to carry out good work and can only do current repairs to roads and drinking wells in the villages.

32721. What is the revenue of your District Board?—About a lakh and a half.

32722. Can you suggest any way whereby the revenue of the District Board could be increased?—No. They cannot increase the tax, as the people would object.

32723. Should the Government make some further contribution? If so, on what basis?—Say 10 or 20 per cent. on the total revenue.

32724. Does the same thing apply to municipalities?—They are very badly off—all municipalities are so. Their money is almost solely spent on education.

32725. Is that compulsory?—Yes. The Government makes them a grant and they have to find the rest.

32726. But if a municipality said, "We would rather not have so many schools," what would happen?—Education would suffer, but the great burden is the education item; in one municipality, nearly the whole amount of the revenue is spent on education.

32727. Have they no money with which to make improvements?—No, not even to light the streets.

32728. Does the Government make any contribution to them?—Yes, for their education and dispensaries—nothing else.

32729. What is the basis on which the education contribution is made?—I do not know.

32730. Ought their funds to be increased?—Certainly, if the work is to be done.

32731. Do the people of the district take an interest in local work?—No.

32732. Would they take more interest in public matters if they had more money to spend?—I doubt it very much.

32733. In what language are the records of the different local authorities kept?—In some municipalities in Marathi and in some in both Marathi and Canarese. Important correspondence is carried on in English.

32734. Taking the Presidency as a whole, is the Sub-Divisional Officer usually the President of the municipalities in his sub-division?—Yes, the Sub-Divisional Officers are the Presidents of the municipalities and also of the *taluka* Boards.

32735. Are they *ex-officio* or are they elected?—In some districts they are *ex-officio*. As to most of the districts Government have passed a resolution appointing the officers *ex-officio* Presidents of the *taluka* Boards.

32736. But in some cases they are elected?—Yes.

32737. Are they *ex-officio*, Presidents of municipalities, or are they elected?—They are *ex-officio* in my district. Sub-Divisional Officers are *ex-officio* as a rule.

32738. Are the Vice-Presidents on both *taluka* Boards and municipalities generally elected?—Yes.

32739. Do they generally elect the *mamlatdar*?—Yes.

32740. You spoke of the Land Cess as being divided and two-thirds devoted to works and one-third to education; for the last three years has there not been an addition of a quarter of the Land Cess, given to the District Boards?—Yes, that was done.

32741. Is that sum distributed rateably among the District Boards?—Yes.

32742. Each District Board gets 25 per cent. extra?—That amount is distributed by the Divisional Commissioner to each district. It was to be spent by the District Board and was left entirely to their discretion as to how they spent it.

32743. Do municipalities have to spend a fixed proportion of their income on education?—No, but they have to maintain the schools.

32744. In addition to the grant to District Boards does Government make any other grant?—Yes, there is a grant made to the schools.

32745. How is that calculated; does the Government say to the District Boards, "If you will give so much we will give so much"?—So far as I know, fixed grants are made by the Educational Department.

32746. Direct for the schools?—They are made to the Boards for the purposes of education.

32747. Your Boards as a matter of fact have not very much to say as to school management?—No.

32748. Schools under the Local Board are managed by the Education Department?—Yes.

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32749. Do the Boards really have anything to say with regard to them?—Nothing; the schoolmasters are appointed by the deputy inspector, but under the recommendation of the Board, that is to say, if they want a master transferred the inspector is written to.

32750. Does the inspector generally do what you want?—Yes.

32751. Do your President and Vice-President take much interest in education work?—It is only the official Presidents and Vice-Presidents who take any interest.

32752. The deputy inspector is an officer, not of the Board, but of the Government?—Yes.

32753. Would it be better if he was an officer of the Board?—They would not be able to pay him.

32754. But supposing the Boards could pay him?—It would be a good thing.

32755. Do the Boards control the vaccinators now?—The vaccinators act under the orders of the Deputy Sanitary Commissioners and the Boards provide funds.

32756. Are the metalled roads under the District Engineer?—Some of them are under the Public Works Department, and some of them are under the District Board.

32757. Is there any line of division?—Yes, we have a list of so many roads which are made over to the Board.

32758. In some provinces they draw the line according to whether the roads are metalled, or not metalled—is that your rule here?—No, that is not the rule; some of the big roads are made over to the Public Works Department, but we pay for them.

32759. Do you also pay a contribution amounting to $12\frac{1}{2}$ per cent. on the value of the works done for you?—Yes.

32760. So that the system of local self-government here is that the District Boards have the privilege of paying for roads, education, dispensaries, and vaccination, and have no say in the management of them?—Some of the roads are managed by the District Board, but they are not properly managed.

32761. Do you think that accounts perhaps for the want of interest on the part of the public in local self-government?—Yes, it is entirely due to that, I think.

32762. Is there any system of publishing the proceedings of your Boards and municipalities?—The proceedings are entered in a book kept for that purpose, and can be inspected by anybody.

32763. But they are not published in any newspaper—you have no Gazette?—No.

32764. Who dismisses a *mamlatdar*?—The Commissioner.

32765. Are *mamlatdars* generally promoted clerks?—They are usually men who have passed the Higher Standard examination. A list is kept in the Commissioner's office, and the Commissioner makes recommendations every half-year saying whether a man is fit or not.

32766. Are the people who have passed examinations and become *mamlatdars* generally clerks?—Yes.

32767. Is that a good system?—My opinion is that the *mamlatdars* should be appointed by selection. They should be men of good family generally and men who have done good work, and as a rule we do not find that the young graduates make very good *mamlatdars*.

32768. But still it is necessary that they should have some educational qualification?—Yes, but the young graduates who are educated are not always competent *mamlatdars*.

32769. As a Sub-Divisional Officer do you take criminal appeals from your Second and Third Class Magistrates?—Yes, I have appellate powers.

32770. Is there anything of the nature of a *jamabandi*, an annual settlement, at which the Collector attends and settles the remissions, and so forth?—Yes, we do have a *jamabandi*. The Collector does the *jamabandi* of one *taluka* in each sub-division every year, and the Sub-Divisional Officer deals with the remaining *talukas*.

32771. You have spoken of the desirability of replacing Commissioners by the Board of Revenue; have you much experience of the work of a Commissioner?—Yes, I was personal assistant to a Commissioner for about two years.

32772. And you think that a collective Board would be better because they could confer and stand up more against the Government?—If course they would have more weight and the work would be done more satisfactorily; now only one man decides.

32773. (*Sir Steyning Edgerley.*) Are not your four municipalities very small?—Yes, except Nepani.

32774. What is their population?—The largest is about 12,000.

32775. Are the establishments in the *mamlatdars'* offices adequate?—No, they require strengthening.

32776. Are the *mamlatdars* very seriously overworked?—They have a good deal of work to do.

32777. Are you yourself much overworked?—I am very heavily worked; one requires to work from morning till night.

32778. Even on your proposal that no appeals from persons in receipt of over Rs. 250 should go to the Government of India, the *mamlatdar* would still have an appeal from the Commissioner to the Local Government?—Yes.

32779. Who has authority to dismiss a *mamlatdar*?—The Commissioner.

32780. Do the mass of the raiyats want to see Local Boards and municipalities and panchayats, and so forth, developed, or do they prefer direct personal Government?—They would like to have the panchayat system in small villages.

32781. You think they do not care for Local Boards and municipalities, but that they would like panchayats?—Yes.

32782. Do you think the establishment of panchayats is a feasible reform?—It might be tried with a few selected villages.

32783. Would you try the scheme in a single village or in an area of more than one village?—You might try it with four or five villages in one *taluka*.

32784. How would you make your selection?—I would select the places where there are the more intelligent and influential people.

32785. It was suggested that a good unit to try would be the collection of villages which attended the same market town; is there any unit of that sort in your part of the country?—Yes.

32786. Might such a collection of villages be made a good unit?—I could hardly say that, but it is in the villages where there are respectable people that the selection should be made.

(*The witness withdrew.*)

Mr. K. J. AGASHE was called and examined.

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32787. (*Chairman.*) You are the personal assistant to the Collector at Satara?—I am not at present, but I was for some time. I am now a Deputy Collector in charge of a sub-division.

The Collector should ordinarily be the Court of Wards if the property of the ward wholly lies in his district and should exercise all the powers at present vested in the Divisional Commissioner, section 3 of the Court of Wards Act.

No general curtailment of the right of appeal is desirable. There should be no appeal to the Commssioner under section 77 of the Watan Act

against the decision passed in appeal by the Collector in respect of an order made by the Assistant Collector, and the power to appeal under the Land Revenue Code, sanction 203, obviously requires curtailment. Appeals in *madat* cases are very common. In order to restrict the right of appeal it is proposed that there should be no appeal to the Collector if the dues in question do not exceed Rs. 25 in value. In such petty cases one appeal from the *mamlatdar* to the Assistant Collector is amply sufficient, and the aggrieved party has his remedy in a Civil Court. Also there should be no appeal whatever from the Collector's decision to the Commissioner in "assistance cases."

The Executive Officers and especially the Assistant Collectors and Collectors have no sufficient opportunities for personal contact with the people. The chief reason is the pressure of work.

It cannot be said that, except in rare cases, no Executive Officers possess sufficient knowledge of the vernaculars.

An increase in the clerical staff and that of the superior village officers is quite necessary and is preferable to general reduction in the area of a district or other charges.

Larger powers should not be granted to the district municipalities, District or *taluka* Local Boards. The present functions of these bodies cannot be suitably extended.

I am in favour of Advisory Councils to assist the Divisional or District Officers. This would bring the district administration into closer touch with the people. The Collector should be at full liberty to select members, restriction of caste, education, &c., being not desirable. The Collector should, as he likes, consult any of the members on any matter. The Collector should, while on tour, invite the members in the surrounding *talukas* and ask and discuss with them matters of public and general interest. The number of the members should not be limited. No responsibilities should be given to these Councils in any subjects.

It is true that there is no local body corresponding to the District Local Board to supervise the actions of smaller municipalities as it does the *taluka* Local Board, and the supervision practically rests with Government Officers alone; and these officers have got very little time at their disposal to do this additional work. It is thus desirable that some body should be appointed to supervise *taluka* headquarter municipalities, but this measure should first be introduced in a few selected cases.

It is not desirable and possible to give the village communities greater powers in the disposal of local affairs relating to revenue, police, &c.

32788. How did you arrive at your position of Deputy Collector?—By promotion from the rank of *mamlatdar*.

32789. Who appointed you as a *mamlatdar*?—The Commissioner.

32790. While you were a *mamlatdar* were you liable only to serve in that Commissioner's division, or were you liable to be posted all over the Presidency?—Only in that division.

32791. Is that a satisfactory system?—Yes.

32792. While you were a *mamlatdar*, could the Collector transfer you from district to district?—No, the Commissioner only within the division; the Collector could not transfer.

32793. As Deputy Collector can you transfer any of your subordinates?—No.

32794. Would it be a good thing that you should have the power to do so?—Yes.

32795. Would there be much disposition on the part of the officers transferred to go to the Collector and say they did not wish to be transferred?—Yes, I think there would.

32796. Where do you reside?—At the headquarters of the district.

32797. You do not go and reside in one or other of the *talukas* under your charge?—No.

32798. Do the people have to come in from the *talukas* to headquarters?—Yes, during the monsoon.

32799. And during other parts of the year you go out to them?—Yes.

32800. Does that system work well?—Yes, so far as regards magisterial work, because in my sub-division there are four *mamlatdars*, all of whom are Second Class Magistrates, so that the parties are required to come to me to deal with the first class cases.

32801. Do the people in all the *talukas* speak the same language?—Yes, Marathi.

32802. What part are you a native of?—Satara.

32803. Do you know any of the other languages spoken in the Presidency?—No.

32804. You say that you are opposed to any appeals being carried past the Commissioner under the *Watan* Act?—Yes.

32805. You say that under the Land Revenue Code you would like to see the power of appeal curtailed; are there many of these appeals at present?—There were 61 appeals in *watan* cases in one year, of which 52 were rejected and 9 allowed—there are three other cases remaining to be decided.

32806. Do those figures point to the undesirability of carrying most of these cases to appeal?—I think they are unnecessary.

32807. Would you curtail the right of appeal in cases of officers ordered to be punished?—No, I would leave that alone.

32808. Then it is only in the land revenue and *watan* cases that you would curtail the right of appeal?—Yes.

32809. Are you Chairman of each of the *taluka* Boards?—I am President.

32810. Of how many municipalities are you President?—Three.

32811. Do you work those yourself, or through Vice-Presidents?—Through Vice-Presidents; I am not always in a municipal town because I am touring in the district, and the Vice-Presidents carry on the business in my absence.

32812. You are nominally the Chairman with the right of intervention, but practically the work is done by Vice-Presidents?—Yes.

32813. Are the Vice-Presidents in each of the *taluka* Boards officials or non-officials?—Two are non-officials.

32814. In which of those *taluka* Boards is the work best done?—I am sorry to say that no *taluka* Board work is good.

32815. Whether it is done by an official or a non-official?—Yes. The reason is that the non-officials take very little interest in it.

32816. What is the reason that it is not well done where the Vice-President is an official?—It is only the *mamlatdar* who takes an interest in it, but he has so much work to do that he cannot devote much time to Board work.

32817. What remedy would you propose for that state of things?—I cannot suggest any remedy under the existing system.

32818. Would there be any other system which would work better?—I would leave things to the *mamlatdar*.

32819. Would you like to see him put in charge of the whole thing and made responsible?—Yes.

32820. How long were you, as a *mamlatdar*, kept in your district?—For nearly five years.

32821. Was that too long a time or too short a time?—I think five years should be the maximum, and three years the minimum.

32822. Is there any difficulty amongst the District Officers here in speaking the language?—No.

32823. Do they all know Marathi pretty well?—Yes, sufficient for their purposes; of course they have no scholarly knowledge and are not able to

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converse in the vernacular as well as native gentlemen.

32824. You mean that they cannot talk with native gentlemen on general topics?—They cannot.

32825. Is it very desirable that they should be able to do so?—Yes, but in that case officers must be kept in the same district for a long time.

32826. And you think they ought to be kept five years in their districts?—I should think for ten years.

32827. Are you referring now to Collectors?—Yes, and Deputy Collectors.

32828. Is there any intercourse between Deputy Collectors and native gentleen?—No, not in general—not sufficient.

32829. Is it desirable that there should be?—Yes.

32830. What is your remedy—a better knowledge of the language?—Yes, a better knowledge of the language and the formation of Advisory Councils.

32831. Does a Collector, as a matter of fact, consult the leading gentlemen in his Collectorate?—No.

32832. Does he not talk to the local gentry?—Very rarely.

32833. Are you speaking only of the Collectorate in which you are now?—Yes, and generally Collectors have very little opportunity of mixing with the people; they have too much desk work to do and have not sufficient time.

32834. (*Sir Steyning Edgerley.*) You have a social club at Satara, have you not?—Yes.

32835. Do the officers never go there?—No; it is not a purely social club; it is considered a political club.

32836. What is the attitude of the cultivators towards local self-government institutions?—They are indifferent.

32837. Do they prefer an endeavour to govern in that way, or do they prefer personal government?—They prefer the present mode of government.

32838. Are you speaking now of the masses outside in the villages?—Yes.

32839. Why do you think so?—Because the District Board members take very little interest in Local Board affairs, and are not friends with the people.

32840. Supposing you had efficient Boards, would the people prefer that form of Government?—Yes.

32841. We are told sometimes that great love of personal rule is a native sentiment; do you consider that is true?—Yes, it is true.

32842. But still you think that if you could get efficient members they would prefer District Board rule?—An efficient Board means an efficient Chairman or President.

32843. (*Mr. Mayer.*) You are against giving larger powers to village communities?—Yes, because in the first place it is very difficult to find suitable persons and straightforward men to sit formerly when the panchayat system was in vogue the *patel* had very large powers, but now he has lost them. He used to be able to settle petty disputes amicably, and exercised a great deal of influence over the people.

32844. And do they not care very much about him now?—No.

32845. Supposing you could have a *patel* with larger powers and a panchayat, would they not take more interest?—Yes, if we could find good straightforward men, but it is extremely difficult to find them.

32846. Are there no just men in the Deccan?—There may be.

32847. Supposing you could find the men, would you be in favour of giving them larger powers and doing something towards reviving village autonomy?—Yes.

32848. You have Conciliators and village munsiffs under the Deccan Agriculturists' Act; what are the functions?—To settle disputes amicably as arbitrators.

32849. Can they dispose of any petty suits otherwise than by the agreement of the parties?—No.

32850. To how many districts does the Deccan Agriculturists' Act extend?—Four.

32851. In the Deccan generally are your village officers hereditary?—Yes.

32852. At present they cannot be removed without the sanction of Government; might Collectors be entrusted to remove an inefficient village officer?—Yes.

32853. Are your municipalities small?—Yes; about 10,000 population.

32854. Are there many municipalities that you know of in this Presidency of under 10,000 inhabitants?—There are only three municipalities in my charge, and I know very little of municipalities outside.

32855. Are you elected President of these municipalities, or are you *ex-officio*?—I am *ex-officio*.

32856. What happens in the case of the budgets when you want to make any re-appropriation; have you to go up to the Commissioner?—No.

32857. Suppose you find in the course of a year you want to re-appropriate something, say from education to sanitation, or *vice versâ*, what would you do?—We place the subject before the general body and get their sanction.

32858. Have you to get any outside sanction?—No.

32859. What do you do in the case of Local Boards?—The sanction of the District Board is required.

32860. Are you a member of the District Board *ex officio*?—Yes.

32861. Do they know what the District Board do if they want to make a re-appropriation?—They do not require to get the sanction of a higher authority in any case.

32862. Who manages schools in your Local Board?—The Government Education Department manages the schools.

32863. Do you give grants-in-aid?—Yes.

32864. Can you decide what schools you will aid and what grants you will make, or is it all decided for you by the deputy inspectors?—Yes.

32865. Do you have any control over the vaccinators?—No.

32866. Does the Deputy Sanitary Commissioner manage that for you?—Yes.

32867. Have you anything to say about dispensaries?—They are managed by the Civil Surgeon.

32868. And the larger roads the Executive Engineer manages for you?—Yes.

32869. Is that a good system?—Yes, I think it is.

32870. Have you many village Sanitary Boards in your area?—Only one.

32871. Who appoints the members?—The Commissioner.

32872. Is that necessary?—No. I do not think it is.

32873. Have you inspectors carrying out their works?—Yes.

32874. Who appoints them?—The Commissioner.

32875. Do you desire that the Collector should have that authority?—Yes.

32876. Might you not go a step further and give the power to the Sub-Divisional Officer?—I think the Head of the district should do it.

32877. You are in camp for seven months in the year. During that time have the people to follow you about from one camp to another?—Yes.

32878. Is that a good system?—No.

32879. And in the monsoon time they have to come to the district headquarters if they want to see you; is that a good system?—No. I would recommend that *mamlatdars* should be vested with

first class powers, as it is only with regard to first class and appellate cases that the people are compelled to follow the Magistrate from place to place.

32880. In revenue matters have they to come up to you?—That cannot be helped.

32881. Could it not be helped by your travelling a little less and living in your sub-division?—Yes, a central town might be selected.

32882. Would you be in favour of that?—Yes.

32883. Have many of your *mamlatdars* first class powers now?—None, in my sub-division.

32884. Have they in the province generally?—Many of them in the province have.

32885. A large number?—Not a very large number.

32886. Do they hear appeals?—No.

32887. Are *mamlatdars* generally clerks who have been promoted?—Yes.

32888. Is that a good system?—Yes.

32889. Do you prefer that to direct nomination?—Yes.

32890. The Collector, I think, cannot transfer a *mamlatdar* within his district; would you allow him to do so?—Yes.

32891. (*Mr. Hichens.*) What does the staff of a District Local Board consist of?—An accountant with two clerks.

32892. Are there any road overseers?—Not on the District Board, but the *taluka* Local Boards have them.

32893. Is there any District Engineer?—No.

32894. Is the supervision of the road work done by Government?—Yes, by the Public Works Department.

32895. Would it be a good thing if District Boards had their own engineers and carried out the work connected with the bigger roads themselves?—Yes.

32896. In that way might people take a little more interest in the proceedings?—Yes.

32897. Are the District Boards allowed to decide what roads they will make out of their own money, or does the Government decide that for them?—The District Boards decide that.

32898. Is that a matter that attracts any interest?—Yes.

32899. Because it is a matter that it is really within their power to decide?—Yes.

32900. What is the income of your District Board?—About a lakh and a half.

32901. How much of that money goes to the *taluka* Boards?—Taking it roughly, about Rs. 3,000 per *taluka* Board.

32902. And the balance goes either to the Government, or is kept by the District Board?—Yes.

32903. How many *taluka* Boards are there?—Eleven.

32904. Is their income adequate to carry on the work?—No, it is not.

32905. Should their income be substantially increased?—Yes.

32906. Should they have a larger contribution from the Government?—Yes.

32907. Would it be practical politics to increase the one-anna cess?—No.

32908. Would it be a good thing to give each *taluka* Board a definite income of its own instead of whatever crumbs fall from the District Board's table?—Yes, I think it would.

32909. Might you give them a definite proportion of the cess?—Yes.

32910. In that way might they take a little more interest in the work?—Yes; at present Boards do not know what they are going to get.

32911. Do the officials in the districts ever try to stimulate the interest of the villagers of these districts in their work?—No.

32912. Do you not think they might?—Yes.

32913. Might they explain more fully what is being done and thereby induce the members to put their backs into the work and encourage them?—Yes.

32914. (*Mr. Dutt.*) Does the sum of Rs. 3,000 which you mentioned include education within each *taluka*?—No.

32915. Does the whole of the money for education and dispensaries come from the District Board?—Yes.

32916. What is the average size of your *talukas*?—About 100 villages—about 500 square miles, with a population of about 100,000.

32917. Generally speaking, how many meetings do you hold of a *taluka* Board in the year?—Six.

32918. What is generally done at those meetings?—Usually some petty works are passed and sanctioned. Some are given out to contract, and some are departmentally done.

32919. Would it be a better plan if each *taluka* Board undertook the whole work of inspection of schools within its limits?—No.

32920. If they aided village schools paying a certain monthly sum to each, and tried to induce the villagers themselves to maintain them, would the scheme have a chance of success?—I think it might succeed.

32921. At present the whole curriculum of the village schools is fixed by the Education Department?—Yes.

32922. Should the District Board have power to modify the curriculum so as to make it suitable to the village populations?—Yes.

32923. Are the hours of attendance and holidays fixed by the Education Department?—Yes.

32924. Should the District Board have more power in settling these matters, and would it be possible to get a little more sympathy and help from the people?—Yes.

32925. (*Sir Frederic Lely.*) Is it a common subject of complaint amongst the villagers that they do not get anything in return for the money which they pay as local cess?—Yes.

32926. Is it a well founded complaint?—Yes.

32927. In your charge are there many villages where you may say nothing has been done out of the local funds during the present generation?—Yes.

32928. How many—one half?—There might be.

32929. What is the reason of that?—Because the whole of the money is in the hands of the District Boards and they have the allotting of it. The *taluka* Board has very little money.

32930. Would you say that is the fault of the District Boards?—I cannot say actually that it is the fault of the District Boards because they have no money.

32931. Are not the funds at the disposal of the District Boards sufficient to go round?—That is it.

32932. Are not small works such as wells and tanks much appreciated by the villagers?—Yes.

32933. Have you an overseer in each *taluka*?—Yes. These small works are entrusted to him.

32934. Would it be feasible to abolish overseers altogether and to give the execution of those works into the hands of the villagers themselves?—In a few large villages, not in many.

32935. Supposing a village well needed repair, for instance, why should not you say to the villagers, "Here are Rs. 150 or 200—take the money and repair your well"?—I do not think men would be found in a village to do that.

32936. But surely men who build their own houses and make their own field wells could be trusted with repairing an ordinary village well?—No, because they have lost all their co-operative power.

32937. But they have all a common interest in a well?—Yes, in some villages they may have, but not in all.

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32938. Would you advocate trying the experiment in the best villages?—Yes.

32939. Is the proportion that is paid to the *taluka* Board fixed in each district, or is it settled from year to year?—It is settled from year to year.

32940. The District Board gives each year what it can afford; would it not be much better to fix a proportion?—Yes.

32941. Do you think the village staff are efficient?—In most cases they are inefficient, because they have not got education enough and their pay is very low.

32942. Are they hereditary?—Yes, they are paid in cash.

32943. What is the average pay of a *kulkarni*?—The average pay is Rs. 6 a month.

32944. And you think that Rs. 6 is not enough to command an educated and efficient man?—It is not.

32945. When a *kulkarni* dies, is his heir appointed as a matter of course in his place?—No. If his heir is a fit man, he is appointed for a certain number of years.

32946. At the end of that number of years, even though he may be thoroughly efficient, is he ousted and another man put in his place?—Yes.

32947. Does that plan work well?—No.

32948. As a matter of fact does the heir of a *kulkarni* generally qualify himself?—Yes.

32949. What is the average term of years for which he is appointed?—Five years. At the end of the five years he has to vacate, and the next man on the roster is put on.

32950. Is not that system absolutely incompatible with efficiency?—It is.

32951. What remedy would you suggest?—More severe tests should be imposed and some increase made in the salary.

32952. Would not that often have the effect of excluding a man altogether?—It might.

32953. If he did not reach a certain degree of efficiency, would you refuse to accept him and appoint a deputy?—Yes, on behalf of Government.

32954. As to the village system generally, is it a good thing that the village headman or *patel* should have actual control over the villages?—Yes, if he had much influence it would be a good thing.

32955. Has he lost that influence?—Yes.

32956. Do Government officers, for instance, pay him sufficient respect?—Yes.

32957. Is a *patel* allowed to absent himself from his village without leave?—No.

32958. If he has to go to the nearest town to buy something for himself he cannot go without the leave of the *mamlatdar*?—Yes.

32959. If he does is he subject to a fine?—Yes.

32960. Does not that alone detract a great deal from his position?—Yes.

32961. Would you give the panchayat any criminal power?—No.

32962. Would you give them power to manage the schools?—If they are competent.

32963. Would you approve, if a village wanted a school, of telling them that if they supplied the house and made themselves responsible for keeping it in repair, they should receive some assistance?—Yes, it might be done.

32964. Would you give them charge of the cattle pound?—The *patel* already has charge of the cattle pound.

32965. You would not suggest giving any other power beyond power as to schools and the execution of small works?—I would not.

(*The witness withdrew.*)

Mr. Dayaram Gidumal was called and examined.

Mr. Dayaram Gidumal.

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32966. (*Chairman.*) You are the Sessions Judge at Ahmedabad?—Yes. I entered the Service as a Sharishtadar. I would organise panchayats and make every village a real administrative unit, and give it a part of the local cess for its needs. As regards the question of investing village communities with power to dispose of petty criminal and civil cases, a beginning may well be made by entrusting to panchayats all such judicial work as can be done by village munsiffs and conciliators under the Deccan Agriculturists' Relief Act, 1879, and by police *patels* under the Bombay Village Police Act. I would also authorise the Courts to consult panchayats (*e.g.*, in cases under section 539, Civil Precedure Code, and cases under Act VIII. of 1890) and treat their opinion as evidence. I would also authorise the District Judge to allow Sub-Judges to use panchayats as *juries* for the trial of cases in which personal local investigation is desirable, *e.g.*, in easement cases in which injunctions are sought. Panchayats found efficient should be invested with higher powers. Their procedure should be as simple as possible. To reduce the number of appeals the District Judge should have power to require two or more Judges to sit as a Bench in particular cases, when all the parties concerned or the really interested majority desire this to be done, in order that a *final* decision may be arrived at (*cf.* section 10 of Act IX. of 1887). The District Judge should also be authorised to invest selected clerks of the Courts with the power of a Registrar under section 12 of Act IX. of 1887 and section 646, Civil Procedure Code, and with such other judicial and *quasi*-judicial powers as may be approved by the High Court. Devolution of this kind will enable the higher officers to concentrate their attention upon important cases.

32967. How many grades of District Judges are there?—There is the first grade of Rs. 2,500, the second grade of Rs. 2,325 and the third grade of Rs. 1,800.

32968. Who appoints these Judges?—The Government.

32969. You recommend that the District Judges should have certain powers with a view of reducing the number of appeals. Where does the final decision lie now?—In the High Court in all suits the amount of which exceeds Rs. 500.

32970. With regard to appeals generally, are those which come up frivolous?—There are a large number of frivolous appeals, but unfortunately we have no power to inflict fines; under the old Regulations we had that power. Under the old Elphinstone Regulations, if a Judge found that a civil appeal was frivolous or vexatious, or groundless, he could fine the person who brought it and send him into custody until the fine was paid.

32971. When was that power taken away?—Under an old Regulation of 1799 and during Elphinstone's Governorship up to the passing of the Code of 1859, we had that power, but thereafter it was taken away.

32972. Was that peculiar to Bombay?—I think so; probably the same system had been in use in the Bengal Presidency, as most of our Regulations were copies of the Bengal Regulations.

32973. Since the abolition of the power, has the number of frivolous appeals increased?—Yes, not only the number of appeals, but frivolous suits have increased; the Courts are simply inundated with frivolous matters, and we have no power to punish the men who bring them, or the people who commit perjury; we can only send them to a Magistrate.

32974. You say that you wish to organise panchayats and to make every village an administrative community; as a matter of fact, is there any village organisation at the present moment?—Yes, there is a kind of village organisation for social purposes. The castes carry on their social work, and some do it very well indeed, and then again

there are temples managed by them very well, and sometimes they manage charitable works.

32975. When you speak of a village, do you mean simply one collection of houses, or a group of different villages? Take the case of panchayats. Is their authority exercised over several villages, or is it confined to one village simply?—That depends upon the distribution of the caste; if the caste is distributed over very many villages, then they have what they call a *rawna*; and if, for example, they think there is going to be a breach of their rules they will send for their people and get them together and their jurisdiction in such a case would extend over many villages.

32976. In your scheme of reviving some village autonomy, would you desire to see the small villages grouped together, or to give every village power for the purposes of Local Government?—I would distribute them in different classes. I would find out whether a particular village was prepared for autonomy and give it autonomy. I would begin by giving them some powers, the powers of a munsiff, for example, and certain powers which are now being exercised by village *patels* in revenue matters. At present a person cannot remove a little sand or gravel without the permission of the *patel*, and in some cases he has to refer to the *mamlatdars*. I would give some revenue powers and civil and criminal powers as well, which might be exercised within the villages, but there should be some gradation and the scheme should be elastic.

32977. Should the gradation of powers depend in any way upon the size of the population?—I should say to a certain extent upon the public spirit shown. If I found in certain places the villages had power of co-operating and were willing to come forward with a little money for public purposes, I do not see why they should not be entrusted to take them up and carry them out.

32978. Would you make your grant of power depend upon the voluntary undertaking by the people of certain public burdens, such as the provision of wells, or the keeping up of the village roads?—I would lay down no rules. I would not say to them, "Unless you do this we will not give you that power," because local self-government schemes, especially in connection with sanitation, have failed on that very ground. If you tax the people they will not take any interest in such matters, but if you give them a part of the taxes levied, they will.

32979. How are you going to ascertain whether a particular village is, or is not, ripe for using power?—The Revenue Officers, the Commissioners and the Collectors should take a little interest in the business and they could easily organise. We have in this Presidency a Registrar of Co-operative Credit Societies, and I would make it part of his work to organise these old panchayats and he should have the powers of a Collector and the right of communicating direct with the Commissioner; then I would give power to the Commissioner to organise, and I do not think any law is needed. The whole thing can be done departmentally under the Criminal Procedure Code and the Civil Courts Act as well as under an old Regulation under which Honorary Munsiffs can be appointed. Powers could be given under the Criminal Procedure Code and powers could be given under the Land Revenue Code, section 214, which gives power to the Government to frame rules for the purpose of carrying out different objects contained in the Act. The powers are very wide, and Government could easily frame a few rules authorising the Commissioner to delegate certain powers to these village panchayats or Councils or Boards. The whole thing could be done departmentally without the least difficulty so far as legislation is concerned. I think the experiment should be tried on as elastic lines as possible. I would give a share of the local cess to the village because they have been deprived of it for a very long time. I have known of cases where the people were not able to repair a well in consequence of the want of funds with the result that accidents have occurred. What is everybody's business is nobody's business. The difficulty is that there are so many Acts bristling with penal provisions. Even the Land Revenue Code contains some penal enactments and the Police Act contains penal enactments.

32980. (*Mr. Hichens.*) What is to be the criterion as to whether a village is ripe for such powers or not?—I would ask the *mamlatdars* or other officers appointed to report whether there were any good men and public spirited men in a village who could be trusted, and as soon as I had found them I would give them definite duties to perform and a definite sum of money and tell them to do this, that, and the other for the village.

32981. Would education, for instance, be one of the matters?—Yes, if it were in my power I would give to every village a school, a garden, a library and a dispensary, in all which matters they are starved at present; the roads are in a bad condition; the trunk roads have been made by the Government out of the cess, which comes to about 30 lakhs, and the villages get very little. All the disposable money goes to the roads, dispensaries, and so on, and the districts and the villages are utterly starved.

32982. Is the population of the villages more or less homogeneous?—In some places the population is very homogeneous, but in others it is not, but usually there would be very little difficulty; there are a large number of villages in this Presidency which are homogeneous.

32983. Would it be easier to support a panchayat in a village which was homogeneous than in one which was not?—Certainly.

32984. Would that be another test?—Yes

32985. Would you have five members of that panchayat?—Yes, a panch formerly consisted of five.

32986. Would the *patel* be the Chairman?—I would not make him Chairman in every case unless he was a good man.

32987. Would the members be nominated or elected?—In some places I would have election. Under the old system sometimes the people would meet together and choose their headman and by common consent would appoint him, but sometimes there were factions, and even now there would be a great deal of difficulty, so that I would not fetter the hands of the Government. I would say have nomination in some, introduce election in others, introduce if you like, even manhood suffrage, because formerly that was the test—even women used to appear before the panchayats in former days and make their complaints—but nowadays it is not done at all. I would make the whole scheme as elastic as possible, and I would not fetter the hands of the Government.

32988. Where these panchayats are started would it be necessary to continue the *taluka* Local Boards?—Yes, because the panchayats will be the natural feeders for such Boards. I would make them the base of administration. At present the administration is top-heavy.

32989. Where do you propose that they would get their funds from—from the *taluka* Board or the District Board?—I should think, direct from the District Board.

32990. The last witness said that in his opinion the officials in the district in which he served took very little pains to promote the interests of the general public as regards district work; would you endorse that?—No, I think it is a sweeping assertion. It all depends; he might be possibly acquainted with a few officers who do not take interest, but there are any number who do.

32991. His point was that the officers did not concern themselves very much to try to promote a feeling of interest on the part of the people in District Board work, but rather did the work themselves?—Administration has fallen into a groove and very little time is available to District Officers to do much because of the reports and statistical work which they have to do. It may be the fact that they have not been trying to promote interest, but it all depends on the officers.

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32992. Broadly, would you say that officers are so busy that they have not time to take the trouble to educate the people?—Yes, every District Officer is overworked so far as I am aware.

32993. (*Mr. Dutt.*) Have you any other suggestion to make for bringing the district administration more into touch with the people?—I have been thinking mainly about villages because I believe in the politics of the poor.

32994. That is the ground work?—I should say that it has been neglected too long and very little has been done for them. I have travelled in villages myself, and I have seen how they have been neglected.

32995. Do you think if the villages were more looked after and improved it would be a good ground-work for improving the whole local self-government?—Certainly, because 90 per cent. of the population is agricultural, and we have been mainly looking after the articulate classes, while the voiceless millions we have neglected.

32996. At present all the Board Schools are practically managed by the Education Department?—Yes.

32997. What would be your opinion as to entrusting those schools to village panchayats after they have ben organised, the District Board, or the *taluka* Board, simply giving a monthly stipend to the teacher and asking the villagers to look after their own institutions?—I think it would be a very good idea, but it cannot be carried out everywhere. It all depends on the public spirit shown. If they did take any interest it would be worth while trying the experiment in villages, and I would do it, because it is very necessary that they should feel some interest in their affairs. I would go so far as to say, unless you give them power even to mismanage they would take very little interest, but if you are going to sit on them, saying continually "This is wrong," and "That is wrong," they will take no interest.

32998. Generally speaking, are you in favour of the idea of villagers managing their own village schools?—Certainly.

32999. Which would be supported by some monthly aid from the *taluka* Board, or the District Board?—Yes, the *taluka* Board itself gets very little and is actually dependent on the bounty of the District Board; and when I had fixed the panchayats' representatives I would say to the District Board: "Give to the village if you like half or a third of the cess which it contributes."

33000. Would you leave the supervision of the schools with the District Boards or would you hand it over to the *taluka* Boards?—I should say they ought to be left to the District Boards, because these being the central authority, the expenditure would be smaller; if you left it to the *taluka* Board, you would find that its resources were not adequate. The District Board could easily arrange for supervision.

33001. So that you would not trust the *taluka* Boards?—I would in some cases, if I found that the *taluka* Board was well managed and had funds. I would lay down no hard and fast rule. I would make the whole scheme as elastic as possible because the conditions vary.

33002. Have you had any experience in Sind?—Yes.

33003. Is not the system in Sind somewhat different from the system in the Presidency proper as regards the powers of Revenue Officers?—Yes, it is somewhat different.

33004. Generally in Sind do not the Revenue Officers enjoy larger powers than they do elsewhere?—I believe that is so to some extent.

33005. Would the Sind system be conducive to progress in the more advanced divisions of this province?—I should say so; I think the officers, if they are worth their salt, should be entrusted with higher powers. The Land Revenue Code which we have at present says that subject to the control of Government or of the Commissioner, certain powers may be exercised by the Collector, and so on. I would make out a regular schedule classifying all the powers, just as in the Criminal Procedure Code, there is a schedule of powers. I would lay down a certain scale of powers which might be exercised by the Collector, by the Assistant Collector, and so on, the Government having the right of investing any particular officer with certain powers, and the difficulty would be solved.

33006. As you have seen service in both divisions I want to know generally whether the system you have seen in Sind would be conducive to the public good in the more advanced districts of the Bombay Presidency?—I should say so.

33007. Do you know that in Sind the Commissioner has extraordinary powers?—Yes, he has.

33008. Would you be in favour of investing the Commissioners of the other divisions of this province with powers under a general Act of delegation, like Act V. of 1868, which obtains only in Sind?—Yes.

33009. Supposing it was thought desirable to extend some of the powers which the Bombay Government now possesses to Commissioners in the other divisions, would you do that by passing a general Act of delegation, or would you do it by amending Acts?—No, I think Act V. of 1868 is a very good Act, and all that would be necessary would be to take out the words "in Sind" and the Act would fit then, and would be quite enough. I would even go further, and say that there should be a general Act in which the Government of India should take power to delegate all their powers to the Government of Bombay or to any Local Government.

33010. My question referred to the smaller sphere of this province?—That could easily be done by deleting two words.

33011. Would such a general Act be popular?—It all depends on the meaning attached to the word "popular." So far as the voiceless millions are concerned they care very little, but so far as the articulate classes are concerned it would not be popular.

33012. Supposing the Bombay Government under a general Act of delegation empowered Collectors and Commissioners by Gazette notification to impose taxes on municipalities, would that be popular?—It would be extremely unpopular.

33013. (*Sir Frederic Lely.*) It has been suggested that in administrative appeals only one appeal should be allowed, but that if the appellant consented to waive his subsequent right to go into the Civil Court he should be allowed to go up to Government itself; what would you say to that suggestion?—I think there is a particular section in the Land Revenue Code, section 86, which has given rise to all this trouble, but the appeals under other sections to Government or the Commissioners are very few, so that as far as section 86 is concerned I would limit appeals to a single appeal absolutely, because the appellants have the right of going to the Civil Court at once, and as a matter of fact they do go. It is all waste of time.

33014. You would not give the option of waiving the right?—I think they would not waive it at all; it would be a useless provision.

33015. The question of the management of villages, especially schools, is a very practical one. What would be the effect on the master of giving the village absolute management of the school and control over him; would he like it?—No, not the master himself; he would like to have more chance of promotion. But the difficulty could be easily solved because even at present the Education Department has masters who are getting only Rs. 4, 6 or 8. In the villages there are a large number of mosque or temple schools, and the tradition of the country is that education shall not be paid for. As a matter of fact in many temples and mosques nothing is paid except that once a month in some of them each boy pays two pice.

33016. But has not that tradition disappeared?—No, I was settling the scheme of a trust the other day in connection with a mosque, and I was told that they were only charging two pice a month for each boy. If the village authorities could manage to get some men who would be willing to

teach without charging anything it would be a good thing; and another good thing would be to lend men to the village authorities, just as we now lend men to Foreign Services, and charge them a pension allowance.

33017. Would not the position of such a man lent to a village under the thumb, so to speak, of the village panchayat, be exceedingly unpleasant?—Yes, but the question is, which is the lesser evil; if you want to give the people a little interest in the matter, you must place the school under them.

33018. As a matter of fact in many villages would not that system make the schoolmasters the servitors of the dominant faction?—I am afraid in some cases it would, but we should have to be careful to pick out good men and true.

33019. Do you consider the Village Sanitary Boards Act would be any basis for new village administration?—No; the Village Sanitary Boards Act is very unpopular, because you call upon the people to come with a contribution first of all, and if they come with Rs. 100 the Government gives another Rs. 100. But if they do not come forward with any contribution at all, then there is no Sanitary Board, and moreover the work is all done by the *mamlatdars* and not by the people.

33020. Then you consider it an essential to success that whatever new departure there may be, it must not be accompanied by extra taxation, to begin with at any rate?—Exactly.

33021. Would you not lay almost, if not quite as much, stress on the freedom of the village staff, and leave them to themselves?—I would make the council free, but the staff ought to be under the control of the panchayat.

33022. If a Sanitary Board is introduced into a village, is not one of the first steps to appoint a *chaprassi*?—Yes.

33023. Is that not rather disliked by the villagers?—Yes, I would try to do without it; in fact, what the villagers suffer from now is the little petty tyrannies under the Village Police Act, two sections of which have not been repealed, and if you look at the last statistics you will find that there were 8,000 convictions under that Act. The most surprising thing is that out of the men who were being tried 78 actually died before their cases were dealt with; they are dragged from one place to another and then only fined a few rupees.

33024. You say then there should be no taxation, and would you also add that there should be no interference on the part of the subordinate official staff of any kind, such as overseers and *chaprassis*?—Exactly.

33025. Are those two essentials?—Yes.

33026. (*Sir Steyning Edgerley.*) As regards panchayats, is your real position that we ought to use our best endeavours towards creating them, but that it is no use discussing details until we get to deal with particular districts?—Yes, exactly.

33027. As to the Act V. of 1868, is it not drafted in very old fashioned style, and all modern Acts would need to be safeguarded by provisions for notice and notification of objections and so on?—Yes.

33028. Subject to such safeguards, do you see any objection to such an Act?—No, I think the power should be exercised by Government after notifying objections, and finding out whether there are any.

33029. The question of the popularity of delegating to Commissioners and Collectors powers to tax municipalities would be ascertained by a notification inviting objections?—Yes.

33030. Can you imagine any responsible Government proposing such a delegation as that?—I cannot say that it cannot be done, because when the Plague Act was passed there were certain powers delegated, and as I unfortunately have had a great deal to do with the criminal side of it, I know the powers delegated to Collectors were not wisely delegated, so that one cannot be sure.

33031. If you had prior notification and reference to the Government, do you think you would be reasonably safe with an Act of that sort?—No, the difficulty is that there are many Acts under which objections are invited, and if the Chambers of Commerce or some of the articulate classes are really interested you do get objections, otherwise you get none at all, because we have such a large number of people who do not know how to read and write, and the men affected hardly ever know there is any notification in the Gazette concerning them. There are three defects in the administration, unintelligibility, uncertainty, and delay.

33032. The point is that so many Acts are at the moment tied up with the sanction of the Government of India and the sanction of the Local Government and what are the best means from time to time of passing powers down, so that they should be nearer the people? For purposes of that sort, do you not think the kind of Act I suggest would be desirable?—So far as the general principle is concerned I agree, and if the Government were also to revert to the old custom of proclaiming their intentions in the villages there would be no objection then; if you had safeguards of that kind there would be very little objection.

33033. You are a native of Hyderabad and a zamindar?—Yes.

33034. And you served for years in Sind?—Yes.

33035. And ultimately as Judicial Commissioner?—Yes.

33036. Have you ever heard what you consider to be any well-founded objection as to the use of Act V. of 1868?—No, never.

33037. (*Mr. Meyer.*) Would it surprise you to learn that among the proposals which the Bombay Government consider as *primâ facie* suitable for consideration is delegation to the Collector of the power of sanctioning, modifying and imposing conditions as regards taxes in town municipalities?—So far as municipalities are concerned, they have to deal with the articulate classes, and they can really make their opinion felt, but the general question was put to me, and I was mainly concerning myself with the inarticulate classes. So far as municipalities are concerned, they know how to use their voices.

33038. Do you consider it a proper delegation to grant to Collectors power to impose or alter taxation?—I would not go at once so far; I would be very cautious in those matters.

33039. Then again, it is said that the Local Government should receive objections and consider them; supposing a Local Government was rather anxious to delegate powers, is it not possible that the objections might receive scant consideration?—It is quite possible; there is nothing impossible.

33040. Would you apply the same principle to the criminal law, so that every power might be delegated at the discretion of the Government subject to previous notice? Would you be in favour of allowing Government, by notification and calling for objection, to delegate the powers of superior Courts to Courts below them?—No, that would depend on qualification.

33041. You would differentiate between criminal and revenue law?—To a certain extent I would.

33042. Anything which affects the life and liberty of the subject you consider requires great care and should not be the subject of delegation by executive order?—Yes.

33043. You know something of the work done by village munsiffs and conciliators under the Deccan Agriculturists Act. Do you agree with a witness who said he did not think they did much good?—He is mistaken. I wrote to the Government myself to introduce the Act in Khándesh. It was in force in four districts originally, and that made the fifth into which it was introduced, and, as far as I know, the Conciliators have worked very well, and the official reports of the Special Judge bear testimony to the good work done by them. Of course you will find black sheep in every flock, but that does not condemn the system. One excellent result was that in a very few months the Courts' arrears were gone, and the work diminished considerably, and they were able to devote their attention to more important cases.

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33044. Have these people only got powers as arbitrators?—The village munsiffs have power to decide suits themselves up to Rs. 10. They have a very simple procedure; they keep a register in which they write a few particulars and the decisions and up to Rs. 10 they have power to decide finally, but as far as the Conciliators are concerned, they try to bring the parties together. There is a special section under which they can be invested with power to compel the attendance of defendants who are cited before them, and they try to act as mediators and peace-makers. If they succeed in making peace there is a reference drawn up, or the Conciliator himself writes out the award, it is filed in Court, and then a decree follows in accordance with it.

33045. Can a party withdraw by saying that his assent was obtained to the arbitration under a misapprehension?—Yes. The Court, after it is in possession of the case, inquires into all these things and any party has power to object to the award. Ten days are given for objections and the parties can always come in and say they never referred or that a man is acting *ultra vires*; all objections can be raised.

33046. The village munsiff has power to deal with suits up to Rs. 10; is that only under the Deccan Agriculturists Act?—Yes.

33047. Therefore it is only with reference to agricultural matters?—Yes.

33048. Supposing two men have a squabble as to the ownership of some wood, could the village munsiff deal with that?—I am not quite sure. My own idea is that all suits up to the sum of Rs. 10 can be tried by him.

33049. If he cannot at present, would you allow him that power?—Yes.

33050. What are the cases under section 539 of the Civil Procedure Code of which you speak? What is Act VIII. of 1890?—It is called the Guardians and Wards Act and section 539 is the section which authorizes the District Courts to deal with cases of public trusts, whether religious or charitable.

33051. But they would have to be very petty cases which the panchayats could deal with?—I said their reports might be sent for; I would not give them any power.

33052. Do you consider, generally speaking, that the villages in Bombay, or in those parts which you are familiar with, are factions or not?—I am sorry to say that the villages are growing factious, mainly on account of caste disputes; they know they can always apply to the Courts and fight it out, and their combative instincts are fostered and aggravated by the knowledge that they are able to do so, and in part by pleaders.

33053. In such villages would the panchayats be very much handicapped?—Certainly.

33054. It has also been stated that the villagers in Bombay were allowed to undertake the communal management of grazing grounds, but that they had failed; do you know anything about that?—A great deal. I remember one case which I think is reported in the Indian Law Reports, in which the villagers filed a suit to establish their right to pasturage and fought it up to the High Court and failed, while another case, almost precisely identical, went up to the Privy Council and was successful.

33055. My question was rather directed to the question of management, in which it was stated the villagers had failed?—It does not follow because they have failed in one village therefore they would fail in every village.

33056. You mention section 86 of the Land Revenue Code as a section which aids appeals; what is the section?—Supposing a zamindar has a tenant who owes him rent, he may go to the *mamlatdar* and ask him to get the amount; the *mamlatdar* then sends notice to the other party, hears him, takes evidence and passes a decree.

33057. But why are there so many appeals?—Because the Land Revenue Code itself says an appeal may lie from the decision of the *mamlatdar* to the Assistant Collector, and from the Assistant Collector to the Collector, so that they go on because the Code and the Rules allow it.

33058. May I take it from your experience of the Land Revenue Code that it encourages appeals unnecessarily?—On that point, yes.

33059. And on other points as well?—On other points I do not think it has done much harm; in fact I believe in the Government case itself, it is said it is mainly under section 86, that they arise.

33060. Do the Government, under the Watan Act, keep in their own hands all dismissals of hereditary village officials?—Yes.

33061. Is that necessary?—I do not think it is necessary in the case of *kulkarnis*; the Collector may well be authorized to dismiss them; at present the Commissioner has the power, but it could be delegated to Collectors.

33062. And as regards the *patel*?—So also with regard to the *patel*.

(*The witness withdrew.*)

Mr. J. Ghosal, I.C.S., was called and examined.

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33063. (*Chairman.*) You are Officiating Collector of West Khándesh?—Yes.

Delegation is certainly desirable in every grade of revenue administration. Taking the Land Revenue Code and the rules for instance. Under section 42 the *mamlatdar*, who is a responsible *taluka* officer, cannot even give orders as to whether a particular tree which has dried up can be cut, or an overhanging branch of a tree, which causes some inconvenience to traffic, can be lopped. The *mamlatdar* must formally get the Assistant Collector's sanction. Under section 43 the *mamlatdar*, who is actually on the spot and enquires into the matter, cannot be trusted to fix the value of a tree or a branch cut down, but a lengthy correspondence has to be carried on and his superior's orders received. Melon beds are quite common now-a-days. There are trained village officers everywhere, at least circle inspectors, and yet the Assistant Collector has to fix the assessment in each case (section 52). For every appropriation of a few square feet of land to non-agricultural purposes even for a week, the Collector's sanction is necessary and this power cannot be delegated. Annually in this district about 1,000 applications are received for such temporary occupation of small areas for kilns (section 65). Every case of exemption has to be formally sanctioned and notified by Government. There is a *patel* here with 1,000 acres of land, a regular zamindar whose fitness cannot be doubted, yet because he is not a Brahmin or a Baniya by caste, the Collector cannot issue any order himself but must refer the case to Government (section 73A, clause 2). Again for precautionary measures immediate steps are required in urgent cases. Yet the *mamlatdar* cannot give such orders and by the time the proposal is sanctioned by the Sub-Divisional Officer probably it is too late to attach the crop. Then in this district about 800 correspondences are received all at one time by the Sub-Divisional Officers for sanctioning the auction sales of "waste" lands for grazing. He cannot but accept the *mamlatdars'* proposals, unless a re-sale be ordered, in which case the season will be over. Yet under the law the formal sanction must be obtained.

Next as to the Watan Act. The *mamlatdar* has to get sanction to the entry of even the eldest son's name as heir. Surely he can be allowed to enter names when there is no dispute, and even then there are sure to be appeals. The number of references under this head is very heavy. Then since the Collector can remove even *awal karkuns* he ought to be able to dismiss a *kulkarni*. There is no danger of the *kulkarni's* prestige suffering thereby; on the other hand the Collector's prestige suffers for want of this power.

As to the Abkári Act, the Collector is unable to sanction the change of site for shops for opium or liquor. Surely the Collector is the best judge. The Collector ought also to decide whether a temporary shop at a fair is to be opened or not.

The Commissioner ought to be given the power to sanction the execution of work costing between Rs. 500 to 2,000, to sanction all temporary appointments over three months, etc. But the question of Commissioners' powers is really above me. As to Collectors, once the budget is sanctioned they ought to be made the controlling authority and so sanction all the re-appropriations, etc.

Certain discretionary funds may be placed with the Collector for petty expenditure under all heads, *e.g.*, for temporary appointments for special purposes under three months (at present the only temporary appointment the Collector can sanction appears to be of a "*potdar*") and for the same purposes for which the discretionary grant is allowed to the Commissioner. Similarly Collectors may be allowed to sanction special allowances, increase of pay to inferior servants, and all unforeseen minor expenditure.

In all branches of administration there ought to be the right of one appeal only. No good purpose is served by the grant of right to too many appeals except weakening the administration. But as in Criminal Law the right after appeal to one revision only by a higher authority may be sanctioned on grounds of (*a*) question of legal interpretation; (*b*) facts discovered subsequent to the decision of the appeal. I am not in favour of requiring a preliminary certificate from the officer whose decision is appealed against, as this practically would mean the authority which decided the case doubting its own decision. Even when the order appealed against is a purely executive one no second revision need be allowed.

In this Presidency, Executive Officers cannot be accused of not having sufficient opportunities for personal contact with the people. Their knowledge of the vernacular is also generally adequate unless an officer who has spent more of his service in the Deccan is suddenly sent to Kanara for instance.

Every revenue office is undermanned. From the Collector's to the *mamlatdar's* office every *karkun* has to work from morning till night, and even then the work would not have been done, if the many so-called *umedwârs* or candidates had not been attached to each office, who in hope of a future permanent appointment through long years of patient waiting worked as hard as any *karkun*, on no pay. The area of charges need not be reduced, but the staff ought surely to be increased.

I have no reason to think transfers too frequent at present.

I cannot suggest any extended powers to be granted at present to the District Local Boards municipalities except that, when to the mutual advantage, they may be allowed to spend funds beyond their jurisdiction. Though village unions at present have ceased to exist, they ought to be revived on the lines of the Local Boards and called Village Boards. Each village, or a group of villages, ought to have a Board of its own, and, say, a quarter of the Local Funds collected in that village or for the group ought to be allowed to each such Board for being spent on the same lines as a *taluka* Local Board. I think every village has a right to a small share for local use of the local funds subscribed by it. I have known of many villages where not a pie has been spent out of local funds yet in the village itself, and the people have a right to grumble. Such Village Boards are the best means of teaching self-administration as well as educating the people generally. A village union will improve the status of the Local Boards.

I do not think Advisory or Administrative Councils are necessary to assist Divisional or District Officers. They are already in close touch with the people, and they have ample means and opportunities of knowing the actual condition and needs of their charge.

Once the village union as suggested by me is thoroughly established a certain amount of petty criminal and civil jurisdiction may be allowed to it. A police *patel* nowadays often makes a very good Magistrate, so to speak, for petty cases, and a Board ought to be able to sit as a Bench. Sanitary matters can also be looked after by the Board. As to education, this is a question of money, and the funds at the disposal of each Board will be so small that education ought as at present to be left to the *taluka* Local Board to consider. Revenue and police matters, too, cannot as yet be entrusted to these village unions.

33064. In your printed notes you set out certain restrictions under which Collectors and acting Collectors work; are those restrictions imposed upon you by the rules of the Local Government?—Most of them are rules framed by the Local Government.

33065. With regard to the appropriation of land for non-agricultural purposes, you have a great number of cases under the Land Revenue Code coming to you?—Yes, because a Collector has to decide them.

33066. Is that again a restriction of the Local Government?—Yes, partly, but partly under the Act too.

33067. To what do you refer when you mention exemptions?—Under the Transfer Act you cannot part with land or sell it or lease it without sanction; you have to get the special sanction of the Government in every case if you want to exempt a person from that tenure.

33068. Do you mean that a man has to obtain leave from the Government in order to sell his land?—There are two kinds of tenure, and if he is regarded as holding land under the new tenure and not under the old, then he must get Government sanction.

33069. What if he holds it under the new tenure?—When a new survey is introduced the whole *taluka* may be notified of all the land being held under the new tenure.

33070. Then can a man sell his land freely?—Under the new tenure he cannot, under the old he can.

33071. Unless apparently he has permission?—Exemptions may be given to special classes under the Act. Government may exempt all classes, but in the district of Khandesh two classes only are exempted. The Collector can sanction a particular transaction, but canot exempt a man generally.

33072. Then you say a great deal of your time is taken up by sanctioning the auction sales of waste lands?—That is so in the Khandesh district.

33073. Is it the case in other districts?—It depends on whether there is much waste; in the Khandesh district there is any amount of waste.

33074. In other districts that you have served in, is much time taken up in dealing with cases regarding the auction sales of waste lands?—No.

33075. Under the Watan Act you mention the obligation of entering the latest owner's name; does that apply to one district or to several districts?—That is general.

33076. Is much of your time taken up by that?—Yes.

33077. How many cases do you get on an average?—The average will be about one thousand a year or something like that—600 to 1,000.

33078. What is a *kulkarni*?—He is the village accountant.

33079. Cannot the Collector remove him?—No, because he is an hereditary officer.

33080. Do all the people speak the same language in the five districts in which you served?—Yes, they are all Marathi.

33081. (*Mr. Meyer.*) There is a proposal of yours as regards making the pay in a Collector's office personal; what do you mean by that?—For all special establishments I suggest that pay should be personal, just as in every other establishment in the Collector's office.

33082. But in a Collector's office you have particular appointments, the pay being regulated by the appointments held?—I refer to the whole district; the pay of all the clerks in a district is practically non-personal.

33083. Was it a matter of Local Fund establishments?—Yes, and other establishments, *e.g.*, process *karkuns*.

33084. You say that the Commissioner now has only power to sanction minor works up to Rs. 500; is

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that really the case? I remember reading somewhere that he has power up to Rs. 2,500; which is the correct statement?—I cannot say definitely.

33085. Had you satisfied yourself when you wrote your statement, that your figure was correct? —I was of that opinion when I wrote it.

33086. Did you consult the codes and regulations, or did you write from your own personal impression?—I must have looked up the rule; if the figure is wrong, I will correct it. I thought he had power up to Rs. 500 only.

33087. You make a reference to the forbidding of transfer of land granted under the new conditions; have they been largely applied in your district?—Yes, a great deal in Khandesh.

33088. The cultivator you say is not allowed to transfer except with the sanction of the Commissioner or Collector; which is it?—He can get the Collector's sanction.

33089. Does not the present power of exemption rest with the Government?—Yes, for changing a tenure.

33090. Supposing a man wanted to sell his land to a Baniya, would he have to get the sanction of Government?—No, the Collector's sanction would be enough.

33091. What do you want relaxed?—If a notification is issued in a district, and a man says: "I have 500 survey numbers which I cannot manage; I want to hold these lands under the old tenure, so that I shall not be bothered in each case," it cannot be done by the Collector, because each case requires special sanction, so to speak.

33092. If you transfer from the new to the old tenure, are you not defeating the object of the law?—It depends on whether a man is capable of looking after his own interests; that is the whole thing.

33093. You propose giving power to the Collector to take action under the Land Acquisition Act; is that a power which can be safely left to a Collector?—Yes.

33094. Might there not be cases of people objecting to land being taken over?—Those objections will be heard by the Collector just the same as by anyone else.

33095. Is he to be the final authority? Suppose the case of land belonging to a *math*, or some religious body, might there not be some commotion if the Collector took it up?—The Collector would be the best person to judge whether it was desirable or not.

33096. Then you say the Collector should have power to remit irrecoverable arrears; but suppose a case of a Collector who had not worried about collecting money in his district and whose arrears were large, would it not be a convenient way of making them smaller if he had power to declare them irrecoverable?—Then he would not be fit to be a Collector.

33097. But there is that possible danger?—You might find such an exceptional officer certainly.

33098. Might it not be better in the case of arrears which have not been recovered that you should refer to a superior authority such as the Commissioner?—But after all, these arrears come for orders to the Collector after they have been through the Assistant Collector and the *mamlatdar*. They have thus been through two checks before.

33099. Are you President of any municipality? —Yes, of Dhulia, Khandesh.

33100. Is there any discrimination as to which municipalities are presided over by the Collector and which by the Sub-Divisional Officer? A Sub-Divisional Officer told us to-day that they were Presidents of a variety of municipalities?—They are generally Presidents only of the *taluka* municipalities; if there is a headquarter municipality and a large town, the Collector is Chairman.

33101. Is he Chairman by election or *ex-officio*? —*Ex-officio.*

33102. Then as a rule your municipalities are not allowed to elect their own Chairmen?—Yes, the Chairmen of the Managing Committees, but not Presidents.

33103. Might they be allowed to elect their own Presidents?—Yes, in individual cases, but a hard and fast rule cannot be laid down.

33104. Are they allowed to elect Vice-Presidents?—Yes.

33105. Do the Vice-Presidents as a matter of fact do the bulk of the work?—I think so, because if they find a man more or less suitable for it they elect him, otherwise some Government officer is appointed Vice-President, if no one else is keen on it.

33106. Is the Vice-President of your district a non-official?—Yes.

33107. Does he do much of the work?—Yes; the man before him, who has lately died, used to do a lot of work.

33108. You have heard the statements made by previous witnesses as to the way in which the District Boards paid for a lot of work which they did not really control in the matter of larger roads, education, dispensaries, and vaccination; do you think that is a good system?—I do not think District Boards mind at all. They must have a larger staff to do it all, and the question is whether they can get a staff of their own, or whether it is not better to have a staff for the whole Presidency.

33109. Supposing they had the money, would it be better if they had their own engineer to look after their roads for them?—Yes, if there is sufficient money to pay for an expert engineer.

33110. Might it not be a convenient form of assistance, possibly, for Government to give them a District Board Engineer as their own servant?—Yes, it is a question of finance only; their own engineers would do the work very well.

33111. Under the present system might not the Government possibly refrain from charging a percentage on all the works executed by the Public Works Engineer for them?—That again is a question of finance.

33112. Supposing the Government found it desirable to give some assistance to the District Boards, might that not be a convenient form in which to do it?—Yes, and it would be very welcome.

33113. Are you in accord with the other witnesses who say that these bodies do not take very much interest in their work?—My experience is that District Boards to a certain extent do, but Local Boards do not.

33114. Is not the reason for that that Local Boards have very little power and very little money?—It is a question of very little money, I think, because there are hardly any works going on in most places.

33115. Might you not give larger power to the Local Boards and give them a share of the Land Cess?—What would be the effect?—They would have more work; that is all.

33116. It might interest them more if they had something really to do?—I suppose if there are a large number of works to supervise and so on it would, but at present they do not take any interest because there are hardly any works to supervise.

33117. Because the District Board has not given them much power?—Yes. They have taken away education altogether, and the only works to be done are practically to look after a few roads and wells. I do not know very well how a District Board could give them larger powers.

33118. (*Sir Steyning Edgerley.*) When you said you were *ex-officio* President of the municipality, did you mean *ex-officio* or did you mean nominated? —Nominated by Government

33119. Would not the Act permit of a non-official Chairman if Government chose to authorise it?—Yes.

33120. You refer to contract contingencies, but are there not other contingencies?—Yes.

33121. Does the system of contingencies give very much trouble?—A certain amount.

33122. Would it be simpler to have the whole thing under contract and do away with the other two kinds?—Yes, it would.

33123. Then with regard to appeals you do not favour the suggestion that a certificate might be required in reference to them and you suggest that it would indicate that the authority which had decided a case doubted its own decision. Would it not depend on the nature of the certificate? Suppose a certificate was given by the first Appellate Court simply stating that the facts were quite clear, but that there was a principle involved, or that there was not, it would not suggest any such doubt?—No.

33124. In a great many cases there is no principle involved, but the question is a mere question of fact?—Yes.

33125. In such cases after one appeal would not a certificate by the first Appellate Court stop further appeals?—Yes; I think the smaller the number of appeals the better.

33126. Are the *mamlatdars'* offices very seriously undermanned?—Yes.

33127. You think that it is really practicable to try to resuscitate village institutions in Khandesh?—I think so, but there must be funds for the purpose. A special cess may be levied.

33128. It would cost a good deal of money and details would have to be considered?—Yes.

33129. (*Sir Frederic Lely.*) Have Assistant Collectors to examine boundary marks in every village they visit?—Yes, as many as they can. There are no hard and fast rules. An Assistant Collector has to inspect villages, and he has to check as many marks as he can.

33130. Is he employed on that work say every other day in the week, or can you give any idea as to what proportion of his time is occupied?—Lately his work is less in that direction, because every village is not done every year.

33131. Ordinarily does an Assistant Collector spend a morning every other day in the week in the work?—He had to till lately, but he does not spend quite so much time now.

33132. Could not that work be done just as well by a man at Rs. 200 a month?—It is a question of the principle of supervision.

33133. Is not touring becoming every year more difficult in consequence of the difficulty in getting carts and various wants supplied?—Yes, to a certain extent.

33134. During the last 10 years has it become more difficult to get carriage and supplies?—In each district the conditions are different.

33135. Can you make any general statement on the point?—No.

33136. Do the demands of the various touring officers bear hardly on the people?—I do not see why they should.

33137. If a man wants his cart for something else, is it not a hardship to have to send it to carry the District Officer's tent and so on?—There are only a few carts wanted, and there are plenty of them in villages as a rule, unless one carries a very large camp.

33138. Can a municipality close a school if it considers that it is in a quarter of the town where it is not wanted?—Yes, but they are generally threatened with a less subsidy in future.

33139. And it has a certain amount of power?—Yes, in educational matters generally.

33140. Does the subsidy depend on the expenditure of a municipality?—Yes.

33141. And it would follow, as a matter of course, if a school was closed the grant for it would cease. Is there any special compulsion?—There is no special compulsion on them to spend so much.

33142. Are the clerks in a *mamlatdar's* office efficient or inefficient as a rule?—Considering everything, they are very efficient.

33143. Are they fairly paid?—No, they are rather underpaid.

33144. In every *mamlatdar's* office is there a large number of candidates without whose assistance the work could not be done?—Yes.

33145. What is the number of candidates who would be attached to an ordinary *mamlatdar's* office?—About four.

33146. Who receive no pay at all?—No, except what they get from copying fees.

33147. Otherwise are they expected to assist in the work of the office?—Yes.

33148. What is the quality of the work of a *kulkarni*?—It is very good really, except that they shirk fieldwork.

33149. (*Mr. Dutt.*) Might District Boards also take primary education entirely into their own hands?—Yes, there is no harm in that.

33150. Is it possible that they might make primary education a little more popular and get a little more public co-operation if they took it into their own hands?—It is quite possible.

33151. You have supplied a list of something like 14 instances in which you think power could be delegated, under the Bombay Land Revenue Code; is it within the power of the Bombay Government to modify the Code and make delegations if these delegations are thought necessary. Could they not bring in an amending Act?—Yes, they could do that.

33152. And could they not themselves also amend the rules?—There is no sanction of any higher authority necessary to make these delegations, except in so far as all Acts passed have to be sanctioned by the Government of India?—Quite so.

33153. You say the power to sanction expenditure of funds outside the local area should be vested in the Collector. Are not such cases very rare?—They are not very common.

33154. Is it desirable, as a rule, that the funds of a District Board should be spent outside that district?—For District Boards it does not matter, but for *taluka* Boards I think it is necessary, because they more often have common objects on which to spend money.

33154. *Taluka* Boards within a district get their allotments from the District Board, so that in that case the District Board has complete power to grant to each *taluka* Board any amount it may think necessary, but when it comes to the rare question of spending the funds of one district outside the area of that district, what is the necessity of transferring that power to the Collector?—I suggested that because I had some correspondence at the time on the point.

33156. You think that the power to confer magisterial powers should be given to Commissioners; would it not maintain the prestige of the Judicial Officer himself if he got his powers from Government rather than from a Divisional Commissioner?—I do not know how the public would look upon it. I do not think it matters as long as he has the power.

33157. Have you ever thought of entrusting the management of village schools to the villagers themselves on the condition of their getting a stipend from the District Board or the *taluka* Board?—Special villages would have to be selected; I do not think it would work as a general rule.

33158. (*Mr. Hichens.*) Is the *taluka* Board area the same as the administrative *taluka* area?—Yes.

33159. So that there are the same number of *taluka* Boards as there are *talukas*?—Yes.

33160. Have you been President of a municipality?—Yes.

33161. What was the population of it?—About 40,000.

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33162. Would you call that a comparatively large municipality?—Yes.

33163. Is an assessment rate collected, or how do they get their funds?—There are taxes. The principal tax is the house tax. It is fixed according to each municipality; each municipality fixes its own rate. It has to be finally approved by Government.

33164. Is there no maximum laid down by the law?—I do not think so.

33165. Then can you collect as much as you please, subject to the approval of Government?—Yes, provided of course the municipality first proposes and approves.

33166. What does the contract allowance of a Collector include?—At present only minor things for contingencies such as clothing and things for the peons.

33167. In some cases the Collector cannot spend the budget provision with regard to certain items without getting first of all the sanction of a higher authority?—Yes, but only on restricted heads.

33168. And your suggestion is, that once provision has been made in the budget, he should be allowed to spend it at his own discretion?—Yes.

33169. (*Chairman.*) Are you a native of Bombay?—No, I come from Bengal.

33170. What language do you speak?—Marathi here.

33171. Did you have to pass an examination in Marathi when you came to Bombay?—Yes, in Marathi and Hindustani.

33172. If you were moved up to Sind, would you be conversant with the language spoken there?—I have just been transferred to Surat and I do not know the language at all.

33173. Do you then find any difficulty in getting into touch with the people of standing and position in Surat?—No, I do not think so.

33174. How are you able to converse with them?—I have met a lot of people up to the present who can understand Hindustani and I speak in that language to them.

33175. Have you difficulty in conversing with people except those who understand Hindustani?—I generally find that most of them understand Marathi, but I have sometimes to get an interpreter.

33176. Is there any insuperable difficulty on the part of officials like yourself in getting into intimate relationship with the people of a district?—I do not think so, it all depends on whether one has time.

33177. It does not depend on creed or race?—I do not think so, one can always get into touch with them, but it all depends on whether one has time.

33178. Are the social customs, and manners, and etiquette in Surat in any way different from those in Khandesh?—I am afraid as I have only just arrived there, I cannot say whether there is much difference or not.

33179. Do you expect to find any difference?—Yes, from what I have heard.

33180. Will it be a matter of some little difficulty, for you to master them?—It will take me some time I suppose.

(*The witness withdrew.*)

Mr. A. M. T. Jackson, I.C.S., was called and examined.

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33181. (*Chairman.*) You have been in the Secretariat of the Bombay Government?—Yes. Roughly speaking, I was about six years in the Secretariat or on special duty out of my 20 years' service. I am now Collector of Násik.

Subject to the maintenance of a fixed minimum balance, the Local Governments should be free to prepare their budgets without reference to the Government of India. The budget should be brought before the Legislative Council before the beginning of the financial year, and public criticism would then take the place of the control now exercised by the Government of India and the Secretary of State. In the case of shared heads of revenue the management and financial control should be left to Local Governments, except in matters where uniformity is necessary, *e.g.*, exemptions from stamp duty, and the rate of income-tax. Even in the case of imperial receipts such as customs, opium (export) and salt, the management and financial control should be similarly left to Local Governments, who should hand over the net receipts, subject only to imperial control in such matters as exemptions from customs duty, the rate of opium pass-fee, and the rate of salt duty.

I am not in favour of giving borrowing powers to Local Governments. It would not be convenient for them to compete against each other for loans, and some of them could not borrow so cheaply as the Government of India.

I would give to the provincial Governments full powers as regards new appointments and enhancement of salaries, except in the case of Services recruited in Europe, for which the sanction of the Secretary of State should be obtained. The general conditions of service embodied in the Civil Service Regulations should continue to be laid down by the Government of India, but the sanction to special cases required by Articles 72, 74, 76, 79, 422, 423, 739 and 740 should be given in future by Local Governments and not by the Government of India. The Accountant-General's power to insist upon the reference of doubtful points to the Government of India under Article 291, Civil Account Code, is one great cause of the increased stringency of imperial control.

There are various matters in which restrictions imposed on Local Governments by law can be relaxed with advantage, but these restrictions are not so serious as those arising from financial or administrative interference. Delegation in the case of such legislative restrictions should be specific, because in many cases the sanction or control of the Government of India has been substituted for that of the Local Government during discussions in the Legislative Council, in order to satisfy Indian opinion by making the use of the power more difficult.

The influence of the departments of the Government of India tends very strongly to excessive rigidity and uniformity. This arises from the itch to interfere in details, and the remedy is that the burden of proof in any case of interference should rest upon the Government of India.

The Imperial Secretariat considers matters too much from a purely departmental standpoint, in so far as it prefers the course which makes its own work easier without regard to the needs and convenience of those outside the office. This is one reason for the attempt to enforce uniformity on Local Governments. For instance, a few years ago a revised form of the rules under the Arms Act was circulated. It was drawn up in a way to suit the work of the Simla Secretariat, while it made it more rather than less difficult for the District Officer or the trader at a Presidency Town to pick out the orders referring to his particular business. Similarly the new edition of the Imperial Gazetteer, which has thrown very heavy work on the Local Governments, will be of little use to anyone outside the Simla Secretariat or the India Office. The Government of India is in some respects too much dominated by considerations of revenue—for instance, in the orders recently passed on the report of the Excise Committee.

In departments administered by Local Governments, Imperial Inspectors or Directors-General do more harm than good.

In recent years the Government of India has been very active in pressing changes upon the Local Governments, but so far as this Presidency is concerned, many of these measures had either already been anticipated, or were not required by local

conditions. It is only by allowing provincial Governments to develop their administration on their own lines that real progress is possible. One great practical need of the administration is more frequent communication between Local Governments of the results of their experience, but if this takes place through the Government of India it should not take the form of orders from the latter.

It would be politically inexpedient to curtail in set terms the right of appeal to the Government of India, whether by the requirement of a certificate or otherwise. Papers or a report should not be called for unless a *primâ facie* case is made out, and the orders of a Local Government should not be modified except in cases where they are flagrantly wrong. The principle to be applied should be that followed by the High Courts when a Session Judge refuses to accept the verdict of a jury. As far as my experience goes, the number of appeals against orders affecting officers personally to the Government of India is not very large, and I see no need to curtail the right of appeal.

Since the reduction in reports and returns that was effected in 1901-02, a certain number of old returns have been revived and some new ones added, but in my experience the trouble arises not so much from the demands of the Government of India or the Secretary of State as from the right of interpellation in the Legislative Councils, and this cannot well be limited.

In most administrative matters the Collector should have final authority, because he is on the one hand in close touch with the local conditions, and on the other experienced enough to be trusted with wide powers. The control of Government should take the form of inspection and audit rather than, as now in many cases, of previous sanction. The function of the Commissioner should be to carry out this audit and inspection, both personally and with the aid of his office establishment. The present administrative functions of the Commissioner should be delegated to the Collector. Only the Commissioner's present control over the grant for minor works in his division should be maintained, and he should be given further a contract grant for the entertainment of temporary establishments in his division. These powers cannot be delegated to Collectors, because the needs of districts vary so much that it is hard to fix annual grants for so small a unit, whereas it is possible to strike an average for a division.

Rigidity, uniformity and departmentalism are not so marked in the provincial Secretariats, as in the case of the Government of India, but they undoubtedly do exist. There is specially a tendency to listen too readily to the specialist Heads of Departments as against the District Officer. This is particularly the case with Secretariat Officers who have no recent district experience. One remedy would be a limitation of the tenure of Secretariat offices such as has been adopted by the Government of India, but exists here only for Under-Secretaryships. There is certainly at times a tendency to regard questions too much from a narrow financial standpoint, but things are not so bad in this respect now as they were seven or eight years ago. It is largely a question of the *personnel* of the Financial Department.

Executive Officers have not sufficient opportunities for personal contact with the people, though the Bombay Presidency is better off than most provinces in having a touring season of seven months. The burden of office work is so heavy that a slow worker cannot find time for interviews as well. On the other hand, in many districts it is perfectly possible for a quick worker to get through his office work as well as to see a good deal of the people. So far as the quantity of work is an obstacle to intercourse, the remedy lies in an extension of the system of personal assistants. Apart from the burden of work, some officers are somewhat impatient of forms and ceremonies and do not show sufficient consideration for the feeling of visitors. This is a question partly of temperament and partly of training. Collectors do not always take sufficient trouble in the training of their junior Assistants.

As regards knowledge of the vernaculars I think most men, except those few who are constitutionally incapable of learning languages acquire a good working knowledge of the language of the district in which they spend the first years of their service. But later in life it is not so easy to learn a new language thoroughly. I think sufficient heed is not always paid to this in arranging transfers of officers. I think also that the higher study of the vernacular could be encouraged by changing the books prescribed for the higher proficiency and Degree of Honour Standards, which at present really require a considerable knowledge of Sanskrit as well as of the vernacular.

Each Collector should, I think, have a personal assistant of Gazetted rank and some *talukas* require an extra head *karkun*, but no general increase of staff or reduction in area is required at present.

Both Collectors and Commissioners should be appointed by selection. This was laid down by the Bombay Government many years ago, but the rule is seldom acted upon. Government do not at present really know the men well enough to select the best. The Members of Council might well go on short tours every time the seat of Government is changed, in order to make themselves acquainted with the officers and non-officials of several districts each year.

Transfers of men in the junior grades are sometimes needlessly made; but this is not so often the case with senior men. There is a tendency to leave the filling of a vacancy till the last possible moment, and enough care is not taken to make one man's leave fit in with another's return to duty.

There is a tendency in the Police, Registration, Medical and other Departments to take the control of the district staff of these departments out of the hands of the District Officer. The effect of this on the *morale* of the departments is very bad, and it should be checked by restoring the District Officers' control.

I do not think any demand for greater powers is put forward by the local authorities of the Presidency Town. As to district municipalities and Local Boards I do not think it would be possible to transfer to them any of the services that are now performed by Government departments. The income of these bodies is inelastic, and many of them already have a hard struggle to meet the cost of their obligatory duties. If the principle of representation by communities were applied, it might be possible to allow all the members to be elected except those who are at present *ex officio*. The Commissioner's sanction to certain contracts might be dispensed with, and Government control in a few more details might be relaxed, but the Government audit of accounts and such of the provisions of Chapter XII. of the Bombay District Municipal Act as are based upon English precedent must be retained. As regards control the position of District Boards is much the same as that of municipalities, the only additional restriction in the case of the former being the obligation of having certain of their works carried out by the Government Engineer. As few Boards can afford to keep a competent engineering staff of their own, this restriction is rather an advantage than otherwise. *Taluka* Boards are subject to the same law as District Boards, and the same remarks apply to them.

I am in favour of Advisory but not of Administrative Councils, for districts but not for divisions. The Commissioner does not need an Advisory Council, and in any case a Divisional Council would be drawn from too wide an area to be really useful. Administrative Councils I should regard as a great mistake. The first condition of good government in India is that there should be no division of responsibility in the District Executive. For District Advisory Councils I favour as elastic a constitution as possible, without any fixed number of members, and any one whom the Collector summons should be entitled to attend. What I contemplate is the periodical meeting in public *darbar* of the notables of the district. I am carrying out an experiment on these lines in my own district at present with very satisfactory results. The Councils should have no formal

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constitution and should be consulted on any subject the Collector thinks fit, and should also be free to represent public grievances.

Nothing is to be gained by investing District Local Boards with powers of control over municipalities. So far as such bodies are controlled at all, the control should be exercised by Government.

There will be great difficulties in the way of reviving the village communities in this Presidency, because the habit of joint action has been lost for several generations and the villages are very commonly rent by factions. But I should like to see the experiment of revival tried by degrees in a few villages at a time. The village panch would have to be nominated by the Collector, and thereafter left to renew itself by co-optation. There is no room in our system for granting revenue or police powers to the panch, but such matters as grazing lands. repair of tanks, and the care of village schools and the well might be entrusted to them. The punishment of offences against both sanitary and other laws is better entrusted to the police *patel*. But the panch might have the care of minors' estates which are not important enough for the Collector to take charge of. For the settlement of civil suits it might be possible to make use of the panch as a Court of Arbitration, whose decision should be filed in the Civil Court. But it would be necessary to prohibit recourse to the Civil Court until a certificate from the panch be produced showing that they had failed to settle the case. Otherwise the panch will get little arbitration work to do.

33182. You have been Private Secretary to the Government of Bombay, and as such you had a good deal to do with the appointments and transference of officers to the Secretariat?—Yes, some vacancies occurred during my time.

33183. What are the rules, if any, which govern the existing appointments to the Secretariat?—The only rule that is actually laid down is that Under-Secretaries should not hold their appointments more than three years. At the end of three years Government may re-appoint them if it chooses to do so, or send them elsewhere.

33184. What is the practice?—The practice is in conformity with the rule so far as Under-Secretaries are concerned, but in some cases men have been allowed to retain a lien on the old appointment while holding another.

33185. Is there any rule about officers who are not Under-Secretaries returning to district work?—No.

33186. Was it practically the case that when a man got into the Secretariat he remained there for a considerable period?—It was generally the case.

33187. Is that a good arrangement?—No.

33188. Should a rule be laid down that a man after a certain number of years in the Secretariat, no matter what his position, should return to district work?—Yes, there should be a rule on the subject, but very minute rules might mean confusion. Government should have the opportunity of saying whether he returns or not.

33189. Has not Government got that at present?—Technically it has, but a man is never removed really unless he proves inefficient.

33190. Might it not be better to limit Government?—I would limit only to the extent that when the appointment is held for a definite period Government at the end of it might decide whether to retain a man or return him to his district. It might be that if the man had to return to the district after a certain number of years in the Secretariat inconvenience would be caused to the work.

33191. Does not the practice which you say is desirable obtain at the present moment?—No. There is no limitation in the Bombay Government except as regards the Under-Secretary.

33192. You would not say that after a man has filled his three years in the Secretariat he should *ipso facto* be returned to district work?—I would not make it an absolute rule, because in exceptional cases that might be inconvenient; but as a general rule that should be understood.

33193. What is the size of the Násik district?—About 8,000 square miles.

33194. Is that too large a charge for an officer in the position of a Collector?—No, I do not think so.

33195. How long would it take you to get round the whole district?—I shall have to be travelling round till the end of May.

33196. Practically it will take you six or eight months to travel round your district?—What causes the difficulty is that one has to come into headquarters periodically to hear appeals and so on. It is therefore a case of travelling for three weeks or so and coming in again.

33197. How long ought an officer to remain in a district?—It is difficult to lay down any general rule. I should say that the longer he remains, up to five years, the better.

33198. A witness suggested a minimum of three years and a maximum of five; do you agree?—It would be a mistake to lay down too strict rules of that sort. It might always cause difficulties in practice; but the principle is a sound one.

33199. Is there any practice by which officers are selected for the position of Collector?—Theoretically there is, but practically there is not.

33200. Is there any selection of Comissioners?—There again there is, theoretically, and to some extent practically also.

33201. Should there be selection either in the case of Collectors or Commissioners?—It is very necessary in both cases.

33202. Is there a period of probation for Civilians when first appointed to the Service after coming to this country?—A man's first year when he comes out here is generally spent in learning the law and the language and passing examinations, and you cannot really test his efficiency as an officer until he has an office of his own.

33203. Should the first five years of an officer's service be considered as probationary service?—That might be advantageous in giving Government an opportunity of getting rid of an unsuitable man at the end of that time.

33204. Then after that time selection should be enforced?—Selection should certainly be enforced.

33205. Can you as Collector post or transfer any of your subordinates?—I can transfer all clerks.

33206. But not post them?—I can post them in all the departments under me.

33207. Can you post Assistant or Deputy Collectors?—I can put them in charge of a particular division of the district.

33208. That is when they have once been posted to your Collectorate you can give them such territorial charge as you think fit?—Yes.

33209. Can you transfer a *mamlatdar* from one *taluka* to another *taluka*?—No.

33210. Can you transfer the *mamlatdar's* subordinates?—Yes.

33211. Would it be well to have the power to move your Deputy Collectors?—I have the power of moving them from one sub-division to another. I have three sub-divisions, and I can place any Deputy Collector or Assistant Collector who is put at my disposal in charge of any sub-division or move him from one to another.

33212. Is that worth while?—It is sometimes useful.

33213. The *mamlatdars* are appointed by the Commissioner, not for the province, but for the division; is that satisfactory?—My principle would be to put them on a time scale of pay and leave it to the Collector to say whether a man should get the increase to which he has a claim or not. I would do away with the Commissioner's control

over the appointment of *mamlatdars*. I would leave that to the Collector.

33214. Can you remit revenue?—I can remit small amounts in certain cases, but the main revenue remissions have to be submitted to Government as a rule.

33215. Does your decision extend to remission in the case of the failure of crops?—I have not power as regards the failure of crops. I have in cases of losses arising from floods and fire. That is in particular cases.

33216. Does the power work well on the whole?—Yes.

33217. (*Mr. Dutt.*) If delegations of powers are to be made, do you propose to accomplish them by amending Acts?—By specific Acts.

33218. You do not approve of the idea of a general Act of Delegation?—I do not regard it as desirable that the Commissioner should be an Administrative Officer at all so far as that can be obviated. I would make him purely an inspecting officer; and therefore the necessity for delegating general powers to him would hardly arise.

33219. You think that so far as this Government is concerned, the appointments of Directors and Inspectors-General have not been of any special good for this province?—That is my impression.

33220. Is there any need to restrict the existing rights of appeal either in personal or administrative matters?—I would not restrict in set terms the right of appeal.

33221. How many sub-divisions are there in your district?—Three.

33222. Can you vary those charges on your own authority?—Yes.

33223. In certain other provinces, in Bengal and Madras, for instance, the territorial limits of sub-divisions are fixed by Government permanently, and the Sub-Divisional Officer has to reside within his sub-division all through the year. What would be your opinion of that system as compared with the system in Bombay?—The limits of my sub-divisions are also fixed. That is to say certain *talukas* come together, and, if I wish to transfer one *taluka* from one sub-division to another, I would have to have it sanctioned by the Commissioner and have to go to Government, except so far as magisterial powers are concerned.

33224. But in Bengal the limits of the sub-division are fixed and they cannot be altered without the sanction of the Government. Would you recommend that system for this province?—I do not see any particular advantage in it. In practice the limits are fixed by us, only it is done with the Commissioner's sanction.

33225. Would you have the Sub-Divisional Officer reside within his sub-division?—I should not, because a man living by himself without anyone of his own rank to associate with is liable to become narrow. It is not good for him or for his work. These officers benefit by coming into headquarters.

33226. Do you not have here Subordinate Judges, Deputy Collectors and Munsifs in sub-divisions?—There are Subordinate Judges in a certain number of sub-divisions.

33227. Would a Deputy Collector feel lonely if he was living in his sub-division?—He gets a larger society in the headquarters; and if he was by himself in his sub-division he would be more or less above his associates. It would be better for him to see more of people who are more on a level with him.

33228. Is it no inconvenience to the people to have to come up to the district headquarters in the monsoon to present a petition to the Sub-Divisional Officer?—That depends upon the district communications. There are some districts in which it is very difficult: there are others, on the other hand, in which it is quite easy for a man to come in.

33229. And with regard to criminal cases which the Sub-Divisional Officer tries himself, is it any inconvenience for the parties to follow him about from place to place?—Undoubtedly in some cases. But if a Sub-Divisional Officer pays proper attention to the subject he will suit their convenience as much as possible. However, people often prefer to have their cases tried at headquarters, because they get better legal advice there.

33230. You are Chairman of the District Board; what is the income of the Board?—Approximately two lakhs. We give only about from Rs. 2,000 to Rs. 3,000 to each *taluka* Board in the year.

33231. So far as education is concerned, do you hand over the money to the Education Department?—It is handed over to the district deputy inspector and he administers it.

33232. Would it be an improvement if the District Board took over the management of education itself?—If it is a question of the District Board prescribing the curriculum and providing for the inspection, I doubt whether any District Board is equal to doing that. If it is only a matter of supervising the schoolmasters and transferring them, it might be.

33233. If they had their own inspectors to inspect, they might grant aids, or withdraw aids according to the result of such inspections, and generally they might seek the co-operation of the villages to support the schools on certain monthly aids given by them. Would that make education more popular?—My experience is that education is not unpopular, but that there is not enough money to provide all the schools that the people ask for.

33234. You practically pay the whole expenses of the village school?—The villagers very often provide a house.

33235. And you pay only the teacher's salary? Yes, and for the equipment of the school.

33236. You do not feel that it would be an improvement on the whole if the District Boards took over the management into their own hands?—I doubt whether it would be feasible for the District Boards to fix the curriculum. I do not think it is even possible in England.

33237. But it might be possible for the District Boards to introduce modifications to suit local requirements?—Yes, they might have a greater control.

33238. Would it be an improvement if you had a District Engineer paid by the District Board to carry out all your works?—At present the District Board cannot afford to keep a District Engineer. About 35 years ago the District Boards had Engineers of their own, but the system was given up because it was found too expensive.

33239. But with incomes such as you have of nearly two lakhs of rupees, would it be impossible to employ an Engineer on Rs. 500 a month?—We have trouble to make ends meet now.

33240. (*Mr. Hichens.*) Can you make any suggestion as to how the funds of District Boards can be increased?—I can think of no way except by assistance from Government.

33241. You could not do it by having the cess increased?—No.

33242. You could not do it by bazaar or market dues?—I do not think any appreciable revenue can be got from that.

33243. Why is it impossible to increase the cess?—It would be impossible without further legislation. The cess is imposed at present under an Act of the Bombay Government.

33244. Is sufficient attention paid to the training of the young officers in the Indian Civil Service?—There is room for improvement. At present the men are posted to districts and attached to particular Collectors. Some Collectors take more interest than others in training them, and in some cases they do not get sufficient attention.

33245. It depends very much upon the individuality of the Collector?—Yes. I do not know that I could suggest any actual change of system. Government might perhaps pay more attention to the idiosyncracies of the Collector than to the

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pleasantness of the station in choosing a place to send a young man to.

33246. Is the initial training sufficiently wide?—There again the Collector's taste comes in. There is room for a good deal more interest in the customs of the people, for instance. To make a study of those would be a very valuable addition to a young man's training.

33247. Matters of that sort can really only be learned quickly through conversation and discussion with the Collector and other officers?—It can also be learned to some extent from books and followed up afterwards by personal discussion.

33248. Are such books available?—The "Bombay District Gazetteers"—most of them—are very full on the subject of popular customs and castes.

33249. As soon as a junior officer has passed his examination is he put down to do magisterial work only for the next five years?—I have never met with such a case. With us he has always a revenue as well as a magisterial charge.

33250. Would you say it was desirable, sometimes, at any rate, to send junior officers to other provinces in order to get some experience there?—I do not know whether it would be worth while merely for that reason, because it would be very doubtful whether the experience so acquired would be of use to a man. It would be a matter of chance whether he would be in a position where that experience would be of use to him. I doubt whether that would be advantageous as a system.

33251. You think it would not be worth the expenditure, perhaps?—I do not know that it would be especially expensive. The thing might be done, although it might not prove satisfactory.

33252. At any rate, you would not favour a system of transferring officers from one province to another in order to widen their experience?—The idea never occurred to me. I do not feel in a position to give an opinion. I can see that it might be useful, and I can also see certain objections.

33253. You would go so far as to say that considerable attention should be paid to the earlier training of junior officials, and that their training should be a wide one?—Yes.

33254. You consider that Commissioners should be Inspecting and not Executive Officers?—Yes, principally.

33255. Is that on the ground that if a man is carrying out work himself it is very difficult for him to criticise other people?—No. It is not so much for that reason as that the devolution should be carried as far as possible, and the last possible is in the case of the Collector, except as regards some details. We should get public opinion to bear as much as possible on the Local Government Officers. People in the district can get at the Collector, but they cannot get at the Commissioner or the Government except on paper. What they want is personal contact.

33256. You do not think that the inspection could be better done from headquarters by a Board of Revenue or by an increased number of Members of Council?—It is desirable that the Members of Council should tour also, but of course it is impossible for them to tour for such a length of time or over such an area as the Commissioners can.

33257. (*Mr. Meyer.*) Would not a Board of Revenue give you what you desire? You would have Collectors bigger men than they are, and the members of the Board controlling and dealing each with his own particular subject?—I have no personal experience of the working of a Board of Revenue, but my impression is that a good deal of the work would be done twice over—once in the Board's office and again in the Secretariat. Another objection is that it is very important that the Commissioners, whether they are formed into a Board of Revenue or not, should not be allowed to become a barrier between Government and the Collectors.

33258. But would it not be desirable to have a body able to stand up to Government and say that it seemed to be going wrong?—I have known Commissioners to have the courage of their own opinions enough to do that. Personally, I should rely upon the careful selection of Commissioners to get over that difficulty.

33259. Then there has been another alternative suggested—that of converting the Commissioner into a sort of Sub-Governor?—To a limited extent, he is that already.

33260. The proposal includes the control of a portion of the Public Works budget, the posting of civilians within their divisions, the investing with magisterial powers, and the making Commissioners administrative entities of a higher character than they are now?—I should not be in favour of that except to some extent in Sind, because the divisions are much too large for the Commissioner to have an actual personal knowledge of the local conditions of the whole division.

33261. Is your division in Bombay larger than in Sind?—The area in Sind is larger, but the conditions are more homogeneous.

33262. Suppose you had more Commissioners, how would that do?—That, of course, is a possible solution, but it does not seem to be necessary. Devolution of powers to Collectors would be equally efficient and less expensive.

33263. In 1902-03 you submitted certain reports about devolution. Were these accepted?—A fair number of them were accepted, and a good many were rejected.

33264. One was that Government should not retain for itself all powers as to dismissing hereditary village officers?—Yes; Government rejected that.

33265. And did Government reject other measures of a like character which would have accomplished a substantial measure of devolution?—Yes; they rejected a good many of my proposals, but I cannot name specific items.

33266. The Government of 1902 did not work on the same lines as the Government of 1908 in putting power as low down as can be speedily exercised?—I can hardly in a general way describe the attitude of the Government of 1902. They accepted a certain number of my proposals and they rejected others. That is all I can say. I am not the judge of the policy they followed.

33267. You say that the Local Government should prepare their budgets without reference to the Government of India, and that they should also exercise a control over imperial heads. Do you mean that the items under "imperial expenditure" should not go up to the Government of India?—That is what I have suggested. It is done already on a smaller scale as regards various Local Fund items of revenue. There are, no doubt, objections to it, but it is a perfectly workable system. It is done now with the various items handed over to the District Boards.

33268. Customs revenue in this province is a very large matter; do you mean that the Indian Government should accept the Local Government's estimates?—They do it at present. They have only got local information to go upon.

33269. But, in general, if the Government know their surplus may be affected, is it not to their interest to get as accurate an examination of figures as they can?—Yes.

33270. Would you approve of powers to grant pensions being given to the Heads of Departments?—That was one of the proposals I made in 1902—that the power of sanctioning the pension on the certificate of the Accountant-General should be given to the man who appointed the employee.

33271. Regarding imperial control under Article 291 of the Civil Account Code, how is there to be an independent audit otherwise of doubtful points?—It would be a great saving of trouble if these matters were referred first to the Government of India before they were referred to the Local Government.

33272 The object of approaching the Local Government first is surely to give them a chance of

putting their own case in the event of the Accountant-General challenging their action?—The wording of the rule hardly suggests that to me. There are many cases where the reference is purely formal; still, it takes time and gives unnecessary work. And Accountants-General vary very much in their opinions as to the number of points it is necessary to refer to the Government of India.

33273. You say that the Local Government is not so rigid as the Government of India. It was admitted to us yesterday that in matters of remission the Local Government had been rather rigid?—Yes, that is a matter of ancient history.

33274. Was it not about 1900?—Yes.

33275. Well, in those dark times the Government of Bombay was sometimes a bit rigid?—Yes.

33276. (*Sir Steyning Edgerley.*) You say that uniformity is necessary in the rate of the income tax?—I mean as between different provinces.

33277. But why should income tax be the same in Calcutta as in Bombay? What is the necessity?—If the tax was higher in one part of the country than in the other, the capital would flow to that part where the tax was lower.

33278. Calcutta is not nearer Bombay than London is to Paris? Does the distance affect capital?—No; but the channels of communication between the two run very much more freely in this country.

33279. You were in the Secretariat for four or five years; did you ever hear any complaints as to the working of the Sind Delegation Act?—No; so far as I know there never has been any public complaint.

33280. What do you mean by saying that the Commissioner should be engaged in "audit"?—Not in a financial sense. My idea is that the Commissioner should go through a number of cases of all classes decided by each Collector when he visits a district, and form an opinion as to the Collector's efficiency in his work.

33281. You think that he should supervise by checking tendencies rather than by interfering in particular cases?—Yes.

33282. You are in favour of Advisory Councils for districts. Perhaps you mean rather that the Collector, whenever he likes, may call in whom he chooses to consult with?—Except when he makes the meetings public.

33283. And as anybody can at a *darbar*, a man can get up and state a grievance?—That is so.

33284. You say there is no room in our system for granting revenue and police powers to a panchayat. Do you mean you would have to modify the laws?—As regards the police it is a mistake to distribute the duties among a great many people. Even regarding magisterial powers a better decision would be arrived at by one man than by a committee.

33285. Would the decision of one man in a village give as much satisfaction as the decision of two or three if it were final?—It depends, of course, entirely on the man.

33286. Supposing you have a good man, would the people be content with the decision?—I think so.

33287. Then you refer here to an order recently issued as to an experiment in delegating powers. Have you had time to form an opinion as to how it will work?—I cannot say. I only received the list of powers about a fortnight ago from the Commissioner. It is quite possible we may get useful guidance from it.

33288. If you had your system of inspecting Commissioners while Collectors report direct to Government, would that not mean that Government would have to consider 23 or 24 reports instead of three or four? Would there not be some difficulty in considering so many?—If Government thought it necessary to take the opinion of every Collector on every question it might cause difficulty.

33289. There are certain questions on which you must consult every Collector, and through him the people of every district?—Yes; it is highly important that the Government should have the reports of every Collector in such cases. *Mr. A. M. T. Jackson.* 6 *Mar.*, 1908.

33290. You do not consider that the Commissioner's summing up and balancing of the reports is of great assistance to the Secretariat, or that the absence of that would make the system unworkable?—I do not think it would be, because I would still allow Government to consult the Commissioners as a committee. I would make them resident in Poona in the rains.

33291. (*Sir Frederic Lely.*) As Private Secretary at one time to the Governor of Bombay you dealt with the appointment and promotion of District Officers?—Yes.

33292. Did a man's knowledge of the language of the district count to him for credit in any way in the eyes of Government?—It was taken account of very often in deciding questions of transfer when it was a matter between two men.

33293. I dare say you are aware there was a saying current some years ago, to the effect that if a man wanted to get from one province to another, it was better for him to sit down and study the language, and that then he was pretty sure to be transferred to a province where the language was not spoken. Was there no ground for that?—Not that I am aware of.

33294. Can you point to any advantage which a man gained in the eyes of Government by mastering the language of his district and becoming able to converse freely with the natives?—Rewards are given for the further study of the vernaculars.

33295. That is in the literary sense?—I cannot say that I know that any weight was given to a knowledge of the language *per se*, but that comes out later in the officer's efficiency.

33296. But was it ever known to Government which of its officers were able to communicate freely with the people and which were not?—There is no distinct record. I know myself as regards several men.

33297. As you might casually discover from your own experience?—Yes; there was no record kept.

33298. Was it a general rule when the head of a district went on three months' leave to put in his place the man on the spot, although he might not be the next on the list for appointment?—Practice in that respect has varied, but it would be generally desirable, especially if the man in question had worked as the Collector's personal assistant. I would not say that the Sub-Divisional Officer should not be put in, but the personal assistant would be often more useful than the Sub-Divisional Officer.

33299. Would you see any objection to extending such a period to six months?—By the time a man reaches Collector's rank he either takes three months' leave or longer than six months'. Taking six months' combined leave is a practice chiefly of junior men of six years' service or so. But if the senior was going away for only six months, I do not see why the man on the spot should not act for him.

33300. Would you see any objection when posting a man to a Collectorate to take from him an undertaking to stay in that district three years, barring any exceptional circumstances, of course—illness or anything of the like?—I doubt if that would work satisfactorily. There are so many contingencies which it is impossible to foresee.

33301. Suppose a six months' Collectorate falls vacant in February, and the next man on the list is intending to apply for leave in July or August, would you put him into that Collectorate or would it be fair to say to him, "You are going on leave so soon, you must wait for your Collectorate until you come back"?—I think that might be done, and, if it was once laid down and well known as a principle, there would be no grumbling; but if it was only applied in one or two cases casually, as a fad of the Government of the moment, it would arouse discontent.

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33302. Cases will sometimes occur where a man holds a special post requiring special experience. He gains that experience, and then a higher paid appointment falls vacant—say, a Collectorship—to which he is entitled to succeed. In exceptional cases such as that might he be retained in the special post and given a special allowance to make up for the loss of his promotion?—Yes; in special cases that might be done.

33303. Would you also lay down that no Acting Collector on returning from leave would have the right to eject another, even although junior to him, both being Acting?—As far as I know that does not happen at present.

33304. Supposing they were both Acting Collectors—that there is one Collectorate vacant, and that the man coming from leave is the senior man, he has no right to eject the other man, although he may be the junior?—I do not quite understand whether the junior man of the two would be entitled still to a district elsewhere.

33305. There is no vacant district elsewhere. One or the other must go out into the cold shade of an assistantship for some time?—I do not think it is possible to lay down a general rule.

33306. The question simply is whether familiarity with the district or seniority should be considered?—If, for instance, the position of the senior man of the two was such that he was likely to remain an Acting Collector for a long time, it would be unfair to keep him out. If it was only a matter of a few months the junior man could be kept on.

33307. You would say to the man who has just come from leave, "At present we cannot disturb this other man. You must wait"?—It is generally possible for the Government to make a fair calculation of the possibilities, especially in the case of only two men. When one man is much senior to the other it is possible for Government to calculate. I should not see any objection to making the man returned from leave wait for a few months.

33308. Are the *mamlatdars'* offices well staffed in numbers and qualifications?—As a general rule they are not understaffed, but they are underpaid and the present promotion rules are a great obstacle in the way of efficiency.

33309. What is your opinion regarding the entertainment of candidates for employment attached to every office?—It would certainly be a better system, if it was financially possible to make them paid probationers.

33310. But does not the employment of these candidates imply that the office is undermanned in the matter of numbers?—I do not say that in a general way. It is so in some cases.

33311. But the great thing is that they are underpaid?—Yes, and that the promotion rules do not give them sufficient interest in their work.

33312. What is your opinion of the village staff?—In my experience they are not at all satisfactory, very largely because their tenure of office is too short. A man is appointed for five years and then he may not get nomination for another term. Consequently, these men have very little inducement to qualify themselves by passing the tests required of them; also they are underpaid.

33313. Do you consider them corrupt?—In many cases they are so, as the result of the temporary tenure very largely. They serve for only five years and make the most they can.

33314. That is under the provisions of the Watan Act?—Yes.

(*The witness withdrew.*)

Mr. G. Carmichael, I.C.S., was called and examined.

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(*Chairman.*) The sphere of the Inspectors-General under the Government of India should be confined as far as local matters are concerned, to giving advice when asked for it by the Local Government. The Chief Inspector of Explosives is in a special position as compared with the others and has more power of direct action. But his want of knowledge of local conditions has led to much vain correspondence and delay in the past. It was with great difficulty that the power to authorise possession of blasting powder for the construction of irrigation wells was conceded to *mamlatdars*, though in the Deccan no well can be made without blasting. The regulations as to the maximum weight in licences for possession of fireworks are unworkable. Recently in connection with a licence for bulk oil installation the Chief Inspector of Explosives recommended refusal on grounds based on a complete error of fact.

The demand for periodical returns has not increased in recent years. There has been an increase in the number of calls for special information chiefly on account of the various projects for reform that have been under consideration. A return which gives considerable work and is of no importance in this province is that of revenue free grants, which might well be cut out.

The powers of the Collector have been extended in recent years particularly with regard to the suspension and remission of revenue in years of bad harvest and I do not advocate further extension except in some minor matters where delegation would save time and work.

I am not in favour of restricting the right of appeal to Government. To do away with it would be felt as a grievance as the right of appealing to the highest authority has always existed in this country. If the preliminary stages of the case in which an appeal is made have been properly conducted the extra work involved in connection with an appeal to Government is inconsiderable in comparison with the advantage to be gained by maintaining the right. In certain classes of cases a saving of time might be secured by cutting out one of the intermediate stages of appeal, *e.g.*, by combining the work in the Assistant's and the Collector's office.

Executive Officers have sufficient opportunities for personal contact with the people. They are on tour for five to seven months of the year, visiting every portion of the district, and so far as the agricultural population is concerned have many opportunities of meeting the people, hearing their views and discussing their needs. With the town population it is naturally more difficult to get into touch as there are not so many points of contact as are afforded by the relationship which exists between the Executive Officers and the tenants of Government in the villages. Many matters that might give opportunities of meeting in towns are primarily in the sphere of action of the municipalities. Even though an officer may be perfectly ready and willing to see and meet the people, they themselves do not readily come unless they have some business, and it takes time for an officer coming newly to a district, to make much progress in forming acquaintances. The method to be adopted for this object must be left to each individual officer to devise according to circumstances. One is to have fixed times when representatives of the various communities and parties could be invited to come to make known, and discuss, any matters they wished in connection with their local affairs.

The frequency with which officers are transferred naturally comes in the way. No hard and fast method can be laid down to reduce the frequency of transfer but if the object were always kept in view and given full weight as against other considerations in determining appointments, an improvement might be effected. It is particularly necessary that junior officers should be left in one division continuously for a period of at least five years in order to acquire a really good knowledge of one of the vernaculars in use in the Presidency. Transfers at short intervals between say Gujarat and the Deccan during the early stages of an officer's career are fatal to the acquisition of a good

working knowledge of the vernacular, and in later years he has not the same power or opportunity of improving his knowledge.

No general increase in the administrative staff or general reduction in the area of charges is required. Too great subdivision would divert to administrative expenses a larger share than is necessary of the public funds, and would restrict progress in other directions. The Local Boards in particular would be great losers.

With regard to municipalities the most important one in the Poona District is the Poona city municipality. It has already very wide powers of control in everything affecting the city, quite as much, in fact, as it can competently exercise, while as regards its constitution it enjoys great freedom. The franchise is a liberal one, the elected members exceed the nominated in number, and the municipality has the privilege of electing its own President. The important restrictions imposed by law are that the rules and bye-laws including those fixing the strength and cost of establishment and taxation require the approval and sanction of the Local Government, and that no long lease of land can be given out without the sanction of the Commissioner. These restrictions should I consider be maintained. The Poona Suburban municipality is a special body working under special conditions. The other municipalities are small bodies with restricted incomes and except one or two without much energy or vitality. They are still in the elementary stage. The municipal towns are mostly making no progress in material wealth, and without the scope afforded by such a condition municipal administration is bound to be stagnant. It is not necessary or advisable to grant them wider powers.

The District Board is not in a position to exercise any power of control over the smaller municipalities. Any control so delegated would devolve on the Executive Officers of Government who already exercise it in virtue of their official position. The step would probably lead to Local Board money being diverted from its proper purpose to expenditure in municipal areas. This would not be fair unless the small and backward municipalities were abolished altogether.

The income of the Local Board is inexpansive. It is derived mainly from the one anna cess and receipts from tolls and ferries, supplemented by regular Government grants for education and hospitals and occasional extra grants for special purposes. The receipts from the one anna cess on the land revenue are not likely to increase, while the income from tolls and ferries may be said to be stationary. In recent years the financial position of the Boards has been improved by the increase in the Government grants for education, by the more frequent receipt of occasional grants, by Government having taken over for maintenance some of the more important roads formerly maintained by the Boards, and lastly by the orders allowing collection of the one anna cess even though the land revenue has been suspended; but the field for improvement, particularly with regard to education in villages and means of communication, is still very wide compared to the resources at the disposal of the Boards, and if it is legitimate to give occasional grants from general revenues in aid of the Boards, it would be equally so to make permanent allotments with the assistance of which a programme of improvement could be laid down with more confidence and method than when depending on occasional grants only.

The powers of the *taluka* Boards cannot well be increased without swallowing up in administrative expenses too large a portion of the limited funds available.

I am not in favour of the creation of Advisory or Administrative Councils to assist Divisional or District Officers. Universal experience has shown that executive work cannot be carried on satisfactorily under such conditions. The Council for a division could not be larger than one consisting of one or two representatives from each district. They would have little common ground, while the Commissioner in his annual tour has ample opportunity of meeting in each district a variety of men from whom he can gather with more certainty the information and opinions required in connection with his work. In district work I do not see what responsibilities could possibly be given to such Councils, when the Local Board and municipal spheres of action have been excluded. It has for instance been urged that in the matter of fixing suspensions in years of bad harvest officials should be guided by outside advice, and it may be suggested that this is just such a general matter in which an Advisory Council might intervene, but no Council would take the same trouble as the Revenue Officers do by visiting the affected villages, seeing the crops, and questioning the cultivators, to get at the actual facts in order to arrive at a decision which is fair both to the cultivators and to the general taxpayer.

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There is now little cohesion within the village community, and if organization for joint action does not exist it is impossible to give any powers for the disposal of local affairs. The official reconstructions that have been attempted are but shadows. Sanitary Committees for example have been created in some of the larger villages, but the most of them have little vitality partly because of want of funds to give an interest in work done, but largely because the organization was imposed from above. The School Committees which exist in every village that has a school are also perfunctory in their duties. An attempt was made to get villages as a body to take the Government grazing grounds on terms that permitted of communal management, but the plan has not succeeded though it opened a favourable field for combined action. Efforts are occasionally made by the people to get their fellow villagers to combine and agree to settle civil disputes by arbitration. While any steps taken in this direction are to be encouraged, it would be quite wrong to create an organization for the purpose by official action or even to intervene by delegating any power, for Government would then have to bear the responsibility of the acts done and Government officers would have to hear and deal with complaints affecting civil disputes. In police matters and petty criminal cases the village organizations, if they existed and were given powers, would come into conflict with the police *patel* who is the hereditary head of the local police and has always had powers in petty cases. In matters connected with agricultural development combination is eagerly welcomed, but difficult to obtain. I may quote a recent case of a village with most of its valuable land lying in one valley. A proposal originating from the villagers themselves was made to form a tank at the head of the valley, not so much for direct irrigation as to keep up the sub-soil water level, and give a good supply in the irrigation wells. A Government advance was sanctioned with a promise that if the work was well done part at least would be converted into a free grant, but when the scheme actually came to be carried out the general body of the villagers drew back leaving only a few of the more public-spirited to undertake the risks and carry out the work which was of general benefit.

33315. You are Collector of Poona?—Yes.

33316. You have relations, as Collector, with the Forest, Excise, Public Works, Education and Police Departments?—Yes.

33317. Have you any irrigated land in the Poona district?—We have two large canals.

33318. Who is responsible for the actual distribution of water from the channels to the fields?—The Irrigation Officers.

33319. Have you any control over the Executive Engineer?—I receive complaints if there are any, and ask the Executive Engineer about them, and if I do not agree with his view, I can refer them to the Commissioner.

33320. And has the Commissioner power to decide?—He might give advice and decide that way.

33321. Are there many such complaints?—There are occasionally complaints. We usually settle them—the Executive Engineer and myself.

33322. Do you draw up a schedule for your provincial Public Works?—I prepare a list and send it to the Commissioner.

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33323. Does the Commissioner decide in what order the works are to be executed?—Government and the Public Works Department decide. The Commissioner deals only with minor works costing up to Rs. 2,000 for which he can provide out of his allotment.

33324. You have no power to say to the Executive Engineer, "We have only a limited amount of money at our disposal. This is the work which should be done first"?—If we had the money I should do so.

33325. Have you, as Collector, to take charge of the smaller irrigation works in your district?—There are no small irrigation works.

33326. Are there no tanks in your district?—There are tanks.

33327. Are you in charge of them?—No, the Executive Engineer for Irrigation is.

33328. Are your relations with the District Superintendent of Police satisfactory?—Yes, he is my subordinate.

33329. Are you in control not only of the general direction of the police but also of the interior economy?—No.

33330. For instance, if a head constable has to be promoted, has your sanction to be obtained?—No.

33331. If a man is punished, can he appeal to you?—Yes.

33332. Is there any other method of appeal by passing beyond you to the Deputy Inspector-General?—Up to certain grades they fall to me.

33333. Can a man make a double appeal?—Not against punishment.

33334. Can he in respect of anything else?—No.

33335. How many languages are spoken in your district?—Marathi entirely.

33336. When you come out to Bombay, what languages have you to pass in?—The language of the division to which you are posted; and then after ten years if you are posted to another division, the language of that division.

33337. If you are transferred to a fresh division after ten years, are you required to have a knowledge of the new language?—No.

33338. Is that satisfactory?—No.

33339. Have you as Collector to send to your Commissioner a number of reports upon various subjects?—Yes.

33340. Has the number increased lately?—No.

33341. Could some of those which have been in existence for a considerable period be dispensed with?—I do not think so.

33342. Could such a thing as the "vital statistics report" be dispensed with. Is it accurately compiled?—It is accurately compiled so far as the figures can be got from the villages.

33343. Do you send in very accurate figures?—Yes, I think so.

33344. Do you have to make an administrative report on the various departments under your control?—Yes.

33345. On the police?—No. The Superintendent of Police does that. I have to report on excise, land revenue, registration, Native States and Local Boards.

33346. Could these be combined into one report?—No. They deal with different departments.

33347. Where do these separate reports you now compile go to?—They go to the Commissioner. He forwards them to Government.

33348. What sort of length, speaking generally, would one of those reports run to?—The longest is 18 pages. The Registration Report is 6 or 7 pages, and the Land Revenue Report is 18.

33349. What is the size of your district?—5,000 square miles.

33350. What is the land revenue for that district?—14 lakhs

33351. Are you Chairman of several municipalities and District Boards?—Only of the District Board.

33352. Not of any municipality?—That falls upon the Assistant Collector.

33353. Do you attend all the meetings of the District Board yourself?—Yes.

33354. Where are they held?—In my office.

33355. Have you a Finance Committee upon the District Board?—We do not work by committees on the District Board.

33356. (*Sir Frederic Lely.*) Is your staff of Civilians large?—I have two Assistant Collectors.

33357. Are they enough for the work that has to be done?—I have also a personal assistant. Altogether I have four—two Assistant Collectors and two Deputy Collectors. I consider that sufficient.

33358. Has the Assistant Collector in charge of a sub-division to perform many duties which in these days could be transferred to someone else, such as the *mamlatdar*?—I do not think so.

33359. Has the Sub-Divisional Officer to spend much time in examining boundary marks?—The orders are that you take up one-fifth of the *taluka* every year, and the boundary marks are prepared by the circle inspectors and the *mamlatdar*; and the Sub-Divisional Officer goes round and inspects. He has to see that the work is done.

33360. Has the Sub-Divisional Officer to spend two or three mornings a week on that work?—Not so many. I do not suppose it is more than seven or eight mornings in the touring season.

33361. You have cases where the local petty officials are stipendiary and where they are hereditary; if you compare the two, which is the better?—The stipendiary are much the better. The hereditary men are indifferent to their work as a class.

33362. Are they honest?—No, but it is difficult to say they are not honest. There are a good many cases, however, of dishonesty occurring.

33363. Are they sufficiently paid?—Not as a rule, but sufficiently for the work they do, taking the men as they are. It is not a good arrangement.

33364. Has the fact that they hold their position by hereditary right much or anything to do with the inferior character of their work?—Yes, because they have got no incentive to prepare themselves for their work.

33365. Generally, would you go so far as to say that the village accountants are the weakest part of the administration in your district?—Yes, I should think so.

33366. Have you any suggestions to make about that?—It is a very difficult question. You would have to compensate them in some way if you changed the succession rule. You might make a number of people discontented because they were not chosen, and these might make it a political matter. Then the ultimate people from whom the staff would come would be the same. You would have to take the same people, but you would have to force them to prepare themselves.

33367. You are not prepared to make any suggestions about commuting. Would that be very expensive?—I think it would.

33368. (*Mr. Dutt.*) You tell us that the irrigation tanks and canals are in charge of the Irrigation Engineers?—Yes. We collect for them on their lists for collection.

33369. Are these water-rates consolidated with the land revenue?—No. They depend upon the water-supply. Where the supply is largest leases of the water-supply are given by area blocks; otherwise they are not consolidated.

33370. But in portions of Gujarat, where irrigation is more prevalent, is not the water-rate consolidated with the land revenue?—In the Poona District, where they have the water channels taken simply from *nullahs*, it is consolidated with the land revenue and realised with the land revenue.

33371. So far as the distribution of irrigation water is concerned, should the Irrigation Engineer be under your orders?—I could not undertake the work. It must be under the Executive Engineer's control.

33372. But should he be under your orders in the matter?—No, I do not think so. The work would be too great to be looked after properly.

33373. Do not people complain of great hardship because they do not get immediate redress from the Irrigation Engineer when water is wanted?—I think they are quite able to look after themselves—that is, those who go in for irrigation.

33374. So that it would be no improvement if the Irrigation Engineer was placed under your orders?—I do not think so. I hear the people's complaints as it is as quickly as if he was under me, and I refer to him and see what the matter is.

33375. Are *mamlatdars* as a rule directly appointed to that post, or do they work their way up?—They work their way up. I do not know of any case where one has been appointed direct.

33376. We have had evidence in other provinces that people who work their way up from subordinate offices acquire habits of dishonesty which they do not get rid of, and therefore officers of the rank of *mamlatdars* should be appointed direct to that post according to their education and other qualifications?—The present system is quite as likely to secure honest men, except that our promotion rules might be improved.

33377. Do they generally begin as clerks at Rs. 20 or Rs. 30?—They begin at even less. Our lowest pay is Rs. 12.

33378. Is there a great deal of corruption among men of that class?—I should not like to say.

33379. Would not men on that small pay be open to a great deal of temptation?—Yes.

33380. Therefore, if people do form habits of dishonesty, in that stage, and they pass through the Service to the position of *mamlatdar*, how can you discriminate which are good and which are bad men?—Their records prove it.

33381. Would you appoint Deputy Collectors from the rank of *mamlatdars* or other subordinate officers?—From *mamlatdars*.

33382. In that case the man of Rs. 12 has the chance of rising to be a Deputy Collector?—Yes.

33383. You see no objection?—No, but I should like to see him have Rs. 20 to begin with.

33384. You are Chairman of the District Board?—Yes.

33385. What is its approximate income?—It is about 2 lakhs, including grants from Government.

33386. Out of that what do you give to the Education Department for looking after the schools?—About Rs. 80,000.

33387. Your most important roads are made by the Public Works Department and you make over the necessary money to that department?—Yes.

33388. Does the Public Works Department charge you a percentage for their services in constructing those roads?—Yes.

33389. So that it is only a small proportion of the 2 lakhs which you yourselves spend directly?—Yes.

33390. Is that exactly in accordance with the objects of the Local Self-Government Act?—We put out our money in order to get as efficient work as possible.

33391. But you could inspect the village schools yourselves and also appoint a District Engineer to construct and to look after your own roads?—We could not undertake the management of education. We could never get the staff of teachers we should require

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33392. But it is done in some other provinces?—I am not aware of that.

33393. (*Mr. Hichens.*) You have served in Upper Burma; do you find it is an advantage to you to have had experience of the work of other provinces?—Yes.

33394. Would it be a sound thing if the principle of transferring officers for a short time during their earlier years to other provinces was extended?—I do not think so, when you have a difference in language.

33395. Is that an insuperable objection?—Yes.

33396. Or rather the disadvantages would more than outweigh the disadvantages of the wider experience?—I think they do.

33397. Do you think it takes five years to learn a language?—To learn it well—yes.

33398. After what length of service, roughly, does an officer become a Collector?—Usually longer than ten years.

33399. Possibly between his five and ten years might he put in a year elsewhere to gain wider experience?—That would be the best time to take him for training.

33400. Would that widen his outlook and be of advantage to his district later when he begins as a Collector?—Yes. It probably would give him more ideas.

33401. (*Mr. Meyer.*) You say that the District Boards are not competent to undertake the management of schools; at the same time they have to pay for them. Would it be more honest for Government to take over the expenditure and the management of the schools?—I mean by "not being competent" that they cannot provide the teaching staff, because you would not have a sufficiently large establishment to draw proper men, considering the chances of promotion.

33402. Really, it is only a matter of ways and means?—Yes.

33403. In the same way as to roads. Supposing you had the money to employ a District Board Engineer would you desire to have one?—I think the present arrangement is quite sufficient.

33404. Are you consulted before a police sub-inspector is promoted?—No.

33405. Or about an inspector?—No.

33406. You propose larger powers to the Collector with regard to free grants of land for religious, charitable and educational purposes. You are aware that the policy of the Government of India is generally one of religious neutrality. Might it not be injudicious to give Collectors powers for those purposes?—I was thinking of sites for village needs, such as *dharmsalas*, schools, temples, and mosques.

33407. Take the case of giving a site for a Jesuit mission?—I was not thinking of that kind of case.

33408. (*Sir Steyning Edgerley.*) Do you consider that the Poona municipality manages its affairs with fair efficiency?—I might let it go at that.

33409. Do you consider it would be possible to have the District Board under a non-official President?—No, I do not think so because that would necessitate an increased establishment, and remove from the direction of affairs the persons who have the best means of knowing the needs of the district.

(*The witness withdrew.*)

Surgeon-General J. P. GREANY, M.D., I.M.S., was called and examined.

33410. You are Surgeon-General with the Government of Bombay?—Yes. I have been so since May, 1905. I have always served in Bombay.

The Surgeon-General's duties are primarily to see to the proper working of civil hospitals, lunatic asylums and dispensaries aided by Government, and to bring their needs, whether in respect of staff equipment, &c., to the notice of Government. He is also the Head of the Sanitary and Vaccination Departments, which are under the direct supervision of the Sanitary Commissioner, as well as of the Bombay Bacteriological Laboratory and the Chemical Analyser's Department, the appointments to which are made by the Government

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of India on the recommendation of the Sanitary Commissioner with that Government and the Director-General, Indian Medical Service, respectively. The Surgeon-General is also the President of the Sanitary Board of the Presidency. Requisitions for officers of the Indian Medical Service and questions touching their appointments, transfers, leave, &c., are submitted to Government by the Surgeon-General, as also questions affecting Civil Assistant Surgeons appointed Civil Surgeons. The disposal of leave applications from Military Assistant Surgeons in civil employ, their appointments and transfers, is left entirely in the hands of the Surgeon-General. The Surgeon-General tours during the cold weather and generally inspects all civil hospitals, lunatic asylums, and medical arrangements in jails.

Under the Surgeon-General's control, hospitals are managed by officers of the Indian Medical Service, and in a few cases by senior Civil Assistant Surgeons, while dispensaries are in the charge of Assistant Surgeons or Hospital Assistants according to their importance. Civil Surgeons inspect the dispensaries in their respective districts once a year, and perform a certain portion of the medical administration of the dispensaries in their districts. The Hospital Assistants' branch of the Civil Medical Department and the students in the Medical Schools are subject in all respects to the orders of the Surgeon-General.

The budget estimates of civil hospitals, the Chemical Analyser's Department, the Grant Medical College, and the Medical Schools are forwarded through the Surgeon-General, but the Sanitary Commissioner and the Director of the Bacteriological Laboratory submit their budgets direct to Government. In case the budget allotments made by Government are found to be insufficient, or if no such allotment at all exists in respect of any item which could not be anticipated at the time of preparing the budget, applications for the excess or special grants required must go through the Surgeon-General. Applications for Government grants to dispensaries are dealt with (on the recommendation of the Collector and the Revenue Commissioner) by the Surgeon-General if the amount required does not exceed Rs. 500 per annum in each case, and one-half at least of the total cost of maintenance is provided locally. All other applications for such grants are submitted to Government. The Surgeon-General deals with the building of hospitals and Government aided dispensaries, and additions to or alterations in the same.

The proper sphere of work of Directors and Inspectors-General under the Government of India dealing with departments primarily administered by Local Governments would seem to me to be to advise, when their opinions are asked, regarding any improvements necessary or desirable in the administration of such departments, it being left to the Local Governments to adopt such advice or not as they think best according to their experience of local circumstances. The present powers and duties of the Director-General, Indian Medical Service, are, as the Service is at present constituted, necessary.

The right of appeal to the Government of India now granted to officers of Government against orders affecting them personally, such as unfavourable reports on Medical Officers or questions regarding their fees from gentlemen of position, or house rent, &c., is very valuable and necessary to meet the ends of justice and should not therefore be disturbed. The right of appeal to the Local Government now granted in respect of administrative action (*a*) by law or by rules having the force of law or (*b*) by executive practice should not be curtailed, as it cannot be argued in defence of such curtailment that the appeal would be futile owing to the want of knowledge of local circumstances on the part of this Government and especially as such appeals are likely to lead to good results. No certificate from the authority passing the order appealed against that reasonable grounds of appeal exist should be necessary, appeals without good reasons being very rare. No curtailment of the right of appeal to the Local Government by Government officers against orders affecting them personally is at all desirable, for the reasons given above in support of the continuance of the right of appeal under similar circumstances to the Government of India. In illustration of this I would refer to the several appeals from Hospital Assistants against orders of dismissal, or inflicting punishment such as suspension, fine, &c. The foregoing remarks regarding the right of appeal to the Local Government applies equally to appeals like those from menials, &c., to the Heads of Departments and Commissioners.

The number of returns required by the Local Government has been lately reduced and no further action in that direction seems necessary.

Since October last certain additional discretionary powers have been vested in the Surgeon-General, *e.g.*, (1) to assume Government sanction (provided such is not necessary according to law), if warranted by precedents or the policy of Government, for any expenditure up to a limit of Rs. 500 in each case, and (2) to deal with applications for Government grants-in-aid of dispensaries, whether existing or new, up to Rs. 500 per annum in each case.

The influence of the Government of Bombay does not seem to be in the direction of excessive rigidity or uniformity.

The tendency of the provincial Secretaries is not evidently to regard matters too much from a purely departmental standpoint, but considerations of revenue or finances should dominate administrative questions to a less extent than at present. For example, the various grants to hospitals should be allotted on a more liberal basis so as to do away with the difficulty now experienced in some cases in their working.

The influence of the Commissioner in matters appertaining to this department is sufficiently strong, and adequate weight is given to his views.

Officers of this department obviously have sufficient opportunities for personal contact with the people.

The transfers of officers as matters stand are not unnecessarily frequent, and the existing system in this respect cannot apparently be improved upon.

The method of filling up vacancies in the Bombay Civil Medical *cadre* should be altered from the procedure now in vogue, *viz.*, that on the occurrence of a vacancy the Local Government requests the Government of India to supply an officer. Up to 1899 the Local Government had the privilege of applying for the services of any particular officer, but under recent rulings that privilege has been withdrawn, the Government of India reserving the right of selecting an officer from the list of applicants for civil employment maintained in the office of the Director-General, Indian Medical Service. The old procedure should again be allowed, for at present officers are deputed for service under this Government, of whom the Surgeon-General has in some instances no personal knowledge. The present system whereby young Indian Medical Service Officers are sent at once to military duty (sometimes attached to station hospitals and Native Infantry regimental hospitals for an indefinite time) might with considerable advantage to the officers concerned be also modified, and on their arrival in this country they should be posted to the large civil medical institutions in the Presidency and other important towns, where they would have unique opportunities of furthering their surgical knowledge and studying tropical medicine, besides acquiring a knowledge of the language and passing the necessary language test.

Although it is fully recognising that the Indian Medical Service is primarily a Military Service, and that those in civil employ are a reserve in case of war and other causes, I think young officers straight out from home would be more profitably employed as above instead of the present system, under which they are debarred from civil employment until they have done two years' military duty. As a matter of fact most officers now do from 6 to 9 years' military service before being offered civil employ. Indian Medical Service officers are permitted to select an area in which to serve if admitted to civil employ, and the number who select, say, "Bombay and Aden" might under the orders of the Director-General, Indian Medical Service, be attached on arrival from England to one

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or other of the several institutions in Bombay. Then when the exigencies of the Service required them for military duty with a regiment, etc., the Director-General could place their services at the disposal of the military authorities. Besides the incalculable benefit such an initial course of study in a tropical hospital would prove to the young Indian Medical Service officers, the Surgeon-General would have opportunities of making their acquaintance and judging of their capabilities and qualifications when applying for any particular officer for any particular appointment.

It is a general complaint among Medical Officers that there is very great delay on the part of the Medical Stores in supplying drugs and instruments. To quote a few examples. On the 1st September, 1905, the Civil Surgeon, Poona, indented for some special surgical instruments and appliances. On the 22nd May, 1906, in reply to a letter from the Civil Surgeon, the Medical Storekeeper informed him that the articles had been demanded in the current year's Home indent, and were not expected before the end of the year or early the following year. The Civil Surgeon informed me subsequently that the indent had not been wholly complied with on the 6th September, 1907, *i.e.*, a period of over two years after submission of the indent.

The Civil Surgeon, Dharwar, sent, on the 25th November, 1906, the instruments for eye operations to the Medical Stores for repairs. The Civil Surgeon informed me that they had not been received back by the 17th April, 1907, and he had been obliged to carry on with instruments borrowed from surrounding dispensaries supplemented by some of his own.

The Civil Surgeon, Dharwar, required 8 articles (surgical instruments and equipments) in October, 1906. He was informed by the Medical Storekeeper that with one or two trifling exceptions none of the articles mentioned were stocked at the Depôt. No steps could be taken to obtain them before the following year, when they could, if provision was made, be entered in the Home indent. This meant a delay of about 15 months in complying with the indent.

In 1905 the Civil Surgeon, Surat, indented on the Medical Stores for a mouth gag. He was supplied with one of an obsolete pattern (the stock of useful patterns of this simple instrument having evidently become exhausted). The gag supplied was of such a kind that a rigid mouth could not have been opened by it without lacerating the gums, and even then the central portion of the gag prevented all manipulations of a stomach tube in cases of poisoning. On again applying for a mouth gag and sending an illustration of one taken from a surgical instrument catalogue, the Civil Surgeon was informed he should get it through the Home indent, and might expect to receive it about 18 months from the time when he was urgently requiring it. In this and similar cases the Civil Surgeon solved the difficulty by purchasing in Bombay the required instrument for himself.

In August, 1907, the Government of India sanctioned the storage by the Medical Stores Depôt of "practical poison bottles" for supply to civil hospitals and dispensaries, but the Medical Storekeeper intimated shortly afterwards that, as his budget estimates for stores to be demanded on the Home indent of 1908 had already gone in June last, he could not make provision for these bottles until June, 1908, when his next budget for Home stores was due, and that therefore they would be included in his Home indent of April, 1909, which would be compiled in the beginning of 1910.

It took the Medical Stores 9 months to supply the Civil Surgeon of Belgaum with some tincture of nux vomica, 7 months to supply some castor oil and extract of nux vomica, 7 months to supply some indiarubber tubing, 10 months to supply square enamelled trays, 11 months to supply a bed pan, and one year and 2 months to supply a pocket dressing case.

The Medical Storekeeper to Government, Bombay, is an extremely hard-worked officer, his depôt is over-burdened with work, and his stock of surgical instruments and equipments is limited, but any business firm that took an equally long time to comply with orders would be compelled to put up its shutters in a very short time.

The other method of obtaining surgical instruments and equipment on a Home indent, 8 copies of which are submitted to the Local Government for submission to the Government of India and India Office Stores Department, is also cumbersome and unbusinesslike, and, although this system is a quicker one than that of the Medical Stores, yet it often takes a considerable time before the indents are complied with.

Medical Officers, in the absence of a complete and up-to-date price list of medical stores and equipment, do not know how they stand with regard to the grants at their disposal on this account, and it is nearly always some months before they are informed of the debits against this grant. The result is that an officer may either exceed his grant or may fail to utilise it fully, leading in the first instance to subsequent protracted correspondence with Government, affording explanations as to the excess, and in the second instance to his not obtaining surgical equipment of which his hospital may have been very much in need. To give an example—the Civil Surgeon, Dharwar, informed me on the 2nd October, 1907, that even then he was unaware whether he had, or had not, exceeded his grant for medicines and instruments for the year ending 31st March, 1907.

The Director-General, Indian Medical Service, is now taking steps to have the equipment of medical stores and instruments obtainable at the Medical Stores greatly widened and brought more up-to-date. But unless an up-to-date price list is also kept up and supplied to all charges, Medical Officers will still continue to be worried by exceeding their grants or the hospitals will suffer when they do not utilise their grants fully. If the Surgeon-General were given a discretionary grant of Rs. 15,000 per annum to meet the urgent and necessary demands from hospitals for surgical equipments and drugs not obtainable at the Medical Stores Depôt, and were permitted to purchase these articles either in India or direct from English firms, it would be of immense benefit to the Medical Department. But I believe that the simplest and most efficient system of all to remedy the existing state of affairs in the delay of the supply of medical stores would be to permit Civil Surgeons to utilise their annual budget grants for "medicines and instruments" in the same manner as they do contract grants, subject to the Surgeon-General's control. Competition at home and abroad is so very keen that officers could get better value for their money as regards quality and often at cheaper rates than under the present system.

33411. Are you a member of the Sanitary Board?—I am President.

33412. How does that Board conduct its work? Is it peripatetic?—No. It meets once or twice at Poona in the rains when they have work for it.

33413. What is the membership?—It consists of the Surgeon-General, the Sanitary Commissioner, the Chief Engineer, the Commissioner of the division, and the Sanitary Engineer, who is Secretary.

33414. When questions come up to you for report, have you power to sanction the scheme from the technical point of view?—We only advise, and then the matter goes to the Public Works Department through the Chief Engineer.

33415. What number of officers have you under you?—66 Gazetted Officers and 54 Subordinates.

33416. A certain proportion are on the administrative list?—I am the only one.

33417. Although your designation is that of Surgeon-General, you are practically a Civil Officer?—Yes.

33418. With regard to leave applications the Director-General of the Medical Service has to countersign what you sign?—Yes. I do not know why it is. I suppose he wants to know the number of men on leave in case of famine or anything of that sort.

33419. Can an officer leave on your signature before it is countersigned?—No. And when he

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gets the countersignature the Local Government must grant the leave.

33420. You recommend the leave?—Yes, if I can provide a substitute.

33421. Does that occupy much correspondence?—Not very much.

33422. Would it be of any use to you to get rid of this countersigning?—It would save time, but not much.

33423. Regarding the work of the Director-General, does he interfere in any way with your administrative powers?—Not at all.

33424. Does he give you advice?—I do not think I ever asked for any.

33425. Has he ever offered any?—I do not think so.

33426. You have practically no relations with him?—Yes, we have in the matter of schools and students. I correspond with him regarding native pupils and Hospital Assistants at the schools—the student class, and the Military Assistant Surgeon class.

33427. Where is the Medical Storekeeper's depôt?—Here, at Byculla.

33428. Is it a large depôt?—Yes, fairly large.

33429. (*Sir Steyning Edgerley.*) When the Chief Engineer sees papers as a member of the Sanitary Board does he examine them in detail?—Yes. The plans are put before him.

33430. So he is saved that trouble when he sees them again probably?—Yes.

33431. Regarding this countersigning of applications, the Director-General at Calcutta told us that the Local Government could give leave in spite of his refusal to countersign, and that it practically only meant that if he countersigned he was prepared to, if necessary, find a substitute?—I have never understood it that way.

33432. Your understanding is that unless he countersigns the Local Government cannot give leave?—That is what I understand according to the Civil Service Regulations.

33433. You would like to see officers posted to the Civil Department on arrival, and then begin by seniority their term of two years' military duty as needed for work?—Yes, they now have to do the two years' military duty before the civil. I should like to see it the other way about, and have it left to me to select them on my own knowledge for civil appointment.

33434. Is there any reason why the system of a provincial medical system can be said to be better or worse than the one now in vogue?—We never had a provincial system. It has always been civil and military.

33435. Do many instances of questions regarding medical fees come before you?—There have been some lately.

33436. Have you any reason to believe that the effect of the rules is to prevent the classes they are supposed to protect from getting the medical aid they want? I have been told by a Civil Surgeon that the result of this reporting, as to the details of the case, has led to the result that the higher class natives will not call in Government Medical Officers?—I have not heard that, but I daresay it might be so.

33437. Have you any idea of the sort of fees the leading Indian practitioners in Bombay charge?—No.

33438. Is there plenty of competition?—Yes.

33439. So that if Indians of position were dissatisfied with the fees which a good European Officer charges there are abundant alternatives in Bombay?—Yes.

33440. But not everywhere?—In large places, that is the case.

33441. Do you see any effective alternative which would be less disagreeable to the persons interested and the Service than at present?—If these rules are necessary I suppose there should be a scale for the whole of India.

33442. But on the assumption that it is necessary to defend certain people from being charged excessive fees, can you suggest any means? Should cases go to the provincial Administrative Medical Officer?—I think that would be sufficient.

33443. (*Mr. Meyer.*) As regards these difficulties about stores, would you allow the Civil Officers to indent for them?—Yes, and I may say that commercial travellers come out from large firms at home to deal with them.

33444. The medical stores are maintained principally for military purposes?—Yes.

33445. Would you keep them for that?—Yes, and for dispensaries.

33446. There is nothing to prevent the ordinary dispensaries from getting supplies from outside?—No, they do so now.

33447. Why should not the District Boards have the same privilege?—There you have Hospital Assistants in charge of the dispensaries.

33448. But the Civil Surgeon checks the indents. What do you mean by the reference to giving him full liberty with regard to the medical expenditure he administers?—I mean that he should have more facilities for getting what he wants from these stores or outside, because he wants these stores quicker than the dispensary can want them.

33449. But suppose he could get some common medicine cheaper from Burroughs and Wellcome, why should not the District Board go there?—Yes, I agree.

33450. But if the medical stores can no longer count on civil custom, they cannot be expected to do more than keep up stocks for military requirements?—I agree.

33451. One effect of the recent orders about fees has been to give more weight to professional opinion. As matters now stand the question has to be referred to the Medical Head (yourself) and the Local Government?—I think it is quite sufficient if the Medical Administrative Officer gives his opinion.

33452. But as against that it might be urged that it is an administrative matter and that the Local Government should do it. What would your opinion of that be?—I suppose the Local Government would accept my opinion.

33453. You are satisfied as regards the reserve?—Yes.

33454. It has been suggested that the Indian Medical Service is liable to be called upon in the case of war. Would that cause grave inconvenience to the Civil Administration?—Yes.

33455. Would you be prepared to follow the Public Works analogy, and have a separate Civil Medical Service reinforced by military officers in civil employ, but who could be withdrawn if wanted for military purposes?—I would not be in favour of that. It would be fatal to the Indian Medical Service; and it is very rarely that the whole of the Medical Service would be called upon to go away in time of war.

33456. And if you continue the Indian Medical Service as a Military Service it must be in the hands of the Government of India?—Yes.

33457. You say you can post Civil Surgeons but not appoint them?—Government appoints them on my selection.

33458. And Government promotes them from one appointment to another?—Yes.

33459. Would you be in favour of Government delegating these powers to you?—Yes. That might be done.

33460. It has been suggested to us that institutes for scientific research, such as bacteriological institutions, might be maintained by the Imperial Government?—I think that work can be done as well here.

33461. The advantage suggested is that you would have co-ordination?—I should be in favour of having a local laboratory.

33462. How often does the Civil Surgeon inspect the outlying dispensaries?—Once a year. You cannot do it oftener.

33463. Are you satisfied with leaving this work in the hands of those who only make one annual inspection?—It may be arranged that the Sanitary Commissioner can inspect also.

33464. But how often does he inspect as a matter of fact?—I do not see that he can do more than two inspections possibly in the year.

33465. Is that sufficient?—Yes.

33466. There are no hospitals financed by the District Board?—No.

33467. Does the Government make any contribution towards the Local Fund dispensaries?—Yes, they give a certain proportion of the cost of maintenance, including the pay of the Hospital Assistant.

33468. Do you know what proportion it is?—I cannot tell you just now.

33469. Something like 50 per cent.?—Possibly, about that.

33470. But at any rate it is something fixed?—Yes. Government fixes these grants from time to time, if above Rs. 500.

33471. It is fixed for a number of years?—Yes, for five years.

33472. Can the District Board dismiss the Hospital Assistants?—No.

33473. Do they inspect the dispensary?—Yes, the Dispensary Committee does.

33474. Is the District Board responsible for having a dispensary or not?—They ask the Collector about that, and he forwards the matter to Government.

33475. (*Mr. Dutt.*) Do the municipalities maintain dispensaries?—Yes.

33476. And is the arrangement the same?—Yes.

33477. In those cases is there a Dispensary Committee to look after the dispensary?—Yes.

33478 Are many of the Municipal Commissioners on that committee?—Yes. They appoint two or three of their number, and form a committee.

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33479. It has been suggested that an officer of the Provincial Service like an Assistant Surgeon getting only Rs. 200 and dismissed by the Local Government should have no right of appeal at all?—I would have no objection to his appealing to the Indian Government; nor would I object to any Hospital Assistant appealing to the Local Government against any of my decisions.

33480. (*Sir Frederic Lely.*) Are the Civil Hospitals supported entirely by Government?—Yes.

33481. Have you any Visiting Committees?—We have one here for St. George's Hospital.

33482. (*Chairman.*) On what basis do you send your advice as to the entertainment of Civil Assistant Surgeons?—We generally take Assistant Surgeons who have passed out through the Medical College in the first class. Then if we can secure no men in the first class we take those of the second class. Men are also selected from among temporary Assistant Surgeons engaged on plague duty, provided they have done good work and are well reported on. Of course, they must be within the age limit.

33483. What is the initial pay of these Assistants?—Rs. 100 rising to Rs. 500.

33484. And who has the power of reducing or punishing or dismissing them?—Government on my recommendation.

33485. Are there any officers in civil employ whom you would like to send back to the military?—There are one or two regarding whom, if I had a free hand, I should like to send back. There are some I wish I had never had at all.

33486. Are Civil Hospital Assistants paid out of Local Funds?—Yes, if attached to dispensaries.

33487. Is the rate of pay fixed by the Government of India on a universal basis?—Yes.

33488. Is that a satisfactory system?—You must have a uniform pay for all the Hospital Assistants of India.

(*The witness withdrew.*)

Adjourned.

FIFTY-THIRD DAY.

BOMBAY, *Saturday, 7th March*, 1908.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

The Hon. Mr. G. K. GOKHALE was called and examined.

33489. (*Chairman.*) You are a member of the Viceregal Legislative Council?—Yes. I have also been a member of the Legislative Council of Bombay. I was for six years a member of the Poona municipality, out of which for four years I was its President.

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I am strongly opposed to the present system of excessive centralization of authority in the hands of the Government of India, but I should be even more strongly opposed to any scheme of decentralization, which, while it freed the provincial Governments from a large part of the control exercised at present by the Supreme Government, substituted nothing in place of the control so removed. The main evil of the existing situation is not so much the *extent* of the control to which Local Governments have to submit, as its purely *official* character, and the distance from which it is exercised. But even mere official control, imperfectly exercised from a long distance, is better than no control, and I certainly have no wish to see "petty despotisms" pure and simple, set up in place of the present provincial Governments. The higher officials of both the Government of India and the provincial Governments, who carry on the ordinary administration of the country, are drawn from the same Service, and may be assumed, other things being equal, to

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be equally competent to deal with finality with matters coming before them. But other things are *not* equal. The provincial officials have indeed on their side the advantage of a more intimate knowledge of local conditions and local needs; but the officials of the Government of India may claim a much greater freedom from local prejudices and local prepossessions and a wider outlook, and these are qualities which are of great importance in a country governed as India at present is. The history of the extension of local self-government in this Presidency during Lord Ripon's time, and the important modifications that have recently been made in the famine and land revenue policy of the Bombay Government under pressure from above, may be cited as fair illustrations. It may be urged that if the seat of final authority is in the province itself, provincial public opinion has a better chance of influencing the course of administration. But the tendency to resent criticism, which goes with all absolute power, is bound often to import on the official side an amount of *feeling* which cannot fail to neutralize the strength and usefulness of public opinion. If it were, therefore, merely a question of shifting the seat of final authority from Calcutta or Simla to Bombay, and nothing else, I would prefer existing arrangements to any such decentralization.

I think a stage has now been reached in this country when, in the true interests of the people as well as to arrest the growing unpopularity of the administration, it is necessary to give the representatives of the tax-payers some real voice in the conduct of provincial affairs. And any arrangements made for this purpose should not only be suited to present requirements, but should also be capable of a steady expansion so as to meet satisfactorily the growing demands of the future. The existing system is hopelessly ill-adapted to serve this end. The number of provincial representatives who can have access to the Government of India—at present the final seat of authority in regard to most provincial matters—must necessarily be most limited. Moreover, their opportunities to bring up provincial questions before that Government, with any degree of usefulness, cannot but be exceedingly few. It follows therefore that the seat of final authority in provincial matters must be brought down to provincial headquarters, if popular representatives are to be placed in a position where they may exercise a real and growing influence over the course of provincial administration. The Secretary of State for India is contemplating at present a reform of provincial Legislative Councils. There is, however, small scope for a real reform in this direction, unless it is acompanied by a substantial measure of decentralization, relieving provincial Governments of a large part of the control, financial and administrative, at present exercised over them by the Government of India.

To any such decentralization, however, I would attach three conditions. First, the form of government in all important provinces should be a Governor, appointed from England, with an Executive Council. I believe in a fresh mind, trained in the free atmosphere of English public life, being applied to the problems of Indian administration from time to time. I also think that the higher responsibilities of government in this country can be better discharged by a Council of three or four persons than by single individuals. Secondly, provincial budgets should be submitted for full discussion to provincial Legislative Councils, which, I trust, will shortly be enlarged and made more representative — members being empowered to move amendments and the budgets being required to be passed by the Councils. And thirdly, whenever a certain proportion of the elected members of a Legislative Council, say one-third, send a requisition to the President of the Council, asking that a specific matter concerning the provincial administration should be brought up for discussion before a meeting of the Council, the Council should be summoned to discuss the matter. The second and third conditions aim at providing, as a substitute for a portion of the present control of the Government of India in financial and administrative matters, some sort of control on behalf of the tax-payers in the province itself, in the shape of a free discussion in the Legislative Council.

Subject to these conditions, I would urge the following scheme of decentralization:—

There should be no divided heads of either revenue or expenditure, but certain heads of revenue with the expenditure under them should be wholly imperial and the others wholly provincial. I would thus assign to provincial Governments independent sources of revenue in place of the grants which they are at present understood to receive from the Government of India. The three major heads of revenue that I would make over to the provincial Governments are land revenue, excise and forests, which are intimately connected with the daily life of the mass of the people. On the other hand, the revenue and expenditure under opium, salt, customs, assessed taxes, stamps, registration and tributes from Native States, together with post, telegraph, mint, railways and major irrigation works, may be treated as wholly imperial. On this basis of division, the revenues of all the provincial Governments will be found to exceed their present scale of expenditure, while the reverse will be the case with the Government of India. To make up this deficit of the Supreme Government, the provincial Governments should make to it fixed annual contributions, which should be determined after a careful consideration of the average liability of each province to famine as also of the need of making increased grants to local bodies out of provincial resources. These contributions, moreover, should be liable to be revised every five or ten years, the revision taking place at a conference of the Revenue Members of the different provinces, presided over by the Finance Member of the Government of India. To meet sudden and extraordinary emergencies, the Viceroy should have the power of altering the amounts of these contributions as he may deem necessary, any Local Government feeling aggrieved by such alteration having the right of appeal to the Secretary of State.

For the present, I would confer no powers of taxation on the provincial Governments. Of the three heads of revenue proposed to be made over to Local Governments, the periodical revisions of land revenue, which are really in the nature of enhanced taxation, by whatever name they may be actually called, require to be subjected to a special control, as the provincial Governments will have an obviously greater interest than hitherto in the increases of revenue resulting from them. I would, therefore, propose that all revisions of settlements should be laid for discussion before the Local Legislative Councils, before they are sanctioned by the provincial Governments.

As regards borrowing powers, these too I am inclined to keep in the hands of the Government of India, at any rate, for the present. If the provincial Governments are empowered to borrow separately, it will be impossible to prevent competition among them or between them and the Government of India, and this will necessarily lead to higher rates of interest than at present, involving a loss to the general tax-payer. Local Governments, however, should be entitled to claim, where necessary, a share in the total loan annually raised by the Government of India in proportion to their revenues. During times of famine, Local Governments, who have exhausted their famine reserve, and who find it necessary to borrow, should have the first claim on the borrowing powers of the Government of India.

I am against relaxing the present control of the Government of India in the matter of the creation of new appointments, as also about the scales of pay and pension. Barring this, I would give Local Governments full power to expend their revenues as they deem best.

The control of military and naval defence, foreign affairs, currency, customs, post, telegraphs, railways, general taxation, general legislation and the like must necessarily be directly in the hands of the Government of India, and the rest of the internal administration of the country should be trusted to the provincial Governments. In the exercise of the function so delegated to Local Governments, there should be no interference in

matters of detail on the part of the Government of India. It is, however, necessary that large questions of policy, even in regard to the internal administration of the country, should be reserved by the Government of India in its hands, so as to ensure a general, but not rigid, uniformity of administration in the different provinces, as also to initiate reforms, which, if left merely to Local Governments, may not be taken in hand. For instance, the Government of India should have the power to prevent wide divergencies of policy in different provinces in dealing with famine or plague, or to compel the carrying out of such important reforms as the free and compulsory spread of primary education, the separation of judicial from executive functions, and so forth. Subject to such general control over questions of policy, the Local Governments should have a free hand in matters of provincial administration.

Decentralization in district administration must be accompanied by measures for a larger association of popular representatives with the work of the administration. There is no doubt that with the multiplication of central departments and a steady increase in the control exercised by the Secretariat of the provincial Government, the position of the Collector, as the Head of a district, has considerably deteriorated. There is also no doubt that the people require more prompt Government, and more of it, so to say, on the spot. But this object will not be secured by a mere delegation of larger powers to the Collector. The time is gone by when the Collector could hope to exercise—and with beneficial results—a kind of paternal authority over his district. The spread of education, the influence of new ideas, the steadily growing power of the vernacular press, make a return to the benevolent autocracy of the Collector of old times impossible. The only remedy lies in carrying a substantial measure of decentralization down to the villages and in building up local self-government from there. It will not do to be deterred by the difficulties of the task or by the possibilities of initial failure. Village panchayats must be created. Local and Municipal Boards must be really popular bodies and larger resources than they can command at present made available to them. Last, but not least, District Councils must be formed, whom the Collectors should be bound to consult in all important matters and with whose assistance they may be empowered to deal, with ever-increasing finality, with questions of district administration on the spot.

There are about 26,000 villages in the British districts of this Presidency, of which about 16,000 have a population below 500, about 5,000 more have a population between 500 and 1,000, and the remaining above 1,000. In all villages with a population of 500 and over, a panchayat should be constituted by statute, to consist of five or seven members, and the villages below 500 should either be joined to larger adjoining villages or grouped into unions. The *personnel* of these panchayats should roughly be composed of the village headman, the police *patel* of the village where he exists separately, the village munsif and the village conciliator, who will now be appointed in all villages as the provisions of the Deccan Agriculturists' Relief Act, requiring their appointment, have been extended to the whole Presidency, and two or three other persons chosen by such of the villagers as pay a minimum land revenue of, say, rupees ten. These panchayats should be invested with the following powers and functions:—

(*a*) The disposal of simple money claims not exceeding rupees fifty in value. In regard to such claims the decision of the panchayats should be final, unless gross partiality or fraud is alleged. It may be noted that of the total number of suits annually instituted in this Presidency—about 1½ lakhs—fully one-half, or 75 thousand, are claims not exceeding Rs. 50 in value. The panchayats may be expected to administer on the spot a kind of simple justice suited to the villagers, and this will be far preferable to the expense, the delays and the demoralization of the Law Courts. Such jurisdiction in civil matters was exercised by the panchayats not only under the Marathi Government, but even in the early days of British rule in this Presidency. The panchayats may charge one anna in the rupee on the value of the claims as costs in the suits, the parties being exempted from stamp duty and other fees.

(*b*) Trial of trivial offences, such as petty thefts, where the value of the property stolen does not exceed Rs. 10, simple assault, simple hurt, abuse, nuisance, &c.

(*c*) Execution and supervision of village works.

(*d*) Management of village forests.

(*e*) Distribution of sanctioned allotments of *tagai* in the village.

(*f*) Carrying out measures of famine and plague relief.

(*g*) Control of village water-supply and sanitation.

(*h*) Supervision of school attendance.

(*i*) Management of cattle-pounds.

The funds of the panchayats should consist of assignments made by the *taluka* Board, costs of civil litigation realised, fines and penalties levied locally, realizations from village forests and cattle-pound receipts. As in the case of Co-operative Credit Societies, it may be necessary for the Government to appoint a special officer to start and guide for a time these panchayats and watch over their working.

The existing *taluka* Boards are more or less under official domination, and their resources are so meagre that it is not fair to expect the members to feel really interested in their work and they should now be made wholly elected bodies. The *mamlatdars* should be empowered to attend meetings, when necessary, and the Government should retain in its hands the power of enforcing action, if its advice and warning are disregarded, by suspending a Board temporarily and appointing in its place a small body of nominated members. Only thus will a proper sense of responsibility be developed in these Boards; and any inconvenience that may temporarily arise will, in the end, be more than made up for by the increased efficiency of real local self-government. But a reform of the constitution of the *taluka* Boards will be of small value, unless steps are taken at the same time to place increased resources at their disposal. The revenue of these Boards in this Presidency consists at present mainly of such assignments as the District Board makes to them out of the proceeds of the one-anna cess or from contributions received from provincial resources. In Madras, *taluka* Boards retain for themselves half the proceeds of the one-anna cess and only the other half goes to the District Boards. With us, the District Boards control the entire distribution of the cess-proceeds, and after deducting the educational share, as also grants to medical and veterinary, they retain for themselves such sums as they think to be necessary and divide the rest among the different *taluka* Boards. The result is that the *taluka* Boards generally receive much less than one-half the money available for distribution. Thus in the three divisions of the Presidency proper, we find that in the years 1904-05 and 1905-06 the amounts retained by the District Boards for themselves out of cess proceeds, exclusive of grants for educational, medical and veterinary purposes, and those assigned by them to the *taluka* Boards were as follows:—

		1904-05.	1905-06.
Northern Division	District Boards	2·23 lákhs.	3·23 lákhs.
	taluka Boards	83 thousand.	2·23 do.
Central Division	District Boards	3·53 lákhs.	3·64 do.
	taluka Boards	1·32 do.	1·08 do.
Southern Division	District Boards	2·72 lákhs.	2·38 do.
	taluka Boards	99 thousand.	37 thousand.

The entire proceeds of the one-anna cess, after deducting the educational share and the medical and veterinary grants, should be placed at the disposal of the *taluka* Local Boards and the District Boards should receive either a share of the excise revenue or a special contribution from provincial exchequer to cover their loss. The *taluka*

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and the District Boards are what may be called the smaller and the larger unit of local self-government in the districts. Instead of these, if the village panchayat at the *taluka* Board were made the smaller and the larger unit respectively, that would be more in accord with the limited extent of the resources available, and local self-government would yield far more satisfactory results. The areas of Indian districts are so large that the sense of unity of local interests, which is very strong in villages and is fairly strong in *talukas*, and without which successful local self-government is not possible, becomes much too diluted when we reach the district. The average area of a District in the Presidency proper is about four thousand square miles and of a *taluka* over four hundred square miles. Those who serve on *taluka* Boards may well be expected to be fairly familiar with the condition and requirements of the different parts of the *taluka*, but such personal acquaintance cannot reasonably be expected from the members of a District Board with the whole of their district. The latter therefore must largely rely on the advice of officers, either of their own or of the Government, and though they have enough local knowledge and sense of local unity to be able to exercise a satisfactory general control over the administration of their affairs, they are not qualified to administer those affairs personally to the same extent to which members of the *taluka* Boards are qualified. If large local revenues were available for distribution, I should not mind District Boards getting a share and even a substantial share of them. But the resources available being most scanty—not sufficient even for the local needs of the *talukas* as distinct from those of the District—the best plan would be to place them wholly at the disposal of the *taluka* Boards, thereby giving a real chance to local self-government to attain a fair standard of efficiency. The *taluka* Boards should be bound to make small assignments to village panchayats in their areas.

As regards the powers of *taluka* Boards, I think the provisions of the present Act are sufficiently comprehensive. I would, however, do away with the power, which the District Boards possess and which they constantly exercise, of altering the budgets of the *taluka* Boards. The latter should frame their own budgets within the limits of their resources without any outside interference, and might combine with one another for incurring joint expenditure or entertaining joint establishment without the sanction of a higher authority.

Municipalities in district and *taluka* towns should now consist wholly of elected members, the Government retaining in its hands the power to enforce action, if its advice and warning are disregarded, by a temporary suspension of these Boards and the appointment in their place of small bodies of nominated members. Unless an undivided responsibility is thus thrown on these municipalities, risking even initial failure for its sake, they will neither become efficient instruments of local administration nor fulfil the higher purpose of serving as seminaries for the education of the people in self-government. Like the *taluka* Boards, municipalities suffer from the meagreness of their resources; but except in regard to education and large projects of sanitation and water-supply, it is only fair that they should rely upon themselves. Large projects are, of course, so utterly beyond the capacity of these bodies that their execution is impossible unless substantial grants-in-aid towards capital outlay are made from provincial revenues. Also for meeting adequately the growing educational needs of their areas larger assistance from Government is indispensable. As regards powers, the present Act is on the whole sufficient, though here and there small relaxations of present restrictions may be necessary.

The area of the jurisdiction of the District Board is large, and it is an advantage to have the Collector as President, unless non-official gentlemen of position, prepared to undertake regular touring throughout the district, are available for the office. The presence of the Executive Engineer, the Civil Surgeon and the educational inspector is also desirable on this Board. I would, therefore, have about one-fourth of its members nominated by the Government, the remaining three-fourths being elected. Each *taluka* Board and municipality in the district should elect one member, the municipality of the district town having the right to return two. I would also create a special constituency for the whole district with a fairly high franchise to elect five or six members, the electors being graduates of a certain standing, say five years, Government pensioners receiving a pension of Rs. 75 a month or above, landholders paying an assessment of Rs. 200 or above, and traders, merchants and others paying income-tax on at least Rs. 2,000 a year. Thus, taking Poona, I would have on the District Board 36 members—9 nominated, and the remaining 27 elected as follows:—8 by the 8 *taluka* Boards, 2 by the Poona City municipality, 11 by the other municipalities, one each, and 6 by the special constituency outlined above. A Board so constituted may be expected to do useful work if steps are taken to place sufficient resources at its disposal. I have already suggested above that the entire proceeds of the one-anna cess, after deducting therefrom the educational share and medical and veterinary grants, should be made over to *taluka* Boards, and that a portion of the excise revenue, say 10 per cent., or in its place an equivalent additional grant from provincial revenues, should be made available to District Boards. The principle of admitting Local Boards to a share in the excise revenue is not a new one. Until about 30 years ago the one-anna cess was levied on a portion of the excise revenue, though not on the whole of it. Even to-day a fixed sum of 1½ lakhs appears under contributions from provincial to local as "contribution in lieu of one-anna cess on excise revenue." This contract grant was fixed at a time when the excise revenue of the Presidency had not assumed its present proportions, and the Boards have thereby been deprived of a share in the increase which otherwise would have been theirs. In view of the fact that, in regard to communications at any rate, the District Boards have for the most part to bear a burden which should really fall on the provincial revenues, it is not an extravagant demand that at least one-tenth of the income from excise should be handed over to these bodies to enable them to discharge their duties in a satisfactory manner. As regards the powers of these Boards, the present law is on the whole sufficient, though as in the case of municipalities some of the restrictions may have to be relaxed.

The three evils of the present system of district administration are its secrecy, its purely bureaucratic character, and its departmental delays. Important questions affecting the interests of the people are considered and decided behind their backs on the mere reports of officials, only final orders being published for general information, as though the people existed simply to obey. The constant references, backwards and forwards, which an excessive multiplication of central departments has necessitated, involve long and vexatious delays even in the disposal of petty matters, and are a fruitful source of irritation and suffering to simple villagers. The Collector is the chief representative of the Executive Government in a district, and to prevent the evils of an uncontrolled exercise of power, he is subjected to a series of checks in his work. These checks are, however, all official; they are all exercised by the members of his own service, of which he himself as a rule is a fairly senior officer, and though they may serve to prevent gross abuses of power, they are not of much value in promoting efficient administration, and they certainly hamper him largely in the prompt discharge of his duties. What the situation requires is not such official checks exercised from a distance, but some control on the spot on behalf of those who are affected by the administration. For this purpose I would have in every district a small Council of non-officials, two-thirds of them elected by the non-official members of the District Board, and one-third nominated by the Collector. I would make it obligatory on the Collector to consult the Council in all important matters, and I would delegate to him large additional powers to be exercised in

association with the Council so that ordinary questions affecting the administration of the district should be disposed of on the spot without unnecessary reference to higher officials.

Confidential matters will necessarily have to be withheld from the District Councils. In regard to the following subjects the Collector should send to the Central Government, along with his opinion, the opinion of the District Council. The list is illustrative and not exhaustive:—

(1) Legislative proposals.
(2) Proposals of revision settlements.
(3) Revision of water-rates.
(4) Recommendations about remissions of land revenue.
(5) Creation of new municipalities.
(6) Extension of the operation of Acts to new areas.
(7) Imposition of punitive police.
(8) Creation of new posts.

In the following cases the decision should rest with the Collector if he can carry his Council with him; otherwise he should refer them to Government:—

(1) Opening, location and abolition of liquor shops.
(2) Suspensions of land revenue.
(3) Levy of building fines.
(4) City survey proposals.
(5) Organization of local supply from forests.
(6) Opening of new and closing of old schools.
(7) Establishment of village panchayats and unions.
(8) Suspension of *taluka* Boards, municipalities, panchayats and unions.
(9) Creation of Benches of Magistrates.
(10) Rules regulating fairs, processions, &c.
(11) Assumption of property under the Court of Wards Act.

In the following cases the Collector might decide even against the opinion of the District Council:—

(1) Urgent precautionary measures against plague, cholera and other epidemics.
(2) Measures for preservation of peace.
(3) Measures of famine relief.

Members might initiate, where necessary, the consideration of such questions or grievances as in their opinion should be brought to the notice of the Collector. The Collector should be the real Head of all the Departments of executive administration in his district except in matters which require technical or expert knowledge. The District Councils will be only advisory bodies—advisory in the sense that no resolution of theirs can take effect unless it is accepted by the Collector. If this machinery is brought into existence, and if larger powers are then delegated to the Collector, I would have above the latter only one higher authority in the Presidency, viz., the Central Government. This means the abolition of all the Commissionerships except that in Sind. The Collectors will then correspond direct with the Central Government, and probably a third member will have to be added to the Executive Council. To enable the Government to exercise general supervision over district administration, it will be necessary to appoint Inspectors-General, who will tour round the Presidency on behalf of the Government. Expert advisers will also be necessary for those branches of the Administration which require high technical or scientific knowledge. But the only authority from whom the Collectors will receive orders will be the Central Government.

I am confident that the creation of District Councils as suggested above will be attended with beneficial results. The view has been expressed that no such bodies need be called into existence, and that the only thing required to meet the necessities of the situation is to delegate larger powers to the Collector. Those who tender such advice do not correctly understand the spirit of the times. What is wanted is not a mere increase of official efficiency, assuming that such increase can be secured by following the course proposed. A return to the old benevolent autocracy of the Collector is no longer possible, and any attempt in this direction will not only fail, but will be widely resented. Increased proficiency in the vernaculars on the part of District Officers or more determined attempts to promote social intercourse are only surface remedies, which will not touch the real root of the evil. We want an *interest* in the administration around us. The educated classes are only *critics* of the administration to-day, because the Government does not realize the wisdom of enlisting their co-operation. Some people imagine an antagonism between the interests of the educated classes and those of the masses, and they hope to fortify themselves by winning the gratitude of the latter as against their unpopularity with the former. This, however, is a delusion of which the sooner they get rid the better. The educated classes are the brain of the country, and what they think to-day, the rest of the people will think to-morrow. The problem of bringing the administration into closer relations with the people is essentially a problem of associating the educated classes with the actual work of the administration. With village panchayats at the bottom, District Councils in the centre, and reformed Legislative Councils at the top, this problem will have been fairly faced, so far as the exigencies of the present are concerned.

33490. Were you elected as president by the other members of the Poona municipality, or were you nominated by Government?—I was nominated as a member of the municipality, but I was elected President by the members.

33491. You say that owing to the action of the Government of India certain important modifications have been brought about in provincial administration, more particularly with regard to famine and land revenue; can you illustrate what you mean?—With regard to land revenue, for instance, the contention of the people for a long time was that suspension should be by areas, and that when there was a general failure over a large area, there should be remission without enquiry into every case. The Bombay Government for a number of years adhered to the individual enquiry system, and it was only under pressure of the Government of India that they ultimately abandoned that system.

33492. Has that system of remission, as insisted on by the Government of India been, on the whole, successful?—It is comparatively recent, but it has given much more satisfaction to the people, and I think it will work better. As regards famine, the Government of Bombay for a long time insisted, as a test, that the people who wanted relief should be prepared to go a long way from their villages to satisfy the Government that they were in need, which caused great hardship, and ultimately under pressure from the Government of India that policy has been abandoned, and works as near the villages as possible have been adopted as the policy.

33493. Have you had any opportunity of seeing how that works in practice?—I have been following what has taken place in the Presidency as a public man, and I have noted that it has given greater satisfaction.

33494. Has it proved not only satisfactory to the people requiring relief, but has it worked well from an economical point of view?—It must be so, but economically I do not think there would be much difference between the two.

33495. On the whole, therefore, do you consider that the intervention of the Government of India has been judicious in these particulars?—Yes, but of course there are cases on the other side also. For instance, taking the University Bill of the Government of India, I think if Bombay had stood by itself that Bill would not have been forced upon it. The Government of India saw how things were in Calcutta, and they generalised from that, and forced a measure on the whole country which was resented by the bulk of the people.

33496. Then in the case of the Universities Bill, the Local Government was interfered with to its disadvantage?—I do not know that, but it was the Government of India that legislated for the whole country, and I am sure if the Bombay Government had been left to itself, it would not have legislated

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on those drastic lines. The experience of the Government of India was only derived from Calcutta, and they generalised from that, and passed the measure for the whole country.

33497. So far as Bombay is concerned, has it been injuriously affected by that action?—Not to a large extent, for the reason that our system was really better than the Calcutta system, but the legislation passed was resented in Bombay.

33498. It may have been resented, but it was not necessarily injurious?—It has been worked well in Bombay up to now, but that does not mean that it will always be so worked.

33499. Then you say that during times of famine, Local Governments, who have exhausted their famine reserve and who find it necessary to borrow, should have the first claim on the borrowing powers of the Government of India; the scheme, which you have outlined, is one by which the Government of India would derive its revenues from moneys allotted to it by the provincial Governments?—Except that some heads of revenue will be purely imperial and will belong to the Government of India as a matter of right.

33500. So far as those revenues which attach to it under your scheme, as a matter of right, are only just sufficient to meet its expenditure, against what, under those circumstances would the Government of India have power to borrow?—The Secretary of State borrows on the security of the revenues of India.

33501. Which will expand?—That applies even now. Supposing there is no surplus, all the same, the revenues are there, and the Government of India and the Secretary of State borrow; the position will not be altered in any way, except that certain revenues will be assigned to the Government of India, and certain others to the provincial Governments.

33502. In your view then will the borrowing powers of the Government of India be as against the assigned revenues?—No, I would allow the Government of India to borrow for all, but as the Government of India's borrowing will be against the total revenues of India, and since a portion of those total revenues will belong to the provincial Governments, portions of the total loan should go to them if they want it.

33503. Are they to be earmarked against the provincial sources of revenue?—It could not be done in that way, because at present the borrowings are all against the revenues of India, and unless the Act was altered it could not be done, but in practice it could be worked in this way: Supposing the Government of India borrow in one year 10 crores of rupees; if one-fourth of the revenue has been made over to Local Governments, the Local Governments should have a right, out of that 10 crores, to 2½ crores, and the question of urgency would determine which Government should get most. What happens now is that the Government of India first takes all the money it wants for itself, and then the Local Governments get a chance.

33504. Against what resources do you propose the Government of India should borrow?—Against the revenues of India as a whole; unless the Act is altered there is no other way.

33505. Although you have deprived them under your scheme, of certain sources of income which they now enjoy?—I would not put it in that way; both the Supreme and provincial Governments will be sharers in the revenues which are vested in the Secretary of State.

33506. I want to get your point of view?—I would only let the Government of India borrow against the total revenues of all India, but as only three-fourths of the revenues belong to the Government of India and one-fourth to the Local Governments, three-fourths of the loan only should be kept by the Government of India, and the other fourth handed on to the Local Governments.

33507. Would lenders be willing to lend on that security?—I am sure they would; it makes no difference to them.

33508. With regard to the powers of panchayats you say that in cases of small money claims their decision should be final?—Yes, unless fraud or gross partiality is alleged.

33509. Would that often be alleged in cases where there were relatively large sums in dispute?—Occasionally it might be the case, but the Subordinate Judge to whom the appeal would go would exercise his judgment, and see whether there was reasonable ground for the allegation.

33510. Would you introduce into this possible appeal some provision by which the reasonableness of the appeal should be taken into consideration?—Yes, by the authority to which the appeal is made.

33511. It has been suggested by one or two witnesses that in proceedings before panchayats no pleader or other legal expert should be allowed to take part; would you agree with that?—Yes, I would not have legal experts appearing before panchayats.

33512. Would you debar them from practising before panchayats?—Yes, but when appeals go from panchayats, where partiality or fraud is alleged, I would allow legal assistance.

33513. You suggest, amongst other things, that they should have the management of the village forests; do you mean the waste lands attaching to the forests, or the cultivation of sylvicultural land—what might be regarded as minor forests?—The valuable timber forests I would keep under the department, but there are many so-called forests which supply grazing fuel only, and those I would make over to the village communities.

33514. In Bombay has the management of these minor forests ever been in the hands of the villagers?—Before the Forest Department was organised the villagers did as they pleased with them. The department has now enclosed as forest land a great deal more area, and since then there has been no chance for the village communities. I would take out of the control of the Forest Department these particular lands, and make them over to the villagers again.

33515. As a matter of fact, in Bombay have there ever been forest areas under the control of village communities?—Before the Forest Department was organised, in many places what is now known as forest was entirely under the control of the villagers.

33516. Did that work well from the point of view of providing the villagers with fuel and grazing?—It is difficult to say, but I know that the department has been saying that the villagers denuded the forests, and that on the whole it was harmful. I would therefore provide for some control, *e.g.*, that the villagers should be bound to take care of trees and so on, but I would give the general management of these areas into the hands of the villagers themselves.

33517. There should be some expert control or direction over the village management?—For minor forests I do not think much expert control is necessary, but only a sort of general control on the part of the village authorities. The *mamlatdar* might say to the panchayat: "The Government will hold you responsible for so much; you must not cut certain trees; you may do as you like with regard to grazing and fuel." There might be some difficulty, but on the whole the system would work well.

33518. Would panchayats be able to carry out any measures with regard to famine and plague relief in villages satisfactorily?—I do not think much is done even now in that respect in the villages. They are left pretty much to themselves, and in any case nothing would be lost by throwing responsibility on them. They would not do much, but neither is much done now. They might carry out general instructions, though I admit it is a very difficult problem.

33519. Might it not be so difficult and dangerous a problem, both in respect to famine and plague, that it would be dangerous to entrust it to a village community?—I do not think so. Famine

perhaps stands on a different footing. In regard to famine Government will supply the funds for works to be undertaken, and the works might be handed over to the village panchayats, care being taken that there shall not be more waste than there is at present. With regard to plague, I do not think you can enforce measures very strictly on the village people; they will have to be left to themselves unless there is an improvement in sanitation generally; general instructions might be issued by the Government, and after that I would not interfere with the panchayats.

33520. You say that the *taluka* Boards should provide the funds both for themselves and for the panchayats, and that the provincial Governments should find money for the District Boards; but how do you propose to make up the deficiency in the provincial revenues which would arise in that case?—Taking the finances of the country as they are to-day, I do not anticipate any deficiency on the present scale of expenditure. The Government of India have been getting surpluses of 4 and 5 crores for the last 7 or 8 years, and more money ought to be taken from the Government of India and made over to the provincial Governments on condition that the local bodies are properly financed.

33521. Then according to your scheme District Boards are to raise no cess in the areas over which they rule?—No, the cesses are to go to the *taluka* Boards.

33522. Is a District Board to have no funds raised in its own area?—Except the tolls and ferries.

33523. Is not that an insignificant item?—It is between 4 and 5 lakhs.

33524. In nearly every country, a District Board, however constituted, raises its own revenue, but under the scheme which you adumbrate it is to receive its revenue from outside sources. Do you suggest that a District Board is not to raise from the area over which it has jurisdiction any sums to meet its own expenditure?—District Board administration is more in the nature of provincial administration; the area is too large, and you cannot enlist local sentiment in the efficient administration of local affairs so far as a whole district is concerned, and many of the responsibilities which have been thrown on the District Boards should really belong to the Local Government. For instance, many of the District Board roads at one time were provincial roads, and they have now been thrown on the Boards, so as to relieve the provincial finances of the burden; the provincial finances should contribute towards their upkeep.

33525. Whatever the reason may be, do you suggest that the District Boards should not rate the districts which they administer?—I do. I have an open mind on the subject. I would have an education cess if education was made free and compulsory, and if a cess was necessary. There is already one-third of the one anna cess devoted to education, but I would advocate an additional cess if necessary.

33526. (*Sir Frederic Lely.*) You refer to the policy of small works in time of famine; as a matter of fact, has not the famine policy in that respect oscillated a good deal during recent years?—Yes.

33527. At one time the system of large works was fully approved of by the Government of India as being more economical and more efficient?—Yes, but that was a long while ago.

33528. As to the new policy of small works, are you aware that that has been adopted very largely at the instance of local officers?—Yes, I have heard that.

33529. That is to say it has not come so much from above as from below?—But the Local Governments did not back up the local officers, and the Government of India did.

33530. Is not the inference not that the interference of the Government of India should be encouraged and strengthened, but rather that the Local Governments should be brought nearer its own officers?—That is one way of doing it, but the other element must be also there.

33531. Would that not be the really effective way of dealing with the matter?—In some matters it might.

33532. In matters of that sort, for instance, is it not much more desirable that measures should commence from below rather than from Simla, which is not likely to know much about them?—On the whole, yes; but a Local Government may listen to Simla, when it will not listen to its own officers.

33533. Some witnesses have given very decisive replies stating that the old *quasi*-family life of a village has disappeared; would you agree that the village constitution does not exist now?—I would not say that it has disappeared; it is much weaker, no doubt, but it would tend to become stronger if the panchayat is utilised again.

33534. Are your proposals quite irrespective of that fact? You think the village is the natural constituency of the country, and you consider that you can begin with the village as the only basis?—Yes, quite irrespective of that.

33535. You would propose, as the chief part of the constituency for the election of the panchayat, the villagers who pay a minimum land revenue of say Rs. 10; would you seriously introduce that very modern requirement into an ancient village and merely assess a man's social value or public value according to the amount of money in his pocket?—I would have only two or three members of the panchayat elected in that way; there must be some qualification, and this is the easiest test I can think of.

33536. Would not a more popular test in a village be his social influence?—After all, the duties are civic, and I would introduce this element.

33537. Would not a general body of the villagers assembled, without regard to their actual property, electing with one voice, or the voice of the majority, the man or men to whom they could most look up, be a more congenial method of election?—I do not think it is practicable any longer.

33538. Then you would have the pecuniary qualification?—I think I would.

33539. Are not the factions by which many villages are rent the real stumbling block in the way of village self-government?—Yes, but they are common to the whole country; they are not confined only to the villages.

33540. Would Government be doing right to hand over the affairs of a village, however minute they might be, to a faction, without taking measures to counteract the influence of that faction?—I do not think under my scheme it would be handing over power to a faction; it would be handing over power to a body, four of whom would be *ex-officio* men, and only two or three elected, so that it does not mean that all the members will be necessarily from one side.

33541. As a matter of fact, does it not often happen that a village is torn into two factions and two only, each led by influential men, one faction being necessarily superior to the other? That faction, therefore, under your system would obtain the dominant voice in the village. Does Government owe no duty to the other faction?—But all the men would not necessarily be from one faction only.

33542. I am supposing a case of one faction actuated by bitter hostility towards the other, and it gets the upper hand, what steps do you propose Government should take to protect the rest of the village?—I would give the Collector power to suspend a panchayat like that. I do not think anything else is required, and perhaps the very fact of their discharging civic duties jointly might temper those factions.

33543. Would you oblige litigants to refer their disputes to the local panch?—I would.

33544. You would not give them the option of going to the Civil Court?—I would not.

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33545. It would be rather hard on a man who belonged to the weaker faction to oblige him to go before men who avowedly had an animus against him?—There would no doubt be cases like that, but some amount of injustice has to be borne in the world under any system.

33546. Are not many matrimonial disputes settled by panchayats now?—Yes.

33547. Would you say justice as a rule is done?—I think on the whole simple justice is done.

33548. Are you not aware of many flagrant cases of injustice?—I have heard so, but I have also heard of injustice being done in the Law Courts.

33549. But that is not, as a rule, intentional injustice?—Probably not.

33550. Do you really think it would be safe to entrust these powers to villages?—I think so; there is some danger, but I would take the risk and try that system.

33551. At the expense of the weaker parties?—In the material interests of the villagers themselves who are ruined by litigation to-day.

33552. Mention is made of plague relief; is not the question of plague relief a particularly suitable one for treatment by the villagers, especially with regard to such matters as segregation and evacuation of infected hourses?—Yes, the villagers would help themselves much better than any official agency.

33553. In fact would you say that the only agency that can turn a man out of his house without friction is the village community, the neighbours?—Yes.

33554. (*Mr. Dutt.*) Is your general position that you recommend a greater degree of independence in provincial administration, subject to a greater amount of popular control?—That is my position, the two parts of my scheme go together.

33555. In granting greater independence to provincial Governments would you make over to them some distinct heads of revenue such as land revenue, excise and forests?—Among the major heads.

33556. That of course would largely increase the present assets of the provincial Governments?—Not largely in every case, but in some cases it would. In Bengal, for instance, the surplus would be very small.

33557. And you would adjust that by a rule that the provincial Governments should make fixed annual contributions to the Government of India?—Yes.

33558. Would such a system make the provincial Governments more independent of the Government of India in the administration of those departments?—I would make them independent in regard to administration.

33559. Would that prevent the Government of India from sometimes initiating reforms in those departments when such reforms were likely to affect revenue?—If the reforms initiated led to a decrease of provincial revenue, that would be a matter for consideration, when the fixed grant by the provincial Governments to the Government of India came to be revised. I would then make a reduction from that grant, but I would leave power to initiate reforms in the hands of the Government of India.

33560. So that you would leave with the Government of India the power it has now of laying down a general policy even though it affected revenue?—Yes, that would make no difference.

33561. But if it seriously affected revenue you would leave that to be adjusted at the next settlement?—That is my position.

33562. According to your scheme of village panchayats, you would introduce a panchayat at present in every village with a population of 500 and over?—I would try.

33563. I suppose there are something like 10,000 villages of that kind in this province?—Yes.

33564. You have also suggested that a special officer might be employed to start and guide these panchayats and watch over their work?—I think that would be necessary.

33565. Do you propose a special officer for the whole province or for each division or district?—I would have an officer for each division; one officer for a whole Presidency would find too much work to do, but an officer for a division, with special responsibility thrown on the *mamlatdar*, would perhaps meet the requirements of the case.

33566. Would this officer act in concert and consultation with the *mamlatdars*?—Yes.

33567. Subject to that would you rather give a free hand to the village communities when once started?—I would.

33568. With regard to your proposal to make over the whole proceeds of the one-anna cess to the *taluka* Boards, you admit that that would leave very little to the District Boards?—Yes.

33569. Do you propose that they should get only the revenue derivable from tolls and ferries?—Those too I would do away with, tolls especially.

33570. Would you propose also that certain contributions should be made by the Government?—Yes, and a part of the excise revenue might be made over to these Boards.

33571. You know that there are some important works which had to be done by the District Boards which cannot be done by the *taluka* Boards?—Yes.

33572. And you also know that possibly District Boards may hereafter employ their own engineers instead of depending on the Public Works Department; with all this increasing expenditure, would the income which you would assign to them be sufficient to meet all the expenses?—If you assign 10 per cent. of the excise, that means in this Presidency 14 lakhs straight off, and that will go some way, especially as the *taluka* Boards will be able to take care of themselves. The District Boards will mainly look after the larger communications. My point is that the work which the District Boards do now is really the work of the provincial Government.

33573. When, for instance, an engineer is appointed by the District Board, in the interests of the *taluka* Boards, would you not provide that the *taluka* Boards should contribute something towards his pay?—I would leave the *taluka* Boards to manage their own roads from the *taluka* towns to the villages, and I would not have anything done for them by the District Board; if a District Board employs an engineer of its own it ought to find the money.

33574. Are you aware that most of the important roads are now attended to by the Public Works Department?—Yes.

33575. And that the District Board has to pay a percentage to the Public Works Department which comes to a considerable amount?—Yes.

33576. Therefore it might be advisable for the District Boards, in some cases, to employ their own engineers; in such cases would you leave the District Boards to find the money and not get it from the *taluka* Boards?—Yes; District Board funds should come mainly out of the provincial revenues; seeing that the distribution of the resources between provincial and local is not quite fair now, I would throw a larger burden on the provincial revenues.

33577. Would you be in favour of allowing *taluka* Boards to manage their own primary schools instead of leaving them to the management of the Education Department?—Except that I would place the staff under the District Boards or some district authority.

33578. Do you mean the teaching staff?—Yes; there is more contentment in a Service if there is a wider area over which you can shift your men, but barring that I would allow *taluka* Boards to manage their own school affairs.

33579. But you would expect the *taluka* Boards to pay?—Yes.

33580. But the appointments and transfers would be in the hands of the District Boards?—Yes. If the educational expenditure has to be increased, I would expect these Boards to make a grant.

33581. Would you expect the *taluka* Boards to have a large number of aided schools—schools to which the Boards would only contribute a certain monthly stipend—leaving the villagers to maintain them?—We had that type of school here at one time, but it has well-nigh disappeared now, and I do not think it is possible to revive it.

33582. Not even in small villages?—It might be done there.

33583. Would it be desirable to try?—There are some villages in my own experience where four or five or six families have grouped their resources together and maintained a teacher, and in those cases a small grant would be useful.

33584. If you allowed the District Board and the *taluka* Board a free hand in fixing the hours of attendance, the holidays during the year and other matters, would village schools be more popular than they are at present?—Yes, I think so.

33585. On the whole, would you be in favour of giving a freer hand to the District Boards and *taluka* Boards in regard to primary education?—Yes, and to the village panchayats too, except in regard to curriculum and staff.

33586. Would you leave that with the Education Department?—Yes, within certain limits; there should be a certain amount of latitude left even to these local bodies; the larger limits should be fixed by the department.

33587. Are you in favour of the Collector remaining President of the District Board?—Yes.

33588. Do you think a Collector really knows more about a district than any other man in it?—Yes, he tours constantly and that advantage might be utilized, especially as I propose to finance these Boards with Government money.

33589. Are you in favour of the creation of District Councils?—Yes.

33590. Is it your idea that each district shall have a small Council of non-officials, two-thirds to be elected by the non-official members of the Board and one-third to be nominated by the Collector?—Yes.

33591. What do you propose as the total number of members of such Councils?—I propose for Poona 9 members.

33592. In the present state of the administration, are such District Councils likely to work satisfactorily and advantageously in most districts?—Yes.

33593. Would there be no difficulty in finding suitable men in every district?—Some men might not be quite so satisfactory as others, but in the course of time you will get the right type of men and even now you certainly would get some good men.

33594. Men not only qualified but who would be willing to give their time to the work?—They will give their time and advice if the work is there and if their advice is found to produce an effect; I am certain of it.

33595. In that way would the district administration be brought more in touch with the people and made more popular?—Certainly.

33596. (*Mr. Hichens.*) What exact advantage do you expect will be derived from giving to provincial Governments separate revenues?—One would be that the growth under those revenues would naturally belong to the provincial Governments, and since all internal administration is made over to provincial Governments, we, who are naturally more interested in the internal administration of the country, will have a larger portion of revenue devoted to our own needs.

33597. Is it better to have all the growth of two sources of revenue, or half the growth of the increase on four sources?—Under my scheme the division will be more favourable to the Local Governments.

33598. Are you assuming that all the sources are likely to increase?—Yes.

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33599. Customs is a source of revenue which might expand?—Customs are amenable to the influence of England and might come down; opium is going, and salt, again, may disappear, so that really under my scheme the Local Governments will be steadily getting better and better off.

33600. Would they take an interest in screwing the revenue up?—I should object to that. But my position is this; if the revenue under a provincial head does rise, let the internal administration of the country get the full benefit of it. For instance, excise revenue is rising in spite of the protestations of the Excise Department, and if it must rise, let the internal administration at any rate get the benefit.

33601. From the point of view of control, would you advocate that the provincial Governments should have more control than they have to-day over these revenues which you would give them?—Yes, I would let them spend them as they thought best.

33602. I mean in the matter of collection or remission or increase?—All taxation I would leave in the hands of the Government of India.

33603. So that practically speaking, you would not give them any more control than they have to-day?—No, none, so far as raising the level of taxation is concerned.

33604. The only thing you hope to gain then is that they may get a larger increase?—They may get a larger increase, and there is an element of permanence about the arrangement which will have an effect all round.

33605. It is conceivable that owing to change of circumstances the revenues which you have handed over to the Government of India might expand by leaps and bounds, and that your revenue might not expand quite so fast as that of the Government of India?—That is possible; I had that in view when I left the remission of taxation in the hands of the Government of India.

33606. But do you lay stress on as great elasticity as possible in financial arrangements?—Yes.

33607. You would not merely for the sake of uniformity or consistency allow the Government of India to retain revenues largely in excess of what it required, and the provincial Government to have revenues largely below what it required?—No.

33608. Would you say if an adjustment was necessary it might be made at any time?—Yes.

33609. Therefore it is not desirable to aim at too great permanence?—No, except that there should be a reasonable permanence.

33610. But you can have a reasonable permanence under divided heads?—But if you divide heads of income you probably divide heads of expenditure, and then it gives an opportunity for the Government of India to say, "You shall not spend money in this way, but in this, that, or the other way." I would make the entire expenditure and the entire revenue under certain heads imperial, so that they may be controlled by the Government of India and not by the provincial Governments.

33611. With regard to expenditure, the Government of India is still to have a certain control over matters of general policy?—Yes.

33612. For example, taking the case of education, would the Government of India be there to lay down general principles?—Certainly.

33613. And it would be then the business of the Local Government to carry them out?—Yes.

33614. Taking forests as they are to-day, could the same principle broadly be applied?—Yes.

33615. Is it not quite conceivable that that principle should be applied without making the expenditure wholly provincial?—Yes, there it would be a question of policy. So far as expenditure is concerned, in regard to provincial heads of expenditure, the provincial Governments should have entire control except in regard to policy. With regard to imperial heads of expenditure, the Government of India should be able to say,

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"This will reduce our expenditure even if there is no question of policy concerned, and therefore you must carry out these arrangements," or, "It will increase our expenditure and you must not do it."

33616. Assuming the heads are still divided, is there anything unreasonable in the Government of India saying they will not interfere in matters of detail, but only in matters of general policy?—No; if you have divided heads of expenditure and the Government of India do not interfere in matters of detail, it comes to the same thing as my system.

33617. When you said the work the District Boards did to-day was work properly belonging to the provincial Governments—what work did you mean?—I meant the larger communications. Considering the resources available for local expenditure, I would throw the burden of those larger communications on provincial revenues.

33618. Is there anything else, education for example, on the same footing?—The cost of education comes out of the rates, and the Government makes a grant.

33619. That is not one of the functions which is more properly provincial?—A substantial grant should come out of provincial revenues, but the rest must come out of the local rates.

33620. The point is, under an ideal system of district local government, what functions would you assign to the local body—would you give them the care of roads?—Yes.

33621. Would you give them the care of primary education and sanitation?—Yes.

33622. In other words, would you give them these functions which you have said would be more properly provincial?—Yes, under an ideal system.

33623. But I understood you to mean that the funds of the District Boards were inadequate to carry out these works?—My idea is this. Local self-government, strictly so-called, must be over a limited area, and when you go beyond the *taluka* in India you get an area which is much too large for local self-government strictly so-called, and I would therefore concentrate the local resources on *taluka* Boards; the District Board may take over some of these functions where necessary, but it does not mean that all the functions of local self-government in regard to these areas can, or should, be taken over by the District Board.

33624. Are not these functions, properly speaking, local functions and not provincial functions?—That depends. They are partly provincial; where the local resources are small, the district communications should certainly be maintained out of provincial revenues.

33625. There are certain roads which might be given over to the provincial Government, but apart from that is it desirable from the point of view of good government that the local authority should manage and manage in the fullest sense, all the matters which can be considered of local importance?—Yes, if there was revenue enough.

33626. The point is to find enough revenue, and you would say that it is the business of the Government to find resources adequate for the purpose?—Generally it would be the business of the Government, because whatever local revenue can be raised is already being raised, and if any more revenue is wanted, Government must provide it.

33627. Are you familiar with the system which obtains in certain other parts of the world by which the Central Government helps those who are prepared to help themselves, and makes certain *pro rata* contributions in proportion to the money raised locally; would that system work here?—I do not think it would; the money available here is not enough to go beyond *taluka* Boards, and I do not think we can raise any more locally unless the Government surrender a portion of the revenue which it at present takes. If the provincial Government would surrender a little more of its revenue to the local bodies, I would not mind taking up these functions for the districts, but to-day it is not possible to do so.

33628. Would you apply the principle of proportionate contribution to *taluka* Boards?—Yes, and I would not go beyond them.

33629. With regard to the District Councils you suggest, are they to be purely advisory?—They should be advisory in the sense that a resolution passed by them could not take effect unless the Collector accepted it; but in certain matters if the Collector could not accept a resolution he should have to go to the Government to set it aside.

33630. Is their whole object to consider matters which are not of local importance in the sense that we have been discussing, but of provincial importance?—In a way, yes.

33631. In other words, they would, so to speak, take the place of a local committee of a provincial Legislative Council?—Roughly it would be that; it would be more similar to that than anything else.

33632. Can you parallel that position in history?—I would rather not answer such a question offhand. But it should be remembered that the whole position in this country is exceptional.

33633. One thing they would have to consider, for example, would be the question of remissions of revenue, and might they not conceivably be a little biassed in favour of their own district in such a matter?—Yes, but the remissions go up to the Central Government; they would only recommend.

33634. But their influence might be discounted by that?—But they would also bring more local knowledge to bear on the matter.

33635. (*Mr. Meyer.*) So long as the present official system continues you do not want any material delegations of powers to Local Governments?—No.

33636. Your view is that the Government of India are from their position able to take a wider view?—Yes.

33637. And you would not be in agreement with the statement made in the case for the Bombay Government that the Government of India is out of touch with local conditions, and that the Local Government is a far safer interpreter as to local needs and local wishes?—That statement would be correct within certain limits. Of course Local Governments understand local needs better, but they also have local prejudices to a larger extent.

33638. Taking the Government of your own province, do you consider that they are sufficiently in touch with local unofficial opinion?—That is a difficult question to answer. The Government are in some touch with local opinion, say, in the City of Bombay, or in Poona, but it all depends upon what degree of acquaintance you expect.

33639. While they are in Bombay and Poona, do they go about?—They read the newspapers, and the Governor and the members go about, so that they must acquire a certain amount of acquaintance with local affairs.

33640. Are you satisfied with the dates at which the local budget is discussed in the Bombay Council?—No; I have never understood why they discuss it in August or July.

33641. Far later than in most other provinces?—Yes.

33642. It has been suggested as an explanation that the Bombay Government desire to present the members of the Legislative Council with the civil estimates in full—would that appeal to you?—I cannot express a useful opinion upon that. I do not know what the difficulties are in preparing the civil estimates earlier.

33643. Would you prefer to have the budget discussed more promptly on less elaborate information?—Yes.

33644. Taking such information as you get in the Government of India budget?—I think that will not suffice. More detailed estimates would be necessary.

33645. It is also suggested by several Local Governments that it is very aggravating to them

for the Government of India to alter their estimates; is it desirable that the Government of India should continue to check the provincial estimates in the interest of accuracy?—I have no direct knowledge of that. I have only heard things, but I really think, even if alteration is necessary, that it might be made in a manner which would try the patience of Local Governments less.

33646. Still I think I have heard you in the Imperial Legislative Council criticise the Government of India on the ground that their estimates have been falsified by events, and that there was a much larger surplus than was anticipated?—That is so.

33647. Therefore, might it not be legitimate, in order to avoid such criticism, that the Finance Department should take every means in their power to make their estimates as accurate as they can be?—Yes, but I do not know how far your alterations are due to this or to something else.

33648. Your scheme of division between the provincial and Imperial Government makes certain items wholly imperial, such as stamps, income-tax and registration; would the provincial Governments, which will necessarily have to manage these sources of revenue, take the same vivid interest in their development if they had no interest at all in the proceeds?—I think they will; assuming that every man does his duty fairly well, I should expect a reasonable amount of interest to be taken.

33649. Still, if there is a competition as between a source of revenue that yields you profit and a source of revenue which yields none, would it not be human nature to take care first of the source of revenue that benefits you?—In the abstract, I would say yes.

33650. Then you say it will be necessary under your scheme, besides giving certain expanding heads to the Government of India, to give them a fixed assignment, and that that assignment is to be revised every few years at conferences; will not that lead to just the same bickering that the old system of quinquennial provincial settlements gave rise to?—Yes, with this difference—the Government of India usually have a much larger surplus than the Local Government have; and even if the Government of India revenues under a certain head fell short of what was expected there would be enough to cover it from other sources.

33651. But would there not be a great deal of squabbling and bickering?—Yes, but I would rather have one Government of India discontented, than seven provincial Governments discontented.

33652. You would be prepared to face the result that you would have less remission of taxation probably under your system?—I do not expect that; I have made over to the Government of India heads under which alone there has been, or will be, remission of taxation, and if more revenues are available to Local Governments, that means improved internal administration.

33653. The Government of India, for instance, has been able to afford to reduce the salt tax because it was compensated by increased revenues under other heads, but you are diminishing their increasing revenues?—Yes, but on the other hand, look at the increased expenditure on the army and other things.

33654. When you say that the Local Governments are to have a share in the loans which the Government of India raise, do you still contemplate that the Government of India should borrow for productive works?—Yes, they have been going rather fast, and I do not like the rate at which they have been borrowing, but it will still be necessary to borrow for productive works.

33655. Would not borrowing by Local Governments be largely non-productive?—Yes, unless they borrow for feeder railways and things of that kind, or small irrigation works.

33656. To that extent your system would increase the net burden of the debt of India?—It need not. The Government of India would float a certain loan in the market, and I would share that between the provincial Governments and the Government of India.

33657. But the provincial Governments might use the money for non-productive purposes, and in so far you would increase the burden of the debt?—Yes, but the Government of India would accept that.

33658. But would you accept it?—For the present, yes.

33659. Although you would give Local Governments enhanced powers in other directions you say that you would not give them any extra powers in regard to the creation of appointments. Are you aware that the Secretary of State has recently relaxed his control over the Government of India in that direction?—I have read it in the papers.

33660. Would you be prepared to give the Local Governments that same power?—No, I would not, while public opinion remains as weak as it is to-day.

33661. You think it is safer in those matters to have some outside check?—I think so.

33662. Would that apply also to the existing financial codes, the Civil Service Regulations as regards travelling allowances, and so forth?—Travelling allowance perhaps would stand on a different footing, but as to pay and pension, certainly.

33663. Is the present system of minute check by the Secretary of State on the Central Government desirable?—As far as I am aware of it, I would keep that.

33664. Your District Board is really to be a Council to assist Collectors in running certain matters which the provincial Government may entrust them with?—Quite so.

33665. It is practically therefore an Advisory Council. But at the same time you propose certain formal Advisory Councils—are two bodies of that kind necessary?—Are you speaking of the District Council?

33666. You would have a District Board and a District Council?—Yes; the functions of the District Board are determined by statute, and the other is a more elastic body.

33667. Your local self-government stops at the *taluka* Board?—Yes.

33668. The District Board becomes a body for the administration of certain expenditure?—Except that it is three-fourths elected.

33669. Apart from those details, is it necessary to have two Advisory Councils in a district, one dealing with roads and education and the other with revenue and other matters?—I should not mind abolishing the District Board if its functions were made over to the District Council, but I do not want to disturb the existing machinery too much.

33670. What would happen to the present village Sanitary Boards under your scheme—would they merge in the panchayats?—I would merge them in the panchayats.

33671. Although you would think it desirable that the Collector should remain President of the District Board, you desire to keep the Sub-Divisional Officer out of the *taluka* Board?—Yes, except that he might attend the meetings in order to know what was going on.

33672. Are you not rather divorcing him from the economic interests of his sub-divisional charge?—Yes, but I do not much believe in his interest in the work of these local bodies; there is a desire to assert his authority in small matters, and I do not much believe in that.

33673. When he goes on tour, and the people ask him for a new school or a new road, or to repair a drinking-well or a water-tank, has he to say, "I am sorry I cannot help you, you must go to Mr. X., the President of the Sub-Divisional Board"?—There is nothing wrong in that.

33674. You would make the Sub-Divisional Officer, then, simply a collector of revenue; he

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would represent the Government in its restraining and taxing capacity, but in its benevolent capacity he is no longer to have any say?—The Government itself makes over these functions to a local body.

33675. You speak of making over to the *taluka* Board the whole of the cess now levied; what is to become of the quarter-anna extra which has been contributed by the Government of India?—That will go to the *taluka* Board; if the District Board is maintained separately, I should not mind if it was retained by the District Board, otherwise I would transfer it to the *taluka* Board.

33676. Some of your *talukas* are poor, thinly peopled, and backward generally. Would they be able to stand by themselves?—If they are not able to, Government might make them a grant occasionally out of the quarter-anna contribution.

33677. You propose that one-tenth of the excise revenue should be made over to District Boards; apart from considerations as to the legitimacy of such a course, would that not lead to considerable practical injustice?—In what way?

33678. The greater part of the excise revenue in most provinces is levied in the shape of duties at a few distilleries?—Yes, but the Government might distribute it among the different Boards; it need not go according to locality.

33679. Generally, the hardest drinkers are in the municipalities; would they get any share of the excise revenue?—So far as municipalities are concerned, if the Government will help them in regard to large projects and education, I would not give them any of the excise.

33680. I think I remember your saying a year or two ago in the Legislative Council that you thought Government should make regular contributions to municipalities?—I am quite of that opinion in regard to these two objects.

33681. You do not want a regular grant-in-aid, such as the District Boards get, but simply specific contributions for specific schemes?—Specific contributions for sanitary projects, and a regular grant for educational purposes.

33682. Which pays most towards primary education, Government or the local bodies?—I think the local bodies bear the larger proportion.

33683. But the Government makes grants?—Yes.

33684. Taking the Poona municipality, did you deal with primary schools only?—Yes; we have primary schools and a technical school.

33685. But did you receive grants-in-aid?—We get grants-in-aid; the schools are all our own and the Government make a grant-in-aid. We get about Rs. 9,000 from Government, and about Rs. 16,000 or Rs. 17,000 is our own money.

33686. Have you your own staff?—Yes.

33687. Do you find that work satisfactorily?—Yes, fairly satisfactorily, but of course there are arrangements with the Department under which it takes back men we do not want.

33688. You stand on a much more independent footing than the District Board does?—Yes.

33689. Quite apart from what might be done under your scheme, it has been suggested that in this province local self-government consists largely in the Local Board paying for various branches of administration which the Government manage for it, such as the larger roads, education, vaccination, dispensaries, and so on; would you agree with that?—Substantially that is correct so far as the work of the District Boards is concerned; the *taluka* Boards receive very little, and the District Boards retain the greater part of the revenue.

33690. Would you say then there is not much real self-government?—Yes, so far as District Boards are concerned that is so, and as far as *taluka* Boards are concerned, they have no resources.

33691. (*Sir Steyning Edgerley.*) Do you represent any views except your own?—I represent my own views and also those of the Presidency Association of Bombay, who have nominated me as their representative to give evidence here.

33692. Have you discussed these matters with other local leaders?—Yes, and I have their authority for saying that my statement represents their views.

33693. Can you give me any names?—Yes; Sir Pherozesha Metha, who is the President of the Association, has gone through my statement, and several of the other leading members have gone through it also, and they have authorised me to say that it represents their views.

33694. The impression which it produces upon me is that if you can get certain reforms you are prepared for some great measure of devolution, but if not the ship of State may go on more or less to destruction in its own way?—I do not know that it will go to destruction; it might go on as it has been going.

33695. Is the suggestion quite accurate that any Local Government in India under the Secretary of State could ever be accused of possessing "absolute power"?—I think it is fairly accurate; it must not be taken literally, but it expresses a general meaning.

33696. There is always, for instance, the power of memorial and representation?—That is true.

33697. It has been suggested by other witnesses that that would be much more effective if the Government of India were not, so to speak, responsible for the action which the Local Government takes; do you share that view at all?—I do not believe in that.

33698. You, I think, are organising a society which is called the Servants of India Society, and you are collecting the most able men you can get to become members of it?—Yes.

33699. Is the object of that society to study political problems?—Yes, that is one object.

33700. Supposing nothing were now done, can you quote any instance where an area or a population of the size of India is absolutely controlled from one centre?—No, it is very difficult, I admit. I do not think you can absolutely control an area like that from one centre.

33701. Would there not be some benefit, even supposing you could not get all you want in decentralization?—Yes, but there would be some serious risks, and taking all the circumstances into consideration, I think the risks would be greater.

33702. Is not the Local Government rather more open to the influence of local public opinion than the Central Government?—Yes, but there is a balancing consideration, that they are subject to local prejudice far more than the Government of India. I might mention a recent instance in my own knowledge. The first Poona drainage scheme was a big scheme estimated to cost 42 lakhs, and the Government of Bombay were keen about it. The municipality did not want to go in for such a big scheme, but the Sanitary Engineer and the Bombay Government brought a lot of pressure to bear upon us, and we were made to feel that unless we accepted the scheme we should be set down as obstructionists. We said we did not believe in the scheme, but we said we were prepared to find some money and let the Bombay Government run the whole thing on their responsibility, but the Government of India vetoed that.

33703. Has there not been another scheme recently which is more acceptable?—Yes.

33704. And that is at present blocked by whom?—By the Government of India, as far as I know.

33705. Do you not think with these shared responsibilities you very often get the position that the power (meaning the Local Government) which virtually exercises the control does not bear the responsibility?—Yes, in theory I admit that.

33706. Is it not one of the first principles of public administration that the person who has the power should face the music, so to speak?—Yes, but you face the music right enough so far as public opinion is concerned, which is directed against you.

33707. I understand that unless you can get reform exactly in the way you want, though you admit the existing system is hopelessly ill-adapted to the present needs of the country, you would prefer it to go on?—Yes; it is hopelessly ill-adapted to these needs, but if the needs are not likely to be satisfied I would let the present arrangements go on.

33708. I suppose your scheme for a return practically to Lord Mayo's system of separate revenues, would be the subject of some negotiation and would have to be worked out?—Yes, my suggestion is an illustration only.

33709. For instance, if the Government had the surpluses you suggest, and also the share of the loans annually raised, would you consider that the provision of major irrigation works for a province would be a fair provincial duty?—It is very difficult to say, because major works may be common to two or more provinces, and where there are loans against them, I do not know how you could provincialize them.

33710. Can you mention any case where irrigation works are common to two provinces?—Yes, in regard to the canals from the Indus, for instance. I cannot say that the irrigation works themselves are common, but the water from the Indus is taken both for the Punjab and Sind.

33711. Would you see any great objection, when time proves that your arrangements will work, to Local Governments having power to vary taxes?—The taxes would have to be the same all over the country, otherwise there would be dissatisfaction; if the Bombay Government had a higher income tax than the Madras Government, there naturally would be dissatisfaction here.

33712. Would that not depend on whether the people understood why it had been raised?—I do not expect the bulk of the people to understand why taxes are raised.

33713. I understand you object to provincial Governments borrowing and think that the Government of India can borrow better, in fact that they should have charge of all banking arrangements and ways and means, but would you give Local Governments power to borrow up to a small maximum independently for particular works?—Do you mean to go into the open market?

33714. Yes, for very small sums, say up to five lakhs?—I do not think there would be any harm in that if the money was raised locally, but it is difficult to distinguish, and limits would have to be laid down not only with regard to sums, but also with regard to areas.

33715. In administrative matters, you say the first line of division that suggests itself is that the control of military and naval defence and so on should always be directly in the hands of the Government of India; what is the principle underlying that?—The internal administration of the country should be, roughly, in the hands of the Local Governments, and concerns which are common to different provinces, or which deal with the external affairs of India or matters of defence and so forth, should be in the hands of the Government of India.

33716. The principle practically is, that power should be as low down as possible, and that only things that cannot be done by Local Governments should be done by the Central Government?—I would not subscribe entirely to that. Power should be as low down as possible, subject to this, that there should be arrangements for reasonably controlling that power.

33717. Under your system would there not be sufficient power of suggestion left in the Presidency itself to secure initiation?—I do not see why there should not be.

33718. Would your panchayats necessarily be for single villages or for unions of villages?—They might be for unions where the villages are small, or I would tack on small villages to big villages.

33719. Can you suggest any principle of union?—The villages should be within a certain area.

33720. One principle which was suggested in the Central Provinces was that a market town, with the surrounding villages which habitually resort to it, would form a possible union; what do you say as to that?—It is difficult to express an opinion off-hand upon that; it is a detail which will have to be worked out by a special committee.

33721. You say in your statement that the only remedy lies in carrying a substantial measure of decentralisation down to the villages, and in building up local self-government from that; that in your opinion is the very first thing that claims attention?—Yes.

33722. Then you say, "Last but not least, District Councils must be formed"—is the "last" in order of time?—In the series

33723. Would you make panchayats before beginning that, or would you begin both simultaneously?—I would begin simultaneously; I mention this in the series as being last.

33724. Would you begin that at once too?—Yes. The functions are different.

33725. Your suggestion as to the decision of cases by panchayats, and the finality you would give such decisions is practically a reference to arbitration?—Yes.

33726. As to roads, the Government are moving in the direction you suggest in this Presidency, of taking back a certain number of local roads for maintenance from provincial funds?—I have heard that, but I have not personal knowledge of it.

33727. When you discuss the question of these much larger contributions you presuppose a very much increased provincial revenue?—Yes.

33728. For instance, the present rise in the rate of living all over the country would justify an increase in the rate of pay of our lower paid servants who are under-paid?—Yes.

33729. And schoolmasters, police, village officers, and subordinates in the Forest and Public Works Departments require more pay, which would all run into a great many lakhs of recurring expenditure?—Yes, I think it would require that.

33730. And such reforms ought to come from large subsidies to Local Boards?—It ought to come along with other expenditure out of the large surpluses which the Government of India at present retain for themselves.

33731. Are the surpluses large enough to meet this increased expenditure?—Yes, there have been four or five crores every year, and if they gave about 50 lakhs a year to each province it would do.

33732. You think the system by which the Education Department has the control of the curriculum and staff in essentials, is not bad, but that the Local Boards should have a great deal more authority in the general management of the schools?—Yes, roughly that would be so.

33733. And without any great change of system, could an arrangement be arrived at of which you could approve?—Yes, I would give the villagers or the local people more interest in the schools.

33734. As regards sanitation grants, there were orders published in the Presidency about last May, giving assistance to local bodies in the preparation of schemes of a substantial amount?—Yes, the theory has been admitted.

33735. And there is a promise of assistance when schemes are ready—theoretically does that not more or less meet your views?—Yes, it is a much better state of things than before.

33736. So that the Government is moving to some extent on the lines you suggest?—Yes, but after a great deal of agitation.

33737. So that public opinion has occasionally had some effect with a Local Government?—In this instance, yes.

33738. As regard *taluka* and District Boards would it be very much better for the Local Government to frankly take back all roads as provincial

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and change the outlook of your proposed District Council? Do you want your District Board in addition at all?—Then I would do away with the District Board.

33739. You say that the Collector would correspond direct with Government, and Mr. Jackson suggested yesterday practically very much the same thing, but he thought that Commissioners should devote themselves to the inspection of the work which is done by the Collector; would your Inspectors-General be Commissioners in that guise?—They would be men of the same status, but I would make over the whole Presidency to one Inspector-General for certain purposes.

33740. In your experience is the great danger of the present provincial contract system and divided heads of revenue the inevitable tendency of a Secretariat to absorb authority?—Yes, I think it must be so.

33741. (*Chairman.*) You propose that the municipalities should get a grant for any extraordinary projects such as sanitation, drainage, and so forth; is that a usual system of financing a municipality?—In this Presidency it was only last year that a resolution was issued by the Government practically promising such assistance, but in Bengal, Madras, and the United Provinces the system has been in work for a long time, and towards large projects the Government makes a grant.

33742. But keeps some control over the expenditure by an examination of the budget?—That is due to the backward character of the Local Self-Government Acts in those provinces.

33743. And not in your judgment because they finance the municipality?—I have discussed it with officials of the Government of India, and they have never said so.

33744. Would you be prepared on the one hand to continue the system of financing the municipality, withdrawing any examination of the budget on the other?—Yes, practically that is so on our side now.

(*The witness withdrew.*)

Mr. RAMANBHAI MAHIPATRAM was called and examined.

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33745. (*Chairman.*) You are the Vice-President of the municipality of Ahmedabad?—I am. I have been so since January last. I have been a Municipal Commissioner for the last 10 years. I was for seven years in Government service as Head Clerk and Clerk of the Court to the District Judge of Ahmedabad. I also acted as a Subordinate Judge. I resigned in order to practise as a pleader. I am a native of Surat.

Executive Officers, as a general rule, are not sufficiently in personal contact with the people. No obstacles to such contact are created by the existing administrative arrangements, but European Officers keep themselves aloof from the Indian population. They maintain only rigid official relations with people, official and non-official, of the Indian community. If they had the desire they could have many opportunities for coming in closer touch with the people. There are some officers possessed of great sympathy who particularly cultivate opportunities for personal contact with the people. They invite Indian gentry at social functions at their houses, and themselves attend ceremonial celebrations among the people. They are easily accessible to townsmen as well as villagers and are anxious to learn the views of people of all classes directly from them. They do their best to assist well-directed movements for the public good. But such officers are very rare. There is a general impression that Executive Officers do not welcome intercourse with men of education and culture.

Executive Officers do not generally possess a sufficient knowledge of the vernaculars. Their acquaintance with the language of the people is very scanty.

In accordance with the present rules under the Local Authorities Loans Act, the term of a loan is not allowed to extend beyond twenty years. This condition is found to be very hard as a large amount of sinking fund has to be provided annually and the needs of ordinary municipal government have in consequence to be stinted. The benefits derived from public works constructed out of such loans are to be enjoyed by succeeding generations also, and it is right that they should also bear some part of the cost. Municipalities ought to be allowed to have a freer choice in fixing the term of repayment. The present limit may with advantage be extended to sixty years.

After the loan is sanctioned the municipality ought to be allowed to make its own arrangement for the construction of the works on the plans being approved by Government. The requirement that the construction shall be made by Government agency, paid for by the municipality, entails much unnecessary cost. The general supervision of the Government Public Works Department is quite sufficient for guidance in such matters.

There ought to be less interference by Government in the methods of taxation which municipalities may wish to adopt within the scope allowed by the Municipal Act. The Government of India have recently compelled municipalities to reduce the octroi duties on *ghi* and sugar and required them to accept a maximum percentage of *ad valorem* duty for these articles. *Ghi* and sugar are articles of luxury and can be taxed at a higher rate without causing undue hardship. The municipalities therefore naturally preferred to retain their existing rates. But being compelled by Government to reduce the rates they have had to increase duties on other articles and to include in their schedules articles which cannot bear the burden. This has led to much hardship, and has caused some dislocation in the market. It brought about a strike in Ahmedabad. The municipalities ought to be allowed a free hand in these matters. Further, municipalities are not allowed to levy octroi on flour, butter and cigars which have been imported by sea and have paid customs duty. They are also not allowed to levy octroi on wines and spirituous liquors. This shuts out a legitimate source of revenue. Municipalities would be able to regulate their finances and develop themselves more satisfactorily if all such interference be withdrawn.

In cities, where lands have been surveyed and recorded, unoccupied sites are under the dual control of the Revenue Department of Government and the municipality. This arrangement leads to friction and complicates their management. The municipalities ought to be allowed to have full control over these sites. The Act provides proper guarantees for preventing unjustifiable alienations of lands by municipalities.

The Municipal Act makes it a discretional function of municipalities to secure or assist to secure suitable places for the carrying on of offensive trades. In the larger cities the removal of the places of such trades to a distance from populated areas would tend to great sanitary improvement. But the difficulty lies in securing sites. Even after acquiring land outside cities on payment of compensation, and then assigning them for kilns, slaughter-houses, dairies, sugar factories, etc., high fines under the Land Revenue Code coupled with increased assessment would have to be paid to Government before buildings for these purposes could be constructed on the sites. Municipalities would find themselves enabled to develop their sanitary administration by insisting on the removal of offensive trades from the heart of a city if they were given powers to remit these fines and increased assessments, or, if lands surrounding cities were vested in them.

Municipalities should have an effective voice in the matter of liquor shops being opened within their limits.

It would not be expedient to invest District Boards with powers of supervision and control over the smaller municipalities within their areas. The District Boards work almost as departments

of the Government, and their position as controlling authorities would take away the individuality of the smaller municipalities who would gradually be led to lose their sense of responsibility. Besides, there would be the danger of the funds of the smaller municipalities being utilized for the purposes of the District Boards. Even at present the smaller municipalities find their meagre income swallowed up by charges on account of schools and dispensaries, making it impossible for them to devote themselves to the execution of sanitary and other improvements.

If by decentralization the powers of the District Officers are to be extended, the extension should not work in the way of taking away the right of the raiyat to appeal to the higher authorities.

33746. Who is the Vice-President of your municipality?—I am the Vice-President. The President is a retired Deputy Collector.

33747. So that both the President and the Vice-President have been in Government employment?—Yes.

33748. Do you work in your municipality by committees?—Yes. We have a Managing or Finance Committee, a Sanitary Committee, and a School Board.

33749. Are you, as Vice-President, Chairman of any of these committees?—Not unless I am appointed a member of a committee. At present I am not a member of any of the committees. I have been several times on the managing and other committees.

33750. Is the President of the municipality Chairman of any of these committees?—No. But if he is a member of a committee he is *ex officio* Chairman. He does not put himself on the executive committees.

33751. Have you any power to raise taxation without the consent of Government?—No.

33752. Does that hamper you as a municipality?—I do not think so.

33753. What are the principal sources of your income?—We have octroi 2 lakhs; a house-tax bringing in about Rs. 40,000; a drainage-tax realizing about Rs. 25,000; a water-tax, one lakh, sanitary cess about Rs. 45,000, and the tolls about Rs. 40,000.

33754. Are there any Government contributions to your expenditure?—We have one towards educational expenditure. There are contributions from the local funds also for schools and general purposes.

33755. What schools do you control?—Primary schools, and we assist other schools. We appoint the masters and committees of management.

33756. Do you set the curriculum?—No, that is prescribed by Government.

33757. You buy the furniture, and that sort of thing?—Yes.

33758. Have you any control over secondary or middle schools?—No.

33759. In the case of drainage works for which you get a grant from Government, how is a scheme considered when it is prepared?—First of all we get a scheme prepared by an expert—now Mr. Baldwin Latham; then the municipality approves of the scheme, and then it is sent to the Public Works Department.

33760. Do you send it first of all to the Sanitary Board?—Not necessarily, but if Government chooses, it may consult the Sanitary Board.

33761. Have you any control over roads?—We have complete freedom over our own roads, and also in the case of lighting.

33762. Who prepares your budget?—The Managing Committee. Then they send it up to the General Board. That body considers it and finally passes it or amends it.

33763. It is not referable to Government?—Not at all.

33764. Have you any debt at Ahmedabad?—Yes, about 21 lakhs since 1890.

33765. Are you paying it off or increasing it?—We are paying off the old debts, but increasing our liability in new debts

33766. Is the financial position of your municipality fairly sound?—We have to pay about a lakh of rupees interest annually, and about Rs. 50,000 to the sinking fund. We are sound as far as we have gone. Our debt was incurred for water-works, drainage, and the building of the bridge over the river.

33767. Do you employ a large number of menials and clerks and other people?—We do.

33768. Who appoints them?—Our Secretary appoints all subordinates getting Rs. 15 and under, the others are appointed by the General Committee. The Secretary can dismiss those appointed by him, and the municipality can dismiss all others except the Secretary. His services are lent by Government; he is a *mamlatdar* of the Provincial Service.

33769. Has an employee dismissed by the Secretary the right of appeal to the Municipal Council?—He has.

33770. Has an official over Rs. 15 a right of appeal?—No, he has not.

33771. The person who appoints him can dismiss him without appeal?—Yes.

33772. (*Sir Steyning Edgerley.*) Except in certain matters which you have instanced, are you fairly contented with the freedom that the municipality enjoys?—I think we are.

33773. What exactly is meant by the suggestion that the municipality should have the power to remit fines and increased assessments?—At present the Government in the Land Revenue Department do this. We have to make out a case if we wish to get any burial grounds, for instance.

33774. Have you ever sent a case up?—Not for trade purposes, but for burial grounds. Sometimes there was no remission: sometimes we find difficulties.

33775. This octroi question you refer to is a matter enforced by the Government of India?—Yes.

33776. In fact it is a general order without particular reference to the particular municipality?—Yes.

33777. And you were much crippled because of your debts incurred for sanitary improvements, the amount of interest you had to meet, and the sinking fund?—Yes.

33778. So that you were forced into this unpopular taxation?—Yes.

33779. (*Mr. Meyer.*) Are you an elected Vice-President?—Yes.

33780. In the Presidency generally are there many municipal towns which have the right of electing their President?—The President is always nominated, except at Poona.

33781. In Ahmedabad the Government nominates a non-official occasionally?—Yes.

33782. Speaking generally, are there many non-officials nominated?—Yes, since 1885 we have always had one.

33783. But speaking of the Presidency generally, are there many non-officials Presidents of municipalities?—I believe there are in the city municipalities, but not in other ones. There are only 14 city municipalities; in the others the Assistant or Deputy Collector is generally the President.

33784. You speak of having a paid Secretary. Is that usual?—Yes.

33785. To whom do you send your budget up for approval?—Nobody.

33786. You do what is right in your own eyes?—It is only when we want to raise a loan that we have to make out a good case.

33787. What taxes do you levy?—The octroi.

33788. Do you levy nothing in the nature of other taxes?—We levy a water rate, a house tax and a drainage tax.

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33789. When you were so hard up, might you not have tried some sort of income tax, which would really have affected the well-to-do people of the town?—I do not think our Act would authorize us to do so.

33790. You could have increased the house tax?—We have a wall round our city. Outside we have a house tax; inside we have octroi. We find that convenient.

33791. What you want is that you should have power to levy as high octroi rates as you like?—That would not pay us.

33792. You do not care whether the article has been already taxed or not?—Government does not allow us to tax certain articles which have paid duty.

33793. You prefer to have full liberty to do that instead of a house tax?—Yes, a house tax is unpopular, and octroi is on luxuries.

33794. You desire to have larger powers in regard to borrowing. Just as you say it is more popular to levy octroi than a house tax, is it not more popular to leave your burden for posterity than discharge it yourselves?—Yes.

33795. Will not the future loans constitute a burden upon succeeding generations?—Yes, but the next generation will have the benefit of the Public Works.

33796. The next generation will have its own burdens?—It probably will have them.

33797. In the matter of the construction of Public Works, would you have any objection to Government contributing if it sent an officer?—We would have none in that case.

33798. Do you mean that the whole of the Crown lands in a large city should be made over to the Municipal Council?—Yes.

33799. Suppose the Government wanted to build a house for the Collector?—We can only sell land with the sanction of the Commissioner; but the lands are particularly ours.

33800. You do not want unrestricted power to alienate?—No, simply to control.

33801. Do you maintain hospitals?—Yes; they are dispensaries really. We have also a Government hospital. They keep that up without charging us.

33802. (*Mr. Hichens.*) Do you get any of the proceeds from the sale of Government land within the municipality?—We get everything except 5 annas per square yard.

33803. And you want to get the whole?—Yes, and also the right of deciding to sell or not, besides the cutting up of the land ourselves.

33804. Would you allow Government to retain a reasonable proportion of the vacant land for public buildings?—To that I would have no objection.

33805. Are any of the members of your municipality elected?—Yes, half the number. We have 15 wards.

33806. Do you find there is a reluctance to stand for election?—Yes. Some of the men are busy men, and some have a natural unwillingness to stand for election.

33807. Is that a general feeling?—No. The elections are generally keenly contested.

33808. What is the arrangement with regard to education? Do you have to make a fixed contribution of a proportion of your revenue?—No. Government gives half of the salaries of the schoolmasters, and we provide everything else. Government also gives us half the cost of school buildings. We can build a school when we want to, and we can abolish schools if we like.

33809. You say that Government pay half the salaries of the teachers. But is there anything binding upon them to do so?—No, but that is the arrangement.

33810. As far as you are concerned, do you find that to work satisfactorily?—Yes.

33811. Have you a School Committee?—Yes.

33812. Do they take a keen interest in the schools?—Yes. They go round and visit.

33813. (*Mr. Dutt.*) You have a Managing Committee?—Yes. They look after financial and administrative matters, the collection of taxes and the building of houses and Public Works.

33814. And are their resolutions finally placed before the Board?—No, except in certain matters where their powers are restricted.

33815. But the Board can call for their records if they desire?—Yes.

33816. Who are your Sanitary Committee?—We have 4 members. There is one Doctor—the Chairman.

33817. What is their principal duty?—They are in charge of the sanitary establishment and conservancy.

33818. Is there anything else beyond the ordinary conservancy?—There is a drainage system which is being extended. The water-works are also under their charge.

33819. Yours is a town with a population of nearly 200,000?—Yes.

33820. Are the schools you have sufficient?—Every year we are adding to their number.

33821. Are most of the boys of school-going age sufficiently provided for?—Yes, except among the poorer classes. We have also a number of girls' schools.

33822. What approximately do you spend on education?—About Rs. 50,000 a year, out of which we get a contribution of about Rs. 17,000 from the Government.

33823. And do you get a contribution also from local funds?—Yes; Rs. 2,300.

33824. So that the main portion comes from your municipal funds?—Yes.

33825. You have three dispensaries?—Yes. They are all managed and maintained by the municipality.

33826. How much does that cost you?—About Rs. 3,000 a year.

33827. How do you manage for the Medical Officers of your dispensaries?—We advertise. It is only when we raise the salary of anyone that we have to go to Government.

33828. But otherwise you can select a properly qualified man without the sanction of the Government?—Yes.

33829. What contribution do you get from the local funds?—We get a little over Rs. 2,000 altogether annually.

33830. Your debt now amounts to about 21 lakhs dating from 1890?—That is so. We began borrowing then, and the debt has been increasing every year.

33831. You are extending the drainage works year after year?—Yes. That is the most difficult feature we have to cope with because of the want of money.

33832. Are you not very hopeful of further extending this drainage work unless you get help from Government?—No. Our sewage farm was estimated to yield Rs. 90,000 per annum. It yields hardly Rs. 10,000 at present. The finance of our drainage scheme rests upon the sewage farm to a large extent.

33833. Is your annual income increasing year after year?—It is.

33834. Of course the population is increasing year after year?—Yes; and also the assessment on houses.

33835. Is your income increasing in about the same ratio as the population and the prosperity of the town?—It is increasing, but it is difficult to judge the ratio.

33836. Your house tax only brings in about Rs. 40,000?—Yes; that is outside the city wall.

33837. In what way will the increase of population and wealth ultimately tend to increase your

income?—As the wealth increases the octroi increases, the rental value goes up and the water and house taxes increase. The only thing is the burden of our debt, which is pressing very heavily upon us.

33838. You say your Secretary has been lent by the Government. Do you or the Government choose him?—We chose him ourselves. He was appointed in 1903.

33839. (*Sir Frederic Lely.*) Is the elected President in Poona subject to the approval of the Government?—I think he is.

33840. They had an unofficial President in Broach. Have they now?—Yes.

33841. In Surat?—Yes, he was also non-official.

33842. Why is there not one now?—I think Government could not select a proper person. The Collector was appointed after a non-official resigned. There were two non-officials before the Collector.

33843. In Ahmedabad Government nominates a non-official?—Would you like to see the President elected?—Yes.

33844. Would you have him elected subject to the approval of Government?—Yes.

33845. Have you pretty nearly arrived at the limit of your borrowing powers?—I think so.

33846. You have been allowed to borrow for water-works and drainage?—Since 1890-1891 for a period of 30 years.

33847. If you were allowed a longer period you would be able to go on with your drainage?—I think so.

33848. On the whole, is the municipality of Ahmedabad run in the interests of all classes?—I think so.

33849. Is equal consideration shown to the claims of all classes?—Generally speaking, I think there is. There are individual cases in which influential men might get favours, but as a rule that is not so.

33850. Regarding the matter of water, what is the lowest rate paid by a house connected with the main?—Eight annas per annum.

33851. What would such a householder have had to pay formerly?—He would bring his water from a well. But that is the case of a very poor man; if he had to pay for his supply he would have to pay at least Rs. 5 a month.

33852. Then the net result is that a man gets for eight annas under your system what he otherwise would have to pay Rs. 60 for?—Yes. But a man of the class referred to would not employ anyone to do the work; he would go himself.

33853. But his labour would be of that value, and he is now supplied with Rs. 60 worth at 8 annas expense. Is that good finance?—It ought to be raised.

33854. Why is it not raised?—The water-works are failing.

33855. But that is irrespective of the rates being fixed?—The rates were fixed to make them popular and to get the people to drink good water.

33856. Concerning vacant sites, you admit that it is of the utmost importance to keep all vacant places clear?—Yes.

33857. Towns like Ahmedabad in particular are very much overcrowded?—Yes.

33858. Is it not a fact that owners of the surrounding houses are eager to get open ground at the corner and the sides of the street?—It is so.

33859. And does it often happen that some of these men may be influential, and bring pressure of all sorts to bear on the municipality to make them sell these vacant lands?—It does happen.

33860. Would not the temptation of the municipality be less if it had not that power?—It would be subject to the sanction of the Commissioner.

33861. Is it not of vital importance to treasure up every yard of vacant land in a big town?—I quite agree.

33862. And you can scarcely have too careful a guarantee against its appropriation?—Yes.

33863. Once land has gone into occupation it is practically irrecoverable?—Yes; the price is prohibitive. But I am only referring to building sites.

33864. As to the land belonging to Government, is it not a general principle of Government that unless the municipality wants land for any non-productive purposes they are generally exempt from payment?—For Public Works perhaps they are exempt.

33865. For instance, if you wanted the ground for the building of a market in which you allotted stalls, Government would not remit?—No.

33866. But if you wanted it for a nightsoil depôt Government would?—Yes.

33867. You wish municipalities to have an effective voice in the matter of liquor shops. There are large classes in each city which are hereditary drinkers. Are these castes and classes represented in the municipality?—They are not adequately represented.

33868. Would it not be harsh to give the municipality full power in a case of this sort—the members of which doubtless consider drinking a sin?—No; because it is only the matter of new shops that I refer to.

(*The witness withdrew.*)

Rao Bahadur KHANDUBHAI G. DESAI was called and examined.

33869. (*Chairman.*) Where are you residing?—At Surat. I was in Government employment as an Executive Engineer six years ago.

In the early days it was considered that the local requirements of Bombay and Madras Presidencies could not be properly taken care of by one Governor-General, and therefore they were allowed to have separate Governors. For the same reason it is now necessary that the other provinces, viz., Bengal, the United Provinces, Punjab and Burma, should each have a Governor, while the Central Provinces and Berar should have a Lieutenant-Governor, if not a Governor. The other small administrative charges should be merged into the nearest province, and then the Governor-General will not have any administration directly under him. If the above change be made, all the powers, except those relating to the army, foreign relations, railways, post offices, and general legislation, now exercised by the Governor-General should be made over to the Governors of provinces, and they would thus be placed directly under the Secretary of State, just as Bombay and Madras are at present for certain purposes. The Governor-General, freed from the vast miscellaneous work, will be able to direct more attention to the very important functions that remain with him, but he need not have the large number of eight members in the Executive Council as at present, but only four, including the Commander-in-Chief, might suffice. As the Governor-General would require funds to pay the army, the home charges and the other necessary expenditure, the income from the land tax and some other general taxes should be made available for him, but the management and collection should remain with the provincial Governors, who may each be required to contribute a fixed sum to be revised from time to time according to the size and wealth of the province, and if any surplus remained, the provincial Government should be at liberty to utilize it for provincial uses. It will also be open to the Imperial Government to lessen the rate of taxation, if less funds be required than those produced by the existing taxes.

There should be no appeal to the Governor-General from the provinces, but the right of appeal to the Secretary of State should remain.

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As a general rule appeals against executive orders are seldom successful, but in some instances they are, and the fact that the orders of an Executive Officer may be a subject of enquiry, makes him careful in passing it, and great injustice is thus indirectly prevented.

The demand for returns and information has certainly increased of recent years, and it is due to the requirements of the Secretary of State, the Government of India and his Council, as well as that of the Local Government itself and its Council. Most of the returns and information are necessary, and some more returns are required to show the actual condition and wealth of the country. Returns are, however, all prepared by the clerical establishment and do not take up any appreciable part of the officer's time, and it is not advisable to do away with them.

The Commissioners are mainly reporting officers at present, and they might be given more powers of sanction to utilize them properly and to reduce the work of Government. A Board of the Commissioners may be formed to meet at headquarters during the monsoon, and questions of importance may be laid before them to advise Government.

In the Public Works Department increased powers of expenditure and sanction were given about 10 years ago to all officers from the Chief Engineers down to Executive Engineers, and resulted in a large saving of correspondence. It also insured a better application of the money, as the officers, being the final judges in the matter, knew the requirements from personal knowledge and they could adjust the grant to the requirements in each case. The experiment has been entirely successful and the time has come for doubling amounts up to which the officers of the various classes could sanction estimates or allot funds.

Greater powers for purchasing locally instead of indenting on the Secretary of State for stores of European manufacture, are required to be given to Executive Engineers, as there is usually no time to get them out from England, after the work is sanctioned, without unduly delaying its progress. The officer has to purchase them on his own responsibility to save delay and applies for sanction which is seldom refused. It would therefore be better if the necessary powers were given to the Executive Engineer up to Rs. 5,000 for each work, and to the Superintending Engineer for larger amounts.

The powers to appoint the establishment under them may be raised to Rs. 100 per month, and for temporary subordinates to Rs. 200. The permanent appointment of graded sub-overseers, overseers, etc., should remain with the present Government as they form one Service, and the provincial Government can make better selections after considering the reports of the Executive Engineers and Superintending Engineers all over the province.

There are many important matters under the Watan and Pensions Act, under which some Executive Officers do not allow parties to be represented by pleaders, even in cases where these parties have to oppose pleaders as their opponents. Of late the Revenue Officers have been deciding questions of disputes as regards cash allowances, etc., themselves departmentally, instead of issuing a certificate to the party concerned to fight out its case in a Civil Court; such disputes involve heavy claims of a permanent character, and grave injustice is done to a layman who has to oppose unaided a trained lawyer as opponent. In all these matters, the lawyers render great help to the Court; and yet some officers resent, as it were, a pleader's appearance in their Court. Similarly, in matters which may be termed of a judico-political nature, when the raiyats of a Native State or a member of the family of a Native Ruler have to approach the Political Agent for the redress of their grievances.

Executive European Officers have quite sufficient opportunities for personal contact with the people, if they choose to avail themselves of them. But various causes prevent them from knowing intimately the people of the district. There is first the language difficulty. Though they are all required to pass an examination in the vernacular of the district in their charge, only a few know it sufficiently well to hold a conversation with a cultivator. Many think that it would be undignified to mix with the proletariat, and all the people of India, with the exception of Rajahs, Nawabs, and persons holding high positions, are classed as the proletariat. This is not solely due to the race distinction. The caste and the *pardah* system among the Indians are also partly responsible for their not having free social intercourse. But, notwithstanding all these drawbacks, the officers can very easily find out the true state, requirements, and idiosyncrasies of the people under them, if they care to study them as part of their duty. It must be said to their credit that a few officers do it, but their representations are not received with favour at headquarters, and they sometimes suffer.

Another reason is want of sufficient time. In the case of the Collector there is no doubt that the work has enormously increased in recent years, but there is no reason why he should be President of the municipality, Local Board, and a number of other functions. They might now, at any rate, be entrusted to other people who would be able to devote more time to the work and the Collector relieved from unnecessary work.

The appointment of Commissioners is not by seniority, but as there is no method of judging the merits of officers which is not liable to abuse or doing unconscious injustice, the method of promoting by seniority every officer who is considered competent to discharge properly the duties of the higher office, might be maintained. The other method, according to which a very junior District Judge was lately promoted to the local High Court, leads to great injustice and the unnecessary discouragement of many deserving officers.

Government has been devising some remedies for preventing too frequent transfers, and they can be stopped by Government trying to post the officer according to his fitness and adhering to their decision. The might ask officers to volunteer for the unpopular districts and keep them there for 3 years, and then give them one of the favourite districts. One of the frequent causes is the going to Europe of officers on furlough or sick leave. This will be considerably lessened if more natives of India are appointed in the officers' grade in all the departments. The present proportion of $\frac{1}{8}$ of the Civil Service was fixed about 30 years ago, and might well be raised to $\frac{1}{3}$ of the total number. The Statutory Service in this Presidency was not a successful experiment as the Government chose wrong persons, and not because no competent persons could be found. If the appointments be made by competition open to all men of good character and physical fitness, the men selected will be found to be capable of discharging the highest functions.

In the Public Works Department the present proportion is $\frac{1}{3}$ and it may be made one-half. All the unpopular charges along the coast from Ahmedabad to Thana are held by native Executive Engineers, but they are all working there for years without asking for transfers. Similarly if native Collectors and Judges are appointed the number of transfers will be much lessened.

In the Forest Department the Provincial Service is limited to Extra Assistant Conservators. There is no reason why one-half of the Conservators and Deputy Conservators should not be natives of India. If necessary, these men after selection may be made to go to Europe for further study at their own expense.

In municipal matters, the basis should be broadened as far as possible on the principle of election. There should be a non-official elected President for every city municipality. The Collectors are far too busy with their official duties to be able to interest themselves in purely municipal matters for which much time is not left to them. Moreover, their too frequent transfers come in their way of knowing the wants of the city, and different gentlemen necessarily having different views about the municipal administration, there is no continuity of policy. The representation by election should be increased to $\frac{2}{3}$ instead of $\frac{1}{2}$, that now obtains. Councillors who join the Corporation by virtue of their election are found to

be more enthusiastic, energetic and alive to their sense of duty to their wards.

I am not in favour of Advisory Councils to assist Divisional or District Officers. For the proper government of a country only three sets of bodies or officers are necessary, viz., the Legislature, Executive, and the Judicial. Advisory Councils cannot be brought under any of the above functionaries, and they would be found to be a fifth wheel and, as such, useless, and sometimes worse than useless. Administrative Councils would be useful, but their function should not be merely to advise the District and Divisional Officer, but to discharge some function of their own. Under this heading I would place village panchayats which should look after the requirements of the village as to sanitation and other matters. They are unanimously considered to be necessary, but it is considered that if they be required to raise the money required by them, by fresh taxation, they will be unpopular and sufficient money cannot be raised to do anything useful. If these Boards or Councils are created in the whole of the Presidency a suitable grant might be made from the general revenues, or the rate of local cess might be increased, and money thus obtained granted to these Boards. If constituted, these Boards should have two-thirds elected members and one-third nominated members and the Chairman to be elected, the *patel* and village accountant being among the nominated members. Every payer of land tax, or other direct tax, and every man who can read and write, should be entitled to a vote and eligible to be a member, but a person convicted of any serious crime should be disqualified.

The functions of the District Board are more legislative than executive and it is not expedient for them to interfere with the work of the smaller municipalities. The control exercised by the District Officers as provided for by law ought to be quite sufficient.

33870. Do you take any part now in Local Government?—Not now. I was generally a member of the municipality as well as a member of the District Board while I was an Executive Engineer. I believe that lately they have made the holders of that appointment *ex-officio* members, but they were then nominated.

33871. You base such proposals as you set out here before us upon a considerable change in the organisation of the Government of India?—In some part—as to the powers to be transferred from the Government of India to the Local Government. But as I have no practical knowledge of the working relations between the two, I have nothing to say on the subject.

33872. You tell us that the returns which are required from local officers do not take up much of the time of an officer?—They do not take up much of his time, but they do that of his clerical staff. The clerical establishments are everywhere requiring to be increased.

33873. Are most of the statistics which are contained in the returns accurate?—Those that are based upon actual facts are accurate, but some of them are only estimates.

33874. When you were Executive Engineer were you employed under a District Board?—Yes, I used to do work for them.

33875. And when you did work for the District Board your department charged a percentage?—Yes, 12½ per cent.

33876. Was that an adequate measure of the services which were rendered by the Public Works Department to the District Board or municipality?—The average charge was from 22 per cent. to 25 per cent. of the cost of works for the provincial Government, but Government only charged 12½ per cent. because they were not put to any great extra cost in doing these works, and they did not wish to press on the Board too hardly. I considered that the rate charged was very fair.

33877. Really, the Board received pecuniary advantage in getting their works done by the Public Works Department?—I would not say that, because in some cases they might have done the work at smaller cost themselves. It is an average struck between large and small works, and it has resulted in advantage to both. In any case Government would have had to maintain their Executive Engineer and all the higher officers, and out of the 12½ per cent. that Government received there was some gain as they only had to keep an extra subordinate or so.

33878. Would you suggest to us that a percentage a little lower than 12½ per cent. would strike a true balance?—I think it might be reduced to 8 per cent. or 10 per cent. with advantage.

33879. (*Mr. Hichens.*) Would it be a good thing if the District Boards took over all the roads, except the main roads, and had a District Engineer of their own?—That would mean doubling the establishments, and would be more costly on the whole. The Government Service is an organized Service, the Government is able to obtain better men on the same pay than the Local Boards would be likely to obtain.

33880. What provincial works are there besides roads and buildings?—There is the Irrigation Branch in addition.

33881. That is a separate branch?—In smaller districts the same Executive Engineer does the Irrigation works as well as the roads and buildings, but where the work is sufficiently important Government has a special Engineer for it. Where there is no separate Irrigation Engineer, even if there are no special irrigation works, Government has now given orders to the local Executive Engineer to repair all the tanks in the district.

33882. Is it sounder that these roads and buildings should be looked after by the Government rather than by the District Board?—Yes.

33883. Is it fair that the District Board should pay for roads and works which it cannot carry out itself?—Looking to the class of roads which are repaired by the Executive Engineer I should class them as provincial more than local; and therefore they should go to the provincial Government so that the Local Boards might be able to devote their money more to local objects which would be of more immediate use to the neighbourhood.

33884. (*Mr. Dutt.*) Have you had much experience as an Irrigation Engineer?—Some.

33885. In these cases was irrigation from canals or from tanks?—It was from a canal.

33886. As Irrigation Engineer were you in charge of assessment and the collection of water-rates?—No; I had a subordinate with me, and I was an Assistant Engineer superintending the work for about six months.

33887. Regarding the distribution of water from the canal, were you in any way under the orders of the Collector, or did you pass orders yourself according to your own judgment?—I have no clear recollection? It is a matter of 25 years ago.

33888. We have had evidence to-day that some District Boards have a total income of 2 lakhs of rupees. In such cases the District Board can very well spend a lakh a year on roads and bridges and give Rs. 12,500 to the Public Works Department as percentage. Could not the District Board get a sufficiently qualified Engineer for less than that?—Yes; but then they would have to pay for a subordinate staff as well. I doubt whether they could get a competent man with the necessary establishment for Rs. 12,500.

33889. You are not aware that in Bengal the District Engineer and subordinate establishments are often maintained at a cost not exceeding Rs. 12,500 a year?—I am not aware of that.

33890. Are you in any way connected with the Surat municipality?—No; I was connected with the thana municipality. I was Chairman for a time, and at other times I was a member. That was about 20 years ago.

33891. At present Surat has an official Chairman?—Yes, and has had for more than 10 years. In fact we have had only two non-official Chairmen; one worked for about 3 years, and another for about a year.

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33892. From your general knowledge of Gujarat and of this province, can you give us an approximate idea as to how many towns there are in which non-official gentlemen have been appointed Chairmen?—In Broach one, and in Ahmedabad another.

33893. (*Sir Frederic Lely.*) Do the advantages or disadvantages of touring predominate?—It is a very necessary thing.

33894. Are District Officers compelled to travel more than is necessary?—I should say they are not able to travel as much as they ought to.

33895. Is it to a certain extent a burden on the people to have so many touring officers of all departments?—I am not prepared to say so.

33896. You think that on the whole it is necessary?—Yes, I do.

33897. There is not any other side to it?—No.

33898. A good deal has been said about the District Boards not being able to carry out the repairs to roads themselves, but if they employed professional assistance, as they must, whether that assistance is from the Public Works Department or not, the Board would have nothing to do with the actual carrying out of the works?—No.

33899. So that there would be no practical difference between employing a District Engineer and a Public Works Engineer?—I think there will be a difference, as the Government Executive Engineer is a better man that the District Board would be likely to obtain, and he is under the control of the Superintending Engineer.

33900. (*Sir Steyning Edgerley.*) How much time has the ordinary Executive Engineer to give to District Board work?—He can give whatever time is required.

33901. But does he give half his time, a quarter, or three-quarters?—It depends upon the amount of work he has to do. Sometimes in some districts there is not much work to do. But in the districts I worked in about one-third of my time was required for Local Boards' works.

33902. And the present system results in this—that the Local Boards pay a fair percentage exactly calculated on the amount of work done, that the assistance is always ready to their hand, and they do not have the expense of the upkeep of a separate establishment. Practically there is a grant by Government to the Board as a result of the arrangement?—It may not be looked upon as a grant, but as an advantage to both of them. Government might be put to a greater cost proportionately to the work done by their Engineers if the Local Fund works were taken over by the Boards.

33903. If that third of the Engineer's time did not go to the Local Board's work, Government wold be able to reduce their establishment?—They could not. As a rule they want one Executive Engineer to a district; and you cannot divide a man.

33904. Still if you take away part of the work you can double up districts and reduce their establishment?—Yes, the subordinate establishment.

33905. Having regard to that, it is possible that the 12½ per cent. contribution is not too high?—I say it works out pretty fairly. But it would be a very good form of grant-in-aid if Government could spare the money.

33906. At the close of your service you were employed in Bombay city?—For about 3 years.

33907. In carrying out works and so on, could you have supplied yourself with materials from the trade?—Most of the work done in Bombay was done by contract, but otherwise I could have got it from the trade.

33908. You could get it locally now, I suppose, very much more easily than 20 years ago instead of sending to England?—Yes.

33909. So that if you were thrown upon your own resources to provide your own material from the local market you could do it?—Yes.

33910. (*Mr. Meyer.*) Under the present system the Executive Engineer is not under the Collector?—He is under the Collector: as President of the District Board when doing Local Fund work.

33911. But can the Collector censure him for doing a road badly?—If it is a local road he can point out the mistake.

33912. But the Executive Engineer has rather a free hand in the alignment of the road and such things?—Yes.

33913. And the Collector, as President, might find one road repaired before another. Has he the power to dictate the sequence?—Yes.

33914. Is the Engineer practically under the control of the District Board as a man of their own establishment would be?—Yes. All Executive Engineers were given power to sanction any funds up to Rs. 200, and some selected men were given power to allot more funds. That did away with the necessity of sending in estimates to Superintending Engineers, because most of the repairs and buildings were under this amount.

33915. But that is rather a modest amount?—It might be doubled now.

33916. It has been suggested to us that Commissioners might have a budget of their own for Public Works purposes instead of the whole Public Works provincial budget being passed at headquarters?—You might do that for buildings or roads, but not for irrigation, or for judicial or educational buildings.

33917. Does Government keep the tanks in repair?—Yes, but the Commissioner could do that. It could not be done by him in respect to judicial buildings, because they belong to a different department, and the men concerned should have some say in the matter.

33918. But the Judge would as soon have the sanction of the Commissioner as of the Government?—I do not know; there is a certain amount of jealousy, and the Commissioner is more inclined to look at the revenue side than to the convenience of the Judicial Department.

33919. It has been suggested that the Executive Engineer might become assistant to the Collector in matters affecting the welfare of the people, such as irrigation, just as the forest officer is?—As far as the initiating of any policy is concerned the Commissioner and the Collector should have their say and should be heard, but as far as doing the work is concerned it would be better if the Executive Engineer were allowed to do his work freely, rather than under the supervision of any non-professional man.

33920. But taking the case of a tank out of order, could the Commissioner give an order that it be put right whether there were funds or not?—The man who provides the money should be able to give the order.

33921. Then it is merely a question of funds, and if the Commissioner and the Collector get larger funds for public purposes they will get larger control over the Public Works staff?—That carries more than one meaning; perhaps it may be interpreted in one sense by one man and in another sense by another man. I am not prepared to say whether they have, or have not, sufficient control.

33922. But that is all you would be prepared to do—to give them more money and give them discretion as to the way in which it is to be expended?—Yes.

33923. You desire to withdraw the Collector from the presidency of municipalities?—I think he has already too much work, and that there would be plenty of non-officials to be found for that position.

33924. But as regards District Boards would you withdraw the Collector from that where non-officials could be found?—I would withdraw the Collector in that case also; but about that possibility there is some doubt, because the works of a

District Board are scattered over a large area covering from 1,000 to 5,000 square miles, and a non-official gentleman would not be able to have a good grasp of the requirements of a whole district like that; whereas the Collector, in his capacity as Collector, has opportunity to see all the requirements of the district and can proceed upon his personal knowledge. Unless you have got a proper man as a non-official President, you would have to retain the Collector as President of a District Board.

33925. You say that a Board of the Commissioners might be formed to meet at Poona during the monsoon. Do you desire to have a regular Board of Revenue as in other provinces?—As I have had no particular experience in the matter I cannot express an opinion, but such a Board might be able to deal with many questions that are not being properly handled.

33926. Do you speak from experience regarding village panchayats?—Yes; I should like them to have some funds. *Rao Bahadur Khandubhai G. Desai.* 7 *Mar.*, 1908.

33927. It has been argued on the other side that they are very fractious in some villages?—A certain amount of fractiousness will be everywhere, but at the same time if the thing is given a fair trial we should find it more useful on the whole than by having outside people going in and doing the work.

33928. Would it answer in all parts of the Presidency?—I am afraid not. In some backward villages it would not. I think it would be applicable in most parts of Gujarat.

33929. Would you have groups of villages or single villages?—I would have some in groups and some in the individual sense, say, on an average of 500 inhabitants.

(*The witness withdrew.*)

Mr. H. E. E. PROCTER was called and examined.

33930. (*Chairman.*) You are Chairman of the Chamber of Commerce of Bombay?—Yes. I am in business as a general merchant in Calcutta and Bombay. I have been in this country nearly 20 years.

My firm has had a good deal to do with the raising of funds for the construction of feeder railways, and has found the negotiations connected with them extremely protracted. We addressed Government in July, 1903, regarding extensions to our existing lines, viz., the Ahmedabad-Parantij Railway and the Ahmedabad-Dholka Railway. These negotiations are not yet completed, with the result that we have been prevented from raising the capital for these extensions when the Bombay money market was favourable, and that has also prevented us from taking up further schemes as it seemed useless to put forward further schemes until the ones about which we had already addressed Government had been decided. At the present moment we have several schemes in hand in connection with the construction and working of 2 feet 6 inch feeders, and if the Local Government could be given power to settle about these concessions direct with the promoters, instead of their having to be referred to the Government of India, it would greatly facilitate the extension of railway enterprise in the country. I refer of course to purely feeder lines and not to chord or main lines. If these feeder lines were constructed under the Tramways Act, they would come under the Local Government, but in that case it would not be possible to pay interest out of capital during construction. Possibly, an amendment of the present Tramways Act might be all that is necessary, but for the reasons stated above, the Local Government should have full power to grant concessions for feeder lines and settle terms with the promoters of the same.

33931. You have been engaged in negotiations from the financial point of view with the Local Government, for the construction of some feeder lines of railways since 1903?—Yes; but it was really, through the Local Government, with the Government of India.

33932. When did negotiations commence?—In July, 1903.

33933. Are they finished yet?—No.

33934. Can you tell us very briefly what these negotiations were. We had already got two feeder lines, and we wished to extend them both; and we applied in July, 1903, for permission to extend the Ahmedabad-Parantij Railway and the Ahmedabad-Dholka Railway. We sent two or three reminders during the next two years, but got no reply till 1905, when we got a letter regarding the Dholka Railway saying that the Railway Board wished us to submit proposals; to that we replied that we hardly understood that, as we had sent them two years ago. Apart from the technicalities possibly necessary to such extensions, there is no reason why we should not have got a reply. However, it so happens, I understand, that the concessions have now been sent Home to the Secretary of State for sanction; but we have got no reply officially yet. We think that such small lines could be much better dealt with by the Local Government than by the Supreme Government. *Mr. H. E. E. Procter.* 7 *Mar.*, 1908.

33935. Have you any reason to believe that the delay was caused by the Local Government in not forwarding your case?—I do not know. I was told by one of the Secretaries a year after our letters were sent in that he had put up a note on them.

33936. Cannot you tell us whether it is the fault of the Local Government, the Railway Board, or the Government of India?—No; but this occurred before the Railway Board came into existence.

33937. But you really do not know whether the Local Government sent up your case?—No.

33938. (*Mr. Dutt.*) In those cases where you send up such proposals do you generally ask for a guarantee of interest on the capital laid out?—No. We ask to be allowed to raise funds to construct a line to be worked by the parent line; and the proprietors of the latter give us a rebate of 10 per cent. on the interchanged traffic. They work it for 44 per cent. of the gross earnings, and give us this rebate. In the case of the two lines to which I have referred they have never given us any rebate, because we did not require it.

33939. Could the Government help in any way in the matter of facilitating feeder lines?—My suggestion is that the Local Government should have authority to deal with such lines; and that would most probably result in our getting our negotiations through quicker than at present.

33940. (*Mr. Hichens.*) Who would arrange the conditions with the main line proprietors?—We do not ask for any rebate or any guarantee of any sort now. We should be perfectly willing to have a clause inserted in the contract, to the effect that in the event of the parent line wishing to make a broad-gauge line where our line existed, they would have the power to buy us out.

33941. Is the definition of "feeder line" clear beyond dispute?—It can be limited to a gauge of from 2 feet to 2½ feet.

33942. Can it be so defined as not to be capable of misunderstanding?—I think so. Of course difficulties may arise; but the lines we have in view are purely feeders—2 feet, to 2 feet 6 inches.

33943. But you would allow the Local Government to interpret what was a feeder line, although their opinion might differ from that of the Government of India?—You do not think there is any danger of any trouble of that sort arising?—No, I do not think so.

33944. (*Mr. Meyer.*) I gather you are speaking simply of a line which can stand by itself?—Yes.

33945. But, still, you would have to carry out negotiations with the main line authorities regarding interchange of traffic?—Yes.

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33946. And suppose you and the main line authorities could not agree?—But surely they would want as much of our traffic as we could give them.

33947. Yes, but you must have an arbitrator, supposing you cannot deal with difficulties as to the share of the receipts which each party is to get, and so forth, yourselves?—There are two ways of dealing with the traffic. There is one way, in the first instance, of transmitting traffic over the feeder line to the nearest booking station and of re-booking it as through traffic; and the other is of booking straight through. With reference to our steamers, we have just concluded through booking arrangements with the various railways in Kathiawar and found no difficulties, as it was to the mutual advantage of both parties.

33948. You admit that the time may come when railway development may mean the transference to the parent bodies of your feeder lines. Is it not then desirable to settle beforehand the terms upon which this would be accomplished?—We are quite willing that such transference should be on the same terms as we have already with Government for our present line.

33949. There is a class of promoters who want a guarantee of interest for light railways. Would you leave that to the Local Government?—Personally, our firm would never ask for a guarantee of interest. I myself would leave it to the Local Government, however.

33950. You would give them the discretion to guarantee a certain amount out of their own revenues for the promotion of light railways?—Yes.

33951. (*Sir Frederic Lely.*) Have you ever had occasion to negotiate with Local Boards?—We have negotioted with the Jamgusar Local Board. We have practically now come to an understanding with them regarding the putting down of a line.

33952. Was that done directly?—Yes.

33953. Would you say that the system of feeder lines of railway, practically tramways, would be a very important feature in the progress of Gujarat?—I think so.

(*The witness withdrew.*)

The Rev. Dr. R. A. HUME was called and examined.

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33954. (*Chairman.*) You are a member of the American Marathi Mission at Ahmednagar?—Yes.

I was born of American parents in Bombay in 1847, spent my boyhood days in that city, received my college and professional education in the United States, and since 1874 have been a missionary in Ahmednagar. In these thirty-three and a half years I have taken a deep interest in the economic, social and political condition of India. I have taken some part in municipal and philanthropic work. In the great famine of 1899-1901 I had a considerable part in the administration of relief from America, and her late Majesty Queen Victoria bestowed on me the Kaiser-i-Hind gold medal for "public service in India." I have been an editor, and several times a delegate from Ahmednagar to the National Congress. I have had long experience in the administration of the affairs of a very large Mission, which has given me convictions in regard to the qualifications and relations of European and Indian workers, etc. I have had intimate relations with European and Indian Administrative Officers of all grades. A year and a quarter after my arrival in India, the main responsibility for the largest station of the Mission and for three considerable districts was suddenly thrust on me alone. I have consecutively served in Ahmednagar. Yet thirty-two years later in this same station, with five additional American male and twelve American female colleagues, and with the responsibility for two districts and for various departments wholly resting on these colleagues, I am more burdened with responsibility and find it harder to make time for intimacy with Indians than I did when carrying the entire responsibility alone. The main reason for this is the immense development of the work. There are two minor reasons. The first is: every far-sighted missionary must realise that the eventual success of his efforts will depend on the foreign missionary's becoming unnecessary, and on Indians entirely and satisfactorily carrying the entire responsibility for all enlarging situations. Therefore requiring, accustoming, and training Indian leaders to understand and to meet all such situations is one of the chief duties of a wise missionary. This has been my theory and to some extent my practice. I organised and have conducted the largest Divinity School in Western India for training pastors and leaders, and have aided in the organization and conduct of other institutions for training leaders. I have sought to place responsibility on Indians, and have not been deterred by some discouraging failures from continuing such efforts. Yet I consider the chief weakness of my service as a missionary to be not having with sufficient determination developed self-help and self-rule in the Indian Christian Community. The main reason for this omission is that I could do better than the Indian many of the things which had to be done, and Indians were not averse to my doing them. The average Indian does not seem to me to desire to assume any responsibility which another is willing to carry. But meanwhile, when the administration has become vastly more enlarged and complex, there are, first, many things which the missionary has not time to attend to properly, and so things which he is capable of doing better than the Indian are not properly done, and dissatisfaction arises. Secondly, Indian Christians with advanced education, but without administrative experience, begin to complain that they are not trusted, etc. Unintentionally, from pure devotion to the work, a mistake of omission has been made. It would have been better to have developed more Indian workers, and to have given less room for criticism that Indians of capacity were overlooked and neglected, even if still more mistakes had been made.

Another satisfactory feature in the general situation is that most individual Indian workers prefer to work under a European or American, than under an Indian Superintendent. So it is difficult for the foreign missionary to place adequate responsibility on Indians. The foreign missionary's situation is far less complicated than the European official's because (1) if Indian workers in a Mission fail to cause disaster, orderly government is not endangered, as it might be if failures should occur in Government officials; (2) there is difficulty in getting foreign workers in Missions, but brisk competition for Government position from capable Europeans. Nevertheless, it is my conviction that the strain of a growingly complicated system absolutely requires a devolution of responsibility from the higher Government officials of all departments, even at the risk of less efficiency, and of some failures. This is also necessary to lessen the increasing dissatisfaction of the educated classes.

Even subordinate Indian officials are greatly overworked. I have seen a great deal of the work of *mamlatdars* in Western India. In the main I entertain great respect for their capacity, integrity and efficiency. As a class they seem qualified to carry somewhat more authority than at present, but they certainly ought to be relieved of the too heavy strain which ordinarily devolves upon them, and which becomes appalling when famine, plague and other unusual emergencies increase their work.

I do not for a moment believe that the average European Administrative Officer is less sympathetic toward Indians now than a generation ago. On the contrary, criticism on this score has made them as a class more alert on this crucial matter. I believe the European Revenue Officer easily the most sympathetic, most intelligent, and hardest

working friend of the voiceless, otherwise unrepresented, toiling masses of India.

Transfers of European and also Indian officers seem to me far too frequent. This greatly and needlessly increases work, and lessens an understanding of situations and acquaintance with people. Despite drawbacks, most American Missions consider permanence of location and a consistent continuance of policy very promotive of success.

Honorary Magistrates seem to me to have been on the whole a success, and show that retired officials and leading citizens can from public spirit more and more relieve officials of considerable responsibility, can promote the public welfare, and can lessen expense.

I heartily approve of the creation of Advisory Councils of various grades.

33955. You have taken some part in municipal government in India?—Yes, in a limited sense. I have been a member of a municipality; but since I returned from furlough, it was obvious that there was to be much partisanship, and in view of the prevalent feeling I thought it would be no use for me to offer myself for election.

33956. You were not formerly elected?—No, but I was nominated by the Collector. And that nomination has not been renewed? The period had expired when I returned, and I was not renominated.

33957. Have you ever been an elected member?—No.

33958. Is the Chairman of Ahmednagar an official?—Yes; he is the Collector.

33959. And the Vice-President?—He is a nominated Parsee gentleman.

33960. Is the work of the municipality done by committees?—Mainly.

33961. Do the members of the committee take much interest in the work?—Some do to a great extent: some are indifferent.

33962. If the Collector were not available as Chairman, would it be easy to find a substitute?—The work would not be so well done.

33963. There would be difficulty in finding satisfactory substitutes?—I think so, especially because of partisanship and the existence of strong convictions on the part of each faction. In saying this I refer, of course, only to the particular municipality of Ahmednagar.

33964. But is it difficult to find suitable gentlemen for these posts in all municipalities?—In general I think it would be.

33965. You tell us that an unsatisfactory feature in the general situation is that Indians prefer to work under a European or American instead of under Indians. Does that apply in municipal Government?—I do not know that; but generally Indians believe that the European has more executive liberty, and is freer from bias or prejudice.

33966. Do you suggest that if the principal officers of a municipality were not nominated by Government the work would not be so well done generally, and that there would be a possibility of corruption and gross extravagance?—It would be indifferently done—not so much corruptly.

33967. Is any part of the lack of interest which you say is evidenced by the members of the Board due to the fact that their work is done under official supervision?—I would hardly like to express an opinion upon that.

33968. During the time you were a member of the municipality, was there much interference with a local establishment by the Collector or Commissioner?—Not improperly at all.

33969. Were such criticisms as he made confined to major heads of expenditure?—It was a question of general policy.

33970. Would it be worth while making the experiment of a certain amount of slackness and inefficiency with the aim of eventually making things better?—If things are congested now they will be worse in the future, and the best thing to do will be to put more responsibility on the local bodies.

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33971. A witness told us this morning that it would be advisable in his judgment to place responsibilities on the members of the municipality, and when they failed in their duty, to suspend the municipality?—I hesitate to say "yes" to that. But it has been done once in Ahmednagar district.

33972. Is that a wise policy?—I do not know how it affected the others. It has been done in the Konkan.

33973. With good effect?—I dare not express an opinion.

33974. You have had a great many changes in the *personnel* of the Collectors during the years that you have been at Ahmednagar?—The average period of service has been less than two years.

33975. Does that period of service enable an officer to get a sufficient knowledge of a district like Ahmednagar?—I think it is very inadequate; 28 men have served in 34 years.

33976. You are in doubt as to how long a Collector might be kept in his district on the average?—It would be presumptuous of me to say how long; but I think the longer the better. Five or six years would be little enough.

33977. Do most of the officials learn the language with completeness?—Sufficiently well, but really I am not in a position to say.

33978. Do they know the language better than you do?—No; I was born in this country. I do not think they have the same opportunity as I have had.

33979. (*Mr. Meyer.*) Has the budget of Ahmednagar to go up to the Commissioner for approval?—I believe it does. There was a meeting called recently to consider it, but on account of the sickness of the Collector the items could not be gone through. However, the budget is very carefully prepared and is sent up for approval.

33980. Has not the municipality got rather seriously into debt?—About Rs. 30,000.

33981. In fact it has incurred more debt than it can well pay?—It is in a very serious condition.

33982. Is that through mismanagement?—The water-works for which the debt was incurred have not been a success, and therefore we have been put to extra expense for water-supply. We have now to pump the water into aqeducts.

33983. But there was considerable miscalculation as to the resources of the municipality?—I ought not to speak without exact knowledge, and I have not been a member for several years.

33984. But you take an interest as a citizen. I want your opinion as such?—I do not know who could have done better. We have to do the best we can in the circumstances.

33985. In so far as the municipality has got into an unfortunate position, how far would you say that that was due to mismanagement and misfortune on the part of the municipality, and how far to lax supervision of the Government?—I think the major fault lies in the first head, but I also think that it lies with an overburdened Superintendent; but the present Collector has been most alert.

33986. Possibly previous Collectors were not so alert?—They may not have been; but the major fault lies with the municipality.

33987. You speak of the difficulties of getting competent non-officials to take up municipal work, but you also refer to the fact that retired officials have often fulfilled public duties?—Yes.

33988. Have you any experience of the District Board?—Very little. I have never been a member.

33989. Are you much concerned with education in your mission?—Yes.

33990. In that sense you come into relations with the municipality?—The municipality has nothing to do with it. Everything is done through the Education Department.

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33991. Do your schools get grants direct from the Government?—Yes.

33992. Is that the usual position in regard to Mission schools?—That is my impression. Possibly Bombay may be cited as an exception. The lower grades get their grants from the Bombay municipality.

33993. You say that public feeling is growing in this country; but do not some people who have public spirit, or profess it, too often act from party spirit?—It is too often party spirit, but despite that reason I would try it.

33994. You think you would know in many cases how to find a good panchayat?—I think I could.

33995. Would you give them the charge of the village school?—Yes, within limits.

33996. You would give them power to dispose of petty civil and criminal matters?—In the better villages.

33997. Then I take it that that is a matter not to be rushed. You must take your best villages, experiment, and introduce the system very carefully?—I think so.

33998. (*Sir Steyning Edgerley.*) Has not the Ahmednagar municipality had a very difficult 10 years?—It has. It has been very hard hit, especially by famine and plague.

33999. And these different hardships would affect the most flourishing municipality quite apart from any mismanagement?—Yes. During one plague epidemic 10 per cent. of the inhabitants died during the first six months.

34000. These trouble, then, in a measure explain the financial condition of the municipality?—They do.

34001. You suggest that it is the right thing for the benefit of the country to make the natives of the country accept responsibilities?—I think so.

34002. What measure of success have you attained in that sense?—We have had both success and failure.

34003. It is a difficult and delicate matter?—Yes; and the process is slow.

34004. You could not get one of these panchayats, and expect the members to be efficient in 10 years?—I am not prepared to say how long—but it will take time.

34005. You say that most natives prefer to work under a European or an American. That is a confirmed impression on your part?—It is.

34006. Would you also that that the "Kunbi" prefers a decision of his case by a European to one by a tahsildar?—Yes.

34007. You have been 30 years at work. During that time what opinion have you formed of our Subordinate Service?—I think it is on the whole a good Service.

34008. (*Sir Frederic Lely.*) Are the *mamlatdars* good officers?—Yes.

34009. Is your experience in the district that they are much more trustworthy than formerly?—Yes, they are. There are fewer complaints about them. They are reliable servants on the whole; but they are very much overworked. They must scamp their work sometimes because they cannot cope with it.

34010. Is the European officer in a district wanting in sympathy with the people?—I think he is an alert and sympathetic friend of the voiceless masses.

34011. That is from your experience?—Very much.

34012. With reference to the number of Collectors who have come and gone in the course of 34 years, is it not a fact that Ahmednagar is a favourite district?—It is.

34013. They do not willingly go away?—Never.

34014. Are the proceedings in the municipality conducted in English or vernacular?—Generally in English. The Collector will, as a rule, speak in English.

34015. Then very often meetings will take place, the proceedings of which are only partly understood?—Yes.

34016. Looking back to your early days in the country, would you say that no great changes have taken place in the relations between the people and the Government officers?—The only marked change I find is that the officers are very much over-worked.

34017. Do the English officers speak the vernacular better or otherwise than formerly?—I do not feel qualified to say; but some of them I think have got a good deal to improve in.

34018. Do your Christian converts live out in the districts?—There are 20,000 in the district; of these 1/10th are in the city, and the others are in the outside districts.

34019. Are you acquainted with any cases in which any one of them has had occasion to bring a grievance to the Government officers?—Whenever the Collector starts out he sends a letter inviting anyone to communicate regarding grievances.

34020. Your people find no difficulty in getting a hearing for their complaints?—None at all.

34021. You say the *mamlatdars* are very much over-worked. Do you know any of them personally?—Very many.

34022. Are they under-paid?—They do not complain about their pay.

34023. Do any of your Christians live in non-Christian villages?—Yes.

34024. What is your opinion about the village officers?—They have their weaknesses of many kinds, and they have their prejudices; but some of them work very hard.

34025. Does the *kulkarni* work very hard?—Yes. But he does not get a living wage and has got to get perquisites from many quarters.

34026. Is not that method demoralising?—On the whole, no. It is the way of the land.

34027. The native would not regard it as we would?—No, but still he is learning to think it not right.

34028. (*Mr. Dutt.*) You have given the *mamlatdars* a good character?—I respect them as a class.

34029. And they try a good many criminal cases?—Yes.

34030. And the Subordinate Judges try a good many civil cases?—Yes.

34031. And they are also good Judges?—I am very pleased with them.

34032. Have you had many cases in which the parties wanted to have their case transferred to a European officer's Court?—I think if they had a choice, the natives would prefer that.

34033. Have you any facts justifying that statement?—If they have the choice they would send their cases to the Collector or the Assistant Collector rather than to the *mamlatdar*.

34034. Is not that because the Collector is a higher official?—I do not think that is the only reason.

34035. But upon what facts do you base the opinion that the ordinary people would rather have their cases tried by a European officer than by an Indian officer of the same rank?—I think sometimes they are mistaken, but if they had the choice they would expect their case to be tried quickly and thoroughly by a European.

34036. But have you got in your mind any particular case?—I might cite the case of *tagai* advances; in these a European would be much quicker in his decisions than an Indian.

34037. My question rather supposed the officers were of the same rank?—Even then the native would prefer the European, I think.

34038. Have you any facts to justify that?—I have been in close contact with them, and I had lots to do with famine relief works, etc. And for instance I have known a case of an Indian official coming up to the Relief Committee for money, and the question has been put to him by the Chairman "How much would you like?" He would say in answer "15,000 rupees." He would be informed that that amount was not available, and his reply would be, "Well, say 5,000 rupees." When a man comes down in that way there is some justification for my impression.

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34039. And such facts lead you to the opinion which you have already expressed that the people in this country generally would rather have their cases taken before a European officer than before an Indian officer?—I do think so.

(*The witness withdrew.*)

Adjourned.

FIFTY-FOURTH DAY.

BOMBAY, *Monday*, 9*th March*, 1908.

PRESENT:

C. E. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Mr. RAFIUDDIN AHMAD was called and examined.

34040. (*Chairman.*) You appear to give evidence on behalf of All-India Moslem League?—I do. I am a native of Poona.

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The chief disability which Muhammadans suffer is the absolute want of representation both in the Government itself and in its administrative institutions. No detailed manipulation, therefore, of the forces already in existence would affect this central grievance. Excessive centralization at the Imperial Secretariat seriously interferes with the efficiency of the administration in the provinces, but India is not merely a country of many provinces with different requirements but also of many communities with divergent interests, and efficiency cannot be secured until the machinery of the administration is so adjusted that not merely each province, but also each great community, is administered in the way best calculated to promote its welfare. The first and essential form of decentralization which we demand is the destruction of monopoly or concentration of official power in any one caste or class in India. Any inquiry into the processes of government and administration of India which leaves aside this vital question of the centralization of power will be defective, incomplete and abortive. Municipalities are "the initial rungs in the ladder of self-government," but owing to serious defects in the Municipal Act, the Muhammadans cannot avail themselves freely and fully of the advantages to be derived from those institutions. For purposes of election a city is divided into electoral wards in which Hindu and Muhammadan voters are grouped together for the purpose of electing candidates irrespective of their nationality. As things stand in India the Hindus generally vote for Hindu, and Muhammadans for Muhammadan, candidates. But unfortunately for the Muhammadans they do not generally reside in any particular wards, and they are therefore very often found in a minority in great many of them. Hence they seldom get their candidate elected to the municipality or, when they do, they are not those that would be elected were consideration given to this defect in the law. Thus, Poona has roughly a population of one lakh of inhabitants, one-eighth of which are Muhammadans, and the city returns twenty elected members to the municipality. The Muhammadan population is scattered all over the city. During the last 25 years not a single Muhammadan member has been elected to the municipality. It would be futile to even suggest that capable Muhammadans have not been available for purposes of municipal government during the last quarter of a century, and it would be false to say that there have not been some who desired to give such public service. There are other places similarly situated. It needs no further demonstration to show that regulations which permit of a great section of the community being entirely unrepresented on a public body which controls their sanitary surroundings, educational needs and even religious concerns, is defective in the extreme and wholly unworkable. I do not say it is necessarily the fault of the Hindus in not returning Muhammadan members. It is quite natural, and the time when such factors will not operate is very far ahead. I believe the case would not be different were the Muhammadans in the majority and under similar circumstances. Muhammadans not being adequately represented on the municipalities means, not merely that they do not get equal opportunities of preparing themselves for self-government, but also their entire interests as a community suffer for no fault of theirs. It is therefore absolutely necessary that the local authorities should in every case be required to declare the number of Hindus and Muhammadans entitled to seats on municipal and District Boards, and either community should be allowed severally to return their own representatives. This last clause is very important. It has lately been suggested that after declaring the relative proportion of the members of the two communities in a town the voters irrespective of their community should be allowed to vote for a Hindu or a Muhammadan candidate. Such a provision would destroy the very object for which we demand class representation, because in such a case the Muhammadan candidate, who would be in sympathy with Hindus in all matters of importance, would readily be elected, and he would naturally vote with the Hindus on whose good-will he would have to depend for his re-election. It is frequently asserted that Hindus and Muhammadans are one nation, and it did not matter which community dominated the municipality. The old common law of England declared that husband and wife were one person in the eye of the law, but that person

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was the husband. Likewise Hindus and Muhammadans are one nation, but that nation is the Hindus, thanks to the municipal law. As a community we have interests which are not shared by other communities and which not infrequently conflict with those of the Hindus, and it is therefore a matter of life and death for us to have separate representation of our community in the municipalities. The necessity has become all the more imperative ever since the municipalities have been allowed to return members to the provincial Legislative Councils in 1893. What is true of municipal elections is also true of the elections of the provincial Councils. In this Presidency, for example, no Muhammadan has been elected ever since 1893, and there is no likelihood of anyone being elected in the future. With due protection of the minority and class representation for the Muhammadans, I am in favour of granting larger powers to Presidency Municipalities but not to others.

There are, throughout India, in all the High Courts and Chief Courts, only two Muhammadan Judges, who have been only recently appointed. That among 65 millions of Indian Muhammadans there are not to be found more than two persons competent to fill such positions is a libel upon the race, and a blot upon British enlightenment, because during more than 100 years' connection with India, England could not train more than the limited number given above for such honourable positions.

With regard to the personal contact of Executive Officers with the people, many officers have not the time, but some of them have not the will, to cultivate friendly relations with the people. Governors and Heads of Administrations are no doubt making efforts to promote social intercourse with Indian gentlemen. But unfortunately their efforts seem to be confined to meeting persons of title or money. There is no private friendship in India between Executive Officers and Indian gentlemen. Executive Officers are busy in their offices and are often inaccessible at home. But they are much more so when they repair to their clubs, as some of these latter institutions even prohibit native gentlemen from entering their premises. As long as such a spirit continues no rules could remedy the evil. They should encourage as far as possible institutions of a cosmopolitan character. The free exchange of views and opinions which can take place under the condition of club life would be invaluable to the promotion of good-will and perfect understanding. Our opinions of each other are often biassed by pure ignorance. Muhammadans, Rajputs and other aristocratic and martial races feel the social exclusion most bitterly. And every England-returned Indian resents it because he compares Englishmen at home with Englishmen in India to the discredit of the latter. Heads of Administration and Executive Officers might invite native gentlemen as frequently as possible to dinners, as an impression prevails that an Englishman cannot be said to be friendly with anyone unless he invites him to his table. An additional allowance might be granted to Executive Officers for this purpose.

The Executive Officers do not possess sufficient knowledge of the vernaculars. They never speak to a native gentleman in his vernacular when they know that he knows their language. In other words, they never learn Indian languages for any other purpose than for passing examinations. There are, of course, conspicuous exceptions. I have known British officers who could speak and write Urdu quite as well as, if not better than, an educated Indian Muhammadan. Language is a great bond of sympathy. The officers who take an interest in the languages of the Muhammadans also evince interest in the welfare of that community. The popularity of Warren Hastings and other early English rulers was not a little due to their perfect knowledge of Indian languages.

Concentration of all power in the hands of a single caste or class is most undesirable, and it is the decentralization of such a concentration that we principally desire. That Muhammadans do not get anything like their fair representation in the municipalities and Councils has been already demonstrated. Their representation in the service of the State is equally, if not more, inadequate. Take again the Bombay Presidency. Out of 205 *mamlatdars* exercising magisterial powers, only four were Muhammadans. And out of 141 Subordinate Judges in this Presidency, including Sind, which is a Muhammadan province, only two are Muhammadans. So long as Government recognizes that the Muhammadans are to be governed by their own Sacred Law in matters of inheritance, marriage, divorce, etc., the people must have an assurance that the Law is expounded in accordance with the requirements of their religion. Before the Mutiny there were Muhammadan *muftees* who dealt with this branch of the Law. But they have been abolished. Now, as will be seen from the above, the Sacred Law of the Muhammadans is administered mainly by Hindus. There are, throughout India in all the High Courts and chief Courts, only two Muhammadan Judges, who have been only recently appointed. In a country like India, where the service of the Sircar is everything, the Muhammadan community suffers considerably in prestige owing to its ridiculously small representation in Government Service. There are grave reasons against the centralization of power in one caste.

In the Gazetted and Subordinate and Ministerial Services of all Indian provinces a due proportion of Muhammadans should always find a place.

34041. Have you ever had experience of Local Government administration in any way?—Not directly; only indirectly as an observer and a student of politics and a citizen critic.

34042. You tell us among other things that there is no private friendship possible apparently between Executive Officers and Indian gentlemen. Do you find that the difficulties which exist between officials and inhabitants of districts are confined to European officials?—They are confined mostly to Europeans. There is a desire on the part of Indians to be as friendly as possible.

34043. We have had evidence before us that Indian officials are as apt to be as aloof from the people of the district that they administer as European officials?—All officials are exclusive, but it is more so in the case of Europeans.

34044. You say that the official never talks in the vernacular?—As far as possible he does not. If he knows that an Indian gentleman talks English he will not talk in the vernacular. I have always known it to be so.

34045. You also refer to the distribution of offices between Hindus and Muhammadans. Are you quite certain of the statement that out of 205 *mamlatdars* in the Bombay Presidency only 4 are Muhammadans?—I took my figures from the Bombay Civil List.

34046. (*Mr. Hichens.*) How is the appointment of a *mamlatdar* made here?—There is an examination.

34047. In reference to municipalities, you say "it is a matter of life and death for us to have a separate representation of our community in the municipalities." The work of a municipality consists particularly of attention to roads, sanitation, water-supply, and education?—My reference is particularly to the matters of education and burial grounds, and the question of language.

34048. You feel that you are not sufficiently represented to secure all that you require in these respects?—Yes.

34049. Do the Muhammadans in Poona frequently stand for election?—They have done so, but they are disappointed, and I do not think they come forward very much now.

34050. Speaking generally, are they ready to come forward and contest an election?—As I say, there is not a chance of their election; if there was, they would come forward.

34051. (*Mr. Meyer.*) Supposing the present system of the election of municipalities and District Boards by wards or other territorial unit continues, you do not desire to give these bodies more power than at

present?—No. We do not want further extension of powers so much as greater efficiency.

34052. But as the local bodies are at present constituted you prefer the Executive Officer?—I do.

34053. But if you had a system of representation such as you desire, of caste and class, you would be prepared to give some larger powers than at present?—By degrees. Those constituting these bodies have not yet had sufficient education in Local Government, especially my own people.

34054. Have you any experience of village life?—Yes, I have lived in villages.

34055. There has been a certain amount of evidence given before us here and in other provinces as to the desirability of constituting panchayats and giving them a certain amount of power in regard to the village school and the disposal of petty cases, etc.?—I do not think the time has arrived for it yet.

34056. Do you think, assuming such a scheme, there might be a conflict of caste or other interests?—I think so.

34057. And minorities might go to the wall?—That is my opinion.

34058. (*Sir Steyning Edgerley.*) What is the All-India Moslem League?—It is a representative political body representing Muhammadan interests throughout India.

34059. Who is its President this year?—We have not yet settled. At present we have no permanent President. A permanent President will be elected shortly.

34060. Was this representation of yours passed at a general meeting of the League?—No.

34061. It is a personal representation?—But the opinions given in it are certainly those of the body itself. The statement is my own.

34062. Are you acquainted with Mir Allah Baksh Khan Talpur?—I have heard his name.

34063. Have you ever heard of the late Sirdár Khán Bahádur Muhammad Yakub?—Yes, I knew him.

34064. Do you happen to know the Honourable Mr. Shaikh Sadik Ali?—Yes, I know him.

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34065. And yet you tell us that in this Presidency, for example, no Muhammadan has been elected since 1893 to the Legislative Council?—I mean from the municipalities. There is no chance for a Muhammadan to be elected.

34066. Is there not only one municipal constituency in the province, except Bombay, namely the Northern Division?—There are four municipal and District Board constituencies.

34067. Then you institute a comparison between the number of Muhammadans amongst the *mamlatdars*, and in the next sentence you institute a comparison about Subordinate Judges in the Presidency and Sind; but you omit Sind as regards *mamlatdars*. Why do you leave out Sind?—Because I did not find it in the Civil List. The *mamlatdars* in Sind are not given in the Civil List along with those in the rest of the province, like the Subordinate Judges are.

34068. As a matter of fact there are a great many Muhammadans on the list of *mukhtyarkars* in Sind; your figures would not have been quite the save had you taken the whole Presidency?—It may be so.

34069. And if you include Deputy Superintendents of Police your figures would have been still more difficult to support?—I know that in the police we have better representation than in any other department.

34070. Have you ever heard of the Hon'ble Mr. Justice Badruddin Tyabji?—Yes.

34071. And also of the Hon'ble Mr. Justice Amir Ali?—Yes.

34072. It is then hardly correct to say that the British Government has been able to train only two Muhammadan Judges in the last hundred years?—There are only two Muhammadan Judges at the present time. Including them there have not been more than five during the last hundred years.

(*The witness withdrew.*)

BAL GANGADHAR TILAK was called and examined.

34073. (*Chairman.*) Where do you reside?—Poona. I was a member of the Poona municipality for about three years.

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The question of centralization or decentralization of the powers of the administrative machinery involves the considerations of uniformity, smoothness and regularity of work, general efficiency, economy of time, work and money, popularity, &c.; and speaking broadly these may be classed under three different heads: (1) Efficiency, (2) Economy, and (3) Popularity. I do not think it is seriously contended that the efficiency of administration has suffered merely owing to over-centralization. On the contrary it is urged that it is worth while making the administration a great deal more popular, even if it would become a trifle less efficient by decentralization. But the cry for decentralization has its origin in the desire of the local officers to have a freer hand in the administration of the areas committed to their care. They believe that their life has been made rather mechanical or soulless by over-centralization; and having naturally attributed to the same cause the growing estrangement between themselves and the people, they have proposed decentralization as an official remedy to remove this admitted evil.

The general public is indifferent whether efficiency and economy are secured by more or less official decentralization. It is entirely a matter between higher and lower officials, between the Secretariat and the local officers, or between the Supreme and the Local Governments. The people still believe that centralization secures greater uniformity and regularity, and reduces the chances of the conscious or unconscious abuse of power resulting from unappealable authority being vested in lower officers, and would rather oppose decentralization in this respect. The only complaints against the existing centralization or decentralization hitherto raised by the people are (1) the combination of the executive and the judicial functions in the same officers, (2) financial centralization in the Government of India as evidenced by the provincial contract system, (3) the partition of Bengal, and (4) excessive growth of departmentalism encroaching upon popular rights. But these, excepting the second, do not form the subject of the official grievance against over-centralization.

My knowledge of the internal working of the different departments of administration is too limited to make definite proposals regarding the re-distribution of power and authority between various officials so as to thereby to make the administration more economical than at present. I shall, therefore, confine my remarks mostly to the popular aspect of the question, and to the four complaints noted above.

It is idle to expect that the adoption of the loose and irregular system of earlier days would remove the present estrangement between officers and people. It is true that in earlier days the relations between officers and people were more cordial; but this was not due to the looseness of the system then in vogue. In days when the system of British administration had yet to be evolved and settled, the help of the leaders of the people was anxiously sought by officers as indispensable for the smooth and efficient administration of a new province. The officers then moved amongst the people and were in touch with them, not as a matter of mere goodness or sympathy, but as a matter of necessity as they themselves had yet many things to learn from these leaders; and this much satisfied the people at that time, as new aspirations were not as yet created. This state of things has ceased to exist. The creation and

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gradual development of the various departments, the framing of rules and regulations for the smooth working thereof, the settlement of all old disputes, the completion of the revenue survey, the disarmament of the people, the gradual waning of the influence of the old aristocracy including the higher class of *watandars*, the compilation of the works of ready reference on all matters embodying the experience of many years for the guidance of the officers, and other causes of the same kind, joined with the facilities for communication with the headquarters of Government, have all tended to make the local officers more and more independent of the people and so lose touch with the latter. Over-centralization may, at best, be one of such causes; but if so, it is to my mind very insignificant. No amount of decentralization by itself can therefore restore that cordiality between the officers and the people which existed in the earlier days of the British rule as a necessity of those times; and though the present officers may by nature be as sympathetic as their predecessors, it is not possible to expect from them the same respect for growing popular opinion as was exhibited by their predecessors in older days. Under these circumstances such further decentralization as would tend to vest greater powers in the lower officials will only make the system unpopular by encouraging local despotism which the people have justly learnt to look upon with disfavour.

The only way to restore good relations between the officers and the people at present is, therefore, to create *by law* the necessity of consulting the people or their leaders, whom the old officials consulted, or whose advice they practically followed, as a matter of policy in earlier unsettled times. This means transfer of authority and power not between officials themselves, but from officials to the people, and that too in an ungrudging spirit. The leaders of the people must feel that matters concerning public welfare are decided by officials in consultation with them. The officers did it in earlier days as a matter of necessity, and the necessity which was the result of circumstances in those days must, if we want the same relations to continue be now created by laws granting the rights of self-government to the people, and thus giving to their opinion and wishes a duly recognized place in the affairs of the State.

I do not mean to say that this could be done at once, or at one stroke. We must begin with the village system, the autonomy of which has been destroyed by the growth of departmentalism under the present rule. The village must be made a unit of self-government, and village communities or councils invested with definite powers to deal with all or most of the village questions concerning education, justice, forest, *abkari*, famine relief, police, medical relief and sanitation. These units of self-government should be under the supervision and superintendence of *taluka* and District Boards which should be made thoroughly representative and independent. This implies a certain amount of definite popular control even over provincial finance; and the provincial contract system will have to be revised, not merely to give to the provincial Government a greater stability of and control over its finances, but by further decentralization to secure for the popular representative bodies adequate assignments of revenue for the aforesaid purposes. This will also necessitate a corresponding devolution of independent legal powers on the popular bodies whether the same be secured by a reform of the Legislative Council or otherwise. Mere Advisory Councils will not satisfy the aspirations of the people, nor will they remove the real cause of estrangement between the officers and the people. The remedy proposed by me is open to the objection that it means a surrender of power and authority enjoyed by the bureaucracy at present, and that the efficiency of the administration might suffer thereby. I hold a different view. It should be the aim of the British Administration to educate the people in the management of their own affairs, even at the cost of some efficiency and without entertaining any misgivings regarding the ultimate growth and result of such a policy. It is unnecessary to give any detailed scheme regarding the organization of village, *taluka* or District Councils proposed above; for, if the policy be approved and accepted, there will be no difficulty in framing a scheme or making alterations therein to meet difficulties and objections as they occur in practice.

Unnecessary growth of departmentalism is well illustrated by the latest instance of the partition of the Khandesh District. The partition of Bengal is the worst instance of the kind. These are objectionable even from an economical point of view, and in the case of the partition of Bengal the policy has deeply wounded the feelings of the people. The revenues of the country are not inelastic; but the margin, as soon as it is reached, is swallowed up by the growth of departments at the sacrifice of other reforms conducive to the welfare of the people. In this connection I may here state that I advocate a re-arrangement of provinces on considerations of linguistic and ethnological affinities, and a federation thereof under a central authority.

To conclude; the mere shifting of the centre of power and authority from one official to another is not, in my opinion, calculated to restore the feelings of cordiality between officers and people, prevailing in earlier days. English education has created new aspirations and ideals amongst the people; and so long as these national aspirations remain unsatisfied, it is useless to expect that the hiatus between the officers and the people could be removed by any scheme of official decentralization, whatver its other effects may be. It is no remedy—not even palliative—against the evil complained of, nor was it ever put forward by the people or their leaders. The fluctuating wave of decentralization may infuse more or less life in in the individual members of the bureaucracy, but it cannot remove the growing estrangement between the rulers and the ruled, unless and until the people are allowed more and more effective voice in the management of their own affairs in an ever expansive spirit of wise liberalism and wide sympathy, aiming at raising India to the level of the governing country.

34074. Were you either the Chairman or the Vice-Chairman of the Poona municipality?—No.

34075. During the time that you were a member of the Poona municipality was the Chairman elected or nominated?—He was elected by the members of the municipality.

34076. Does the same apply to the Vice-Chairman?—Yes.

34077. What class of gentlemen were they generally chosen from?—The President of the municipality for three years was a Parsi, and after that for nine years a Parsi presided over the municipality.

34078. Did you do your work through committees?—Yes.

34079. As a member of the municipality, did you take some part in the administration of the work?—Yes, I was a member of the Managing Committee and also of the School Board which controlled the primary schools in the city.

34080. As a member of the municipality had you a fair share of influence upon the proceedings?—Were you perfectly free to say what you thought?—I cannot quite say, but I think I did influence it to a certain extent.

34081. Had all the members of the municipality an opportunity of perfectly free discussion?—Yes.

34082. With regard to the village system you say that you think that any system of decentralization must be based upon the restoration of village autonomy; but that that has been destroyed?—It has been destroyed but it may be revived.

34083. In Bengal we were told by a witness that the village communities were no longer existent and that the people had been driven into the towns; is that the case in Bombay?—To a certain extent it is.

34084. Would that apply to the better class families?—No, to the lower classes.

34085. In the villages is there still a class which would be capable of undertaking the duties to which you make reference, such as education and so on?—Yes, that is my opinion.

34086. As regards the powers of a panchayat in its civil and criminal jurisdiction, would it be wise to trust to a panchayat which might be chosen from all sections of the village or which might be chosen from one dominant faction in the village?—It would require to be safeguarded by certain checks, but I think it would be wise to grant those powers to a panchayat chosen from all sections.

34087. It has been represented that the poorest raiyat would feel permanently injured if he were sentenced to even a day's imprisonment by the members of a panchayat and that there might be considerable danger of that if the members belonging to a hostile faction?—I do not think there are factions in villages.

34088. Does only the one sentiment exist?—Even if there were factions, I do not think there is any danger because it could be provided for by making rules; for instance, a man could select his own panchas, or a transfer of a case might be allowed to a neighbouring village panchayat, as we transfer a case from one Judge to another.

34089. If a transference of jurisdiction were allowed, would there not be a danger of its being constantly done?—It should be allowed to be done only sparingly.

34090. Should the decision of a panchayat be final in all cases in which they have jurisdiction?—Not in all cases, but in the majority of cases.

34091. A witness suggested to us that in all suits up to the value of Rs. 50 their decision should be final; would you agree with that?—I would suggest something like that, but matters of that kind ought to be left to details afterwards; one cannot lay down here a hard and fast rule, but some limit ought to be laid down, whether Rs. 50 or Rs. 100 might depend on the state of a village.

34092. Would you also agree with another witness who said that pleaders should not be allowed to appear before panchayats?—Even if they were allowed I do not think the people would engage them. In ordinary cases I do not think they are necessary and should not be allowed, but in cases involving life and death, and large properties, they may be allowed.

34093. But suits concerning large amounts of property would hardly come before a panchayat?—They might in the first instance.

34094. Would you contemplate that they should have large powers like that?—Yes, but in very few cases.

34095. Would you like to see a considerable extension of power to municipalities, even though those municipalities made serious mistakes in the course of their administration?—Some check might be provided for as in the case of District Boards.

34096. What form should that check take?—A sort of superintendence to be exercised just as a Collector now provides that check. The Collector of a district has certain powers of supervision, and those powers may be entrusted to the Board in the case of a municipality.

34097. Taking a *mufassal* municipality of about 15,000 people, should there be some outside check upon it?—Yes.

34098. What form would that check take?—I would suggest the District Board if it is elected and constituted as I suggest.

34099. Would you give the District Board power to exercise a check over municipalities?—Yes, in their districts, and the municipalities should be represented on the Board.

34100. Supposing a municipality overspent its income, would you give the District Board power to step in and say, "We suspend your functions and remove you from office and take over your finances"?—Yes, as to small municipalities, but not in the case of larger ones.

34101. Do you think that would prove an effective check?—I think so.

34102. You say the "unnecessary growth of departmentalism is well illustrated by the latest instance of the partition of the Khandesh district"; speaking generally, are the districts in Bombay too large to be administrative units?—I do not think so.

34103. (*Sir Steyning Edgerley.*) Would you admit that it is a disadvantage to have the authority with whom a decision rests too far away from the people affected by that decision?—I think the first authority should be close at hand, but the appellate authority may be a little farther off.

34104. But if the first authority close at hand has constantly to go for sanction to the authority further off, you practically come to the further off authority deciding?—Yes, if it were constantly the case.

34105. May it not be contended then that efficiency of administration really does suffer when you have constantly to go to a very distant authority?—But there is the other side of the question, too. Taking the authority on the spot, the only check is an appeal according to certain rules laid down, and if that check is removed there is a danger of the personal rule being carried to extremes.

34106. Subject to appeal and general rules and regulations, you think there is no danger?—No, then there is no danger of the local officers acting autocratically.

34107. So that it might be "seriously contended" that there is some loss of efficiency in having to go to a distant authority?—If every case has to be referred to a higher authority, there must be loss of time.

34108. Is not loss of time loss of efficiency?—It is.

34109. You say that one cause of complaint has been in the financial centralization in the Government of India?—That is to say, in the provincial contract system, enough liberty is not allowed to Local Governments.

34110. What remedy do you suggest?—I would grant more definite powers of control and stability of finance to the provincial Governments.

34111. Have you any sort of scheme to place before us?—No, but it is a matter which will have to be looked into. I would propose an allotment of certain heads of revenue to be permanently assigned to the Local Government.

34112. Is the decay of the village system not due to somewhat wider causes than the growth of departmentalism? In all countries as education progresses you pass from communism to individual rights?—There is that social and economic force.

34113. And would you remedy that by trying to create an administrative power in the villages?—Yes.

34114. Do you think that the suggestion of Advisory Councils is not adequate to meet the present feeling in the country and that a share of administration is necessary?—What is desired is a share in the administration and not merely giving outside advice which may, or may not, be followed.

34115. (*Mr. Meyer.*) Is your position that it is better to sacrifice a little efficiency in order to get more in touch with the people and do more what they would like?—Yes.

34116. Taking, for instance, the remission of land revenue, would not the people prefer that the Collector should be able to remit at once than to have to go to the Commissioner or Government for sanction?—I am not proposing any transfer of revenue jurisdiction to villages.

34117. But at present in Bombay the Collector cannot do much more than suspend land revenue within a certain amount and give some very small remission—suppose he could give a larger remission, would that not be more gratifying to the people?—It would be agreeable to the people, of course, but the question would be whether Collectors should be allowed to grant remissions in that way, and whether the provincial revenues would not suffer.

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34118. Supposing the provincial Government were willing to delegate power to the Collector so far in a matter like that, might not decentralization be a popular thing?—It would be an advantage in that case, if regulated by certain rules, but otherwise there would be inequalities, and people in one district might complain of laxity in others. Certain general principles might be laid down, and discretion left to the Collector.

34119. Take again, for instance, a small matter such as the cutting of a tree—the *mamlatdar* cannot give permission to do that at present; would not the people be rather glad if they could get a final order from him to do so?—My remedy is that he should have power in that respect.

34120. You speak of the five years' financial settlement, but are you aware that now there has been a *quasi*-permanent settlement entered into with the Government of Bombay, and that the Government of India have done away with the system of quinquennial revision, and have given to the Government of Bombay certain entire heads of revenue and shares of others which they are to keep permanently?—I am aware of that; it was done recently.

34121. Mr. Gokhale said that even if the provincial Governments got wider powers in other respects, he would not give them larger powers than they now have with regard to the creation of fresh appointments, which ought to be subject to check by an outside authority—would that be your view also?—So far as the power is vested in the Government alone, without any popular control, Government should not have the power.

34122. At present the Local Government cannot create a fresh appointment over Rs. 250 and Mr. Gokhale told us that he would give them larger financial powers in other respects, but he would not give them any further power in regard to the creation of fresh appointments—is that your opinion?—Not if the power is to be exercised without popular check and control. Some check is necessary.

34123. Mr. Gokhale also told us that in his opinion the Bombay land revenue system has been rather unduly rigid, and that some beneficial reforms had been introduced at the instance of the Government of India in regard to the remission of land revenue and famine relief; have you anything to say as to that?—What the people asked was that there should be no individual inquiry in cases of remission, and that remission should be granted to all if the crops failed beyond a certain limit in a district; that was the demand made, and it has been conceded.

34124. So far, is that an improvement?—Yes.

34125. You spoke of the District Board under your scheme controlling the smaller municipalities if they abused their powers, but if a city municipality got hopelessly into debt or was found to be neglecting vital interests, who would step in, the District Board?—Yes, in certain cases.

34126. Taking a city like Poona, would you put the municipality under the Poona District Board?—I do not think that is likely to happen, because growing public opinion would prevent it.

34127. But you would not give the Government power?—No.

34128. You are aware that in England the Government has power to interfere with Local Boards in certain cases?—The case of England is quite different; there the municipality has a voice in Parliament, and can put the matter before the people, but there is nothing of the kind here.

34129. Would your ideal be a sort of federation of provinces under a central authority?—Yes, something like the American system.

34130. What general functions would you give to the central authority?—Imperial questions might be taken up by the central authority, and provincial questions left to the provinces.

34131. Is not land revenue a provincial question primarily; would you allow the central authority to enunciate principles as to land settlement?—Yes, I think they might lay down general principles.

34132. How do you propose to constitute panchayats in your village system; are they to be elected or nominated?—Elected.

34133. Would you introduce the system all at once, or would you recognise that it must be gradual?—It would not be all at once. The principal villages in the *taluka* might be invested with powers, and they might be gradually extended to smaller villages.

34134. You mention medical relief among other things which a panchayat should deal with; how would they deal with that?—That is an old system; a group of villages used to have their own doctor.

34135. What would you do with the existing dispensaries; would you give them over to the panchayats?—I do not think there are any dispensaries in the villages now, but only in the *taluka*, and they might be given over to the *taluka* Boards.

34136. Would your district and *taluka* Boards do much the same thing, on a larger scale, as you would allot to the panchayats?—Yes.

34137. Do you desire to keep the Collector entirely away from these local bodies?—Not entirely away, but he should not be a controlling authority; he might come in as a member. He may be in an official minority, but not a majority.

34138. If the Collector might be a member of the District Board, would you allow him to be President?—That would depend on whether he was elected by the body; if he is popular he might be so elected.

34139. We were told that once the Collector came in the bulk of the members would elect him; would that be the case in Bombay?—I do not think it would be so in Bombay generally.

34140. In the same way would you make the Sub-Divisional Officer an *ex-officio* member of the *taluka* Board?—He might be.

34141. Should a District Board manage all the roads, or would you give them over to the *taluka* Board?—Those details might be settled afterwards.

34142. How are your panchayats to raise money for this proposed administration?—There might be a certain percentage on the village revenues allowed to them; that was the old system.

34143. You would give them a portion of the land cess?—Yes, and if that is not enough I would make them an assignment from the *taluka* revenue.

34144. You would not give them power to impose local rates of their own in the villages?—No, unless they were voluntary contributions.

34145. Suppose a District Board found it had not enough money, would you allow it to raise the cess?—Not at first at any rate, but in time they might be entrusted with that power.

34146. Would you allow municipalities full power of taxation, or would you have some control over them?—They have that power.

34147. But they are limited under the Act to a certain maximum for house-tax, and to certain scales of octroi—would you keep that control or would you give a municipality an entirely free hand?—With certain restrictions; they should only raise taxation for a particular purpose and within a particular limit.

34148. Supposing they wanted to increase the taxation beyond that limit, should they have to get the consent of the Government?—Certain legal powers must be made over to local bodies, and they might pass a resolution or rule to that effect.

34149. (*Mr. Hichens.*) You said that the Government of India should be responsible for matters of general principle, and that the provincial Government should in matters of detail be responsible for carrying out the policy?—That is the present position.

34150. If it was the case to-day that that policy was not being fully carried out, would you, under existing conditions, be prepared to enforce it?—I think that principle ought to be carried out.

34151. Quite regardless of whether the question of popular representation is touched or not?—I am speaking from the people's point of view; if they have no voice in the administration, it is better that it should be centred in one place.

34152. Supposing it was found that the Government of India did in practice to-day interfere in details with regard to the salary of a school-teacher, for instance, would it be justifiable to alter that?—It is a choice of imperfections; I would prefer it to having the power transferred to all the local authorities.

34153. You would not agree to an alteration in a case of that sort?—No.

34154. We have been told on several occasions that the Collector usually has the best knowledge as to what remissions should be made in his district, and that he is usually ready to make generous recommendations in regard to them, and that if rigidity comes in very often the Government is at fault?—I am not conversant with the official correspondence, but I do not think it is generally the case.

34155. Does the generosity come from above rather than from below?—Not always; there are cases where it comes from below.

34156. Would you say that the funds of District Boards are inadequate to-day for carrying out the duties which have been assigned to them?—The duties are very limited; they are only the administration of the local funds, and for that purpose the funds are enough.

34157. Is the case the same with regard to municipalities?—If there is any increase in their duties, more funds would be necessary.

34158. Should the duties of municipalities be increased?—I think so.

34159. What else would you give them to do?—I would give them the control of secondary education in a city municipality.

34160. As well as primary education?—Yes, as well as primary education; they have control of the primary education at present, but I would give them control of secondary education, and also I would give them control over the city police.

34161. (*Mr. Dutt.*) You say that reforms should begin with the village system; how do you propose that village panchayats should be orgainsed; do you propose that they should be organised under an executive order by an Act of legislation?—I would rather have legislation.

34162. And that the provisions of that Act should in the first instance be applied to the larger villages, and gradually extended to the smaller villages?—Yes, that is because the village system is being destroyed.

34163. Would you be in favour of the idea of some particular officer or officers being employed to organise village panchayats in the different districts?—I would leave that to the District Boards.

34164. Would the District Board employ some particular officer to go round and organise the villages?—I would leave it entirely to the Boards to work as they thought best.

34165. You say that *taluka* Boards should be thoroughly representative; is it your idea that groups of villages should send members to the *taluka* Board?—I think so.

34166. And that all the members should be elected members?—Certain officials might be allowed to sit, but not in the majority.

34167. When you had *taluka* Boards under that system, would you leave the construction of roads and primary education entirely in their hands?—Yes.

34168. Evidence has been given that much of the work that is done by the District Boards now might be delegated to the *taluka* Boards, so that the *taluka* Boards in their own circles might do all this work; do you agree with that?—Yes.

34169. Would the work be better done in the smaller circles?—Yes, the areas are too large for the District Boards.

34170. Is primary education better managed now by the Education Department, or would you like the *taluka* Boards to take it directly into their own hands?—I think the *taluka* Boards ought to take it up and leave it more to the villagers.

34171. Would you leave the Education Department to lay down general principles and the curriculum?—Yes. I think the curriculum might be left to the Board.

34172. Should all small details be left to them?—Yes.

34173. You say if the people had no share in the administration you would be in favour of the existing control of the Government of India over the provincial Governments?—Yes, except in regard to a few details; generally I would retain the existing checks and control.

34174. If you had some degree of popular control would you give the provincial Governments a freer hand both with regard to finance and with regard to administration?—If the provincial Governments have representative bodies to assist them in their functions, then they should be allowed a freer hand.

34175. Have you any particular proposals to make as to how a freer hand may be given—for instance, whether some particular heads of revenue should be made over entirely to the provincial Governments?—That would be a detail into which I have not gone.

34176. Would you still leave with the Government of India the power to lay down general principles of policy; would you still leave to the Government of India the power of initiating reforms in the different departments of administration?—According to my scheme it would be something like that of confederation, as exists in America.

34177. In regard to general administration would you leave the Government of India power to lay down the general policy and introduce general reforms. On all imperial questions, not on provincial questions.

34178. You have spoken strongly of the growth of departmentalism; will you explain exactly what you mean by that?—Take for instance the Forest Department, which has encroached on the rights of the village community. Whenever a Department is created it tries to absorb all the existing popular institutions.

34179. Is it your idea that in these matters the popular voice ought to prevail, and that the growing power of the departments ought to be stopped?—Yes.

34180. (*Sir Frederic Lely.*) You would not introduce all these changes at one stroke; but would begin with selected villages?—Yes.

34181. Would you entrust the control of the villages entirely to the District and *taluka* Boards?—Yes.

34182. To the *taluka* Boards in the first instance?—Yes, and to the District Boards on appeal.

34183. Would you trust to the *taluka* Boards in the first instance to prevent injustice?—Yes.

34184. As a matter of fact in villages, do not panchayats often assemble and adjudicate on matters?—Yes, but those panchayats are gradually decaying.

34185. But are there not practically village panchayats for a village now?—No, not for a whole village; if there are two or three castes in a village, then you have two or three panchas.

34186. But the mass of cultivators in a village are often all of one caste?—Not necessarily.

34187. I do not say necessarily, but do not the cultivators often consist of entirely one caste?—Yes.

34188. So that in those cases the caste panch is practically co-terminous with the village panch?—No, it is not even so then; although they belong to one caste they may be of different trades.

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34189. Are you aware that very gross injustice is often committed by caste panches?—Sometimes, but very rarely.

34190. Are you also aware that many villages are rent in two by violent factions?—Some of them are.

34191. And feeling is so bitter that it would be impossible for one faction to do justice to the other?—But the panchayat would consist of members of both factions.

34192. But still, if one faction had its own way would it do justice to the other?—But there would be an appeal in these cases.

34193. That is another question. If it was left to one faction, would that be so?—In certain rare cases, but that could very easily be prevented by allowing to villagers a choice of panches from a list, just as we challenge jurors.

34194. But suppose the two parties do not agree, to whom are they to refer?—There might be a list of panches, and they might be drawn by ballot.

34195. You would not leave it to the choice of the parties?—The list would not be prepared according to the choice of parties. For instance in deciding a judicial case we have a jury list from which the jurors are drawn, and there might be a list of panches—arbitrators as they are called—and from that list five members might be drawn by ballot and a certain number of challenges allowed to either party.

34196. But suppose they were all of one faction, what would the other do?—These people are elected first by the villagers themselves.

34197. Supposing two parties both living in the same village are engaged in some contention, would you tell them to go to the village panch to settle it?—If it was so strong as you put it, I would have them apply for a transfer of that case to a neighbouring village.

34198. To whom would you apply for a transfer?—It may be to the *taluka* Board.

34199. And would the *taluka* Board make an order without any enquiry?—No, there would be an open enquiry.

34200. Open or otherwise, should it go to the village?—They might hold an enquiry in the village.

34201. What do you think the *taluka* Board could do?—The *taluka* Board could decide whether the case ought to be transferred to another village in an open way.

34202. Should the enquiry be held in the village or in some central place?—That would depend on the *taluka* Board.

34203. Supposing they had their own business to attend to and had no time to meet together to hold the enquiry, what would happen?—When they are entrusted with the power, they would feel the responsibility.

34204. Then you think there would be no danger of their saying, "We are not paid for this work and have not the time"?—I think with safeguards as to the transfer of a case, or for the challenging of the panchas, the system could be worked easily.

34205. Do you think the *taluka* Board would promptly issue notices to the parties to appear at a certain place, that they would hold the enquiry and decide whether or not it should be transferred?—Yes, I do.

34206. On what is your trust in the *taluka* Boards based; is it based on past experience of their action?—The men would be elected by the different villages.

34207. And you think you would be able to trust in them and that they would deal promptly and justly?—Yes, I think so.

34208. Do you base that on your experience?—I think they do so at present.

34209. Would you hand over sanitary matters and the management of the schools to the panchayats?—Yes.

34210. Would the masters like to be entirely under the control of the village people without any appeal to Government authority?—I think there is no objection to that. I would allow an appeal to the *taluka* Board.

34211. Would it make no difference whether the appeal was to the Government or to the *taluka* Board?—I think there would be no difference.

34212. Either would be equally independent?—Yes.

34213. I suppose you will admit that Government has a duty to perform towards the unrepresented classes, and a duty to perform to the weaker factions in a village?—Their interests can be safeguarded. Government has a duty to perform no doubt towards all classes.

34214. Do you think it would be performing that duty, to hand over the conduct of civil suits for instance to a body like a village panch which might be composed largely of the enemies of one party or the other?—Not necessarily; that is a position which I do not think generally would prevail.

34215. But it might be so?—There are defects in the present judicial administration as well; there are defects in every system.

34216. You would hand over the police to the village faction?—Yes, the village police, not the *taluka* police.

34217. Would not the police have the first dealing with crime?—Yes.

34218. As a matter of fact, at present the villagers have no connection with the police in the first instance. Is not the village chaukidar a village servant?—No.

34219. I do not quite understand the difference between your proposal and the present system; will you explain it?—The old system of village police might be revived instead of having an official constable stationed in each village.

34220. If a murder was committed in a village, would you not have the district police intervene?—According to my scheme, the district police would be under the charge of the District Board and would intervene in such a case.

34221. Would not the district police be under the District Superintendent?—No, under the District Board.

34222. Then practically the District Board would have the administration of the whole district?—In certain matters specified.

34223. Including the police?—Including the police; Government might maintain an inter-district department.

34224. If a murder was committed in a village you would still have the report sent from the village to the district police, and you would not trust entirely to the village police?—I think a report ought to be made.

34225. (*Chairman.*) A previous witness who desired to see District Boards entirely elected bodies, told us that he thought no portion of the money which was expended by a District Board should be drawn from the district area by way of cess or rate, but that the whole of the funds should be provided by the provincial Government; are you in agreement with that view?—At present the whole collection is made by Government in the district. I cannot say positively yes or no, because it would depend on the fact whether or no District Boards have any authority to collect money.

34226. Supposing a District Board has authority to collect money, would you be in favour of that view?—Then the District Board may raise it in the district.

34227. Then you think that a District Board ought to have power to raise part of the money which it expends from the area which it controls, and that therefore its expenditure should be made, to some extent at all events, from funds which it raises itself?—Yes.

(*The witness withdrew.*)

The Hon. Mr. IBRAHIM RAHIMTOOLA was called and examined.

34228. (*Chairman.*) You are a member of the Legislative Council of Bombay?—Yes. I have been so for eight years. I live in Bombay. I have been a member of the Bombay Municipality for over 15 years, and I am so still.

Under the existing provincial contract the entire revenue from salt, opium and customs goes to the imperial exchequer. Besides this amount a further contribution is determined, under an elaborate system of calculations. It would be much simpler if, in addition to the entire revenue from the three sources mentioned above, a lump sum contribution was fixed on some equitable basis as the contribution of this province towards imperial revenues. After determining the amount I would make it fixed for a period of 30 years. I suggest this period because land revenue, which forms the principal source of provincial income, is revised every 30 years. At each of these revisions the lump sum payable to the Imperial Government should also be revised.

Having fixed the lump sum contribution to the Imperial Government, I would leave provincial Administrations a free hand to administer local affairs in the best manner they can, in view of their extensive local knowledge and experience, subject to any general lines of policy laid down by the Supreme Government for the guidance of the provincial Administrations, and subject also to the right of appeal.

Under the present system of administration, the entire authority is centred in the Government of India, while the provincial Governments are working as their departments. I do not think this system conduces to the best advantage of the people living under provincial Administrations. Whenever sugestions are brought forward for introducing reforms and improvements involving expenditure, it is always the Government of India that is stated to stand in the way. The Local Governments are obliged to administer the provinces within the limited resources that are placed at their disposal, and in regard to such resources in most cases the sanction of the Imperial Government is necessary.

The effect of greater freedom vesting in Local Administrations will be that they will be more amenable to public opinion. I would take away from them the excuse that it is the Government of India which always stands in the way of carrying out necessary reforms and improvements. I think only one instance of this kind will suffice. It relates to the provision of sanitary school-houses for the accommodation of children attending primary schools in Bombay.

The Government of India is not very amenable to local public opinion. The whole power is at present centred in them, and they are much too far removed from Bombay to feel the force of any strong opinion prevailing here. I refer to two instances, viz.:—

(1) Government contribution towards plague expenditure to the Bombay Corporation.

(2) Government contribution towards the cost of the improvement of Bombay. A small place like Simla has obtained a grant of Rs. 20 lakhs, while Calcutta was promised 50 lakhs, which, I understand, has since been raised to a crore of rupees. Both these contributions are in cash. In the case of Bombay the contribution amounts to something between 9 and 14 lakhs, and even this represents the capitalised value of the net income which the Improvement Board will obtain from vacant pieces of land which they have had to develop at a great expense of time, labour and money. The general tax-payer pays large sums of money in cash to Calcutta and Simla, while in Bombay, whose needs are far greater, he largely benefits not only by the development of vacant pieces of land, by the carrying out of reclamation schemes, but also by the acquisition proceedings of the Trust.

While strongly advocating greater freedom to local administrations in financial matters, I would provide efficient safeguards in the interest of the public. A right of appeal to the Government of India on the judicial system which should be conceded to all public bodies constituted by law, and the non-official members of the Provincial Legislative Councils. I include the latter in the list as with the enlarged Councils most of these gentlemen will be representing by election various important interests and districts. The right of appeal is no doubt enjoyed at present by every one, but it is not of much value. The provincial Governments are at present working as departments of the Government of India and the tendency at headquarters is naturally to support the action of local administrations. Under the altered system there will be a greater probability of the Imperial Government considering these appeals more carefully and with greater sympathy towards the public. In order to make the right of appeal really effective in the public interest, I have advocated above the application of the judicial system to appeals preferred by certain bodies and individuals. The distinction between judicial and administrative appeals is very important. In the latter case the appellants remain ignorant of the reply which it forwarded, and have no opportunity to meet any arguments which may be advanced why the appeal should not be allowed. In judicial appeals, the appellants come to know of everything that the other side advances in support of their case, and have the right to offer a rejoinder. I would give this right of meeting the arguments of the Local Governments in the form of a reply to the bodies and individuals named. In support of this view, I refer to the following instances:—(*a*) the system introduced in regard to the return railway fares for pilgrims proceeding to Mecca on pilgrimage; (*b*) the sanction to Improvement Scheme No. V. as originally submitted and which included a large portion of the Mahim woods.

Local Governments should not be given borrowing powers. The Government of India should alone have the right of raising the loans for the requirements of the country. In all cases in which the Local Governments require funds for capital expenditure they should be supplied by the Government of India. I would, however, strongly advocate the transfer to the Local Administrations of the power at present exercised by the Imperial Government in the matter of loans required by public bodies. In future the local administration should determine the amount of each loan proposed to be raised by an authorised public body, the rate of interest of the loan, and the period of its currency. Under the existing system serious difficulties have arisen in consequence of the arbitrary decisions of the Government of India in fixing the currency of some of the loans proposed to be raised by the Bombay Municipality. I cite the following instances:—(*a*) relating to the loans for the acquisition of set-backs for widening existing roads; (*b*) relating to the loan required for building sanitary *chawls* for the accommodation of *halalkhores* and scavengers.

34229. You tell us that it would be much simpler if the entire contribution of the province to the imperial revenues was given over in a lump sum. In what way would it be simpler?—At present revenue and expenditure are divided under different heads, and in some cases revenue from certain sources goes entirely to the provincial exchequer. If a lump sum was determined, having regard to the needs of each province, and sufficient revenue was provided, it would not only be much simpler so far as the accounts are concerned but would conduce to a more efficient administration of the province.

34230. Do you mean that it would be simpler in account-keeping or the collection of revenue?—Simpler in the keeping of accounts, and it might enable the Local Government to husband its resources; the contribution to imperial revenues being fixed, the hands of Local Administrations will be freer, and they will have a larger amount to deal with.

34231. Is it that you think that the provincial Government would have a larger and expanding

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revenue, or it is purely a matter of account-keeping?—It is both.

34232. You mention that the Government of India has rather stood in your way in the matter of providing sanitary accommodation for the primary schools of Bombay. In what way did that happen?—That is an instance of how the hands of Local Governments are tied in the matter of incurring expenditure for works of great importance; the local authorities have not a free hand to deal liberally with the public needs under the present system. That particular question has recently been solved to a considerable extent. But I want to emphasise that in connection with various suggestions the non-officials bring forward for larger expenditure they are met with the argument that "We have no funds; the Government of India will not let us do it."

34233. Have you ever heard of other Governments being in the same difficulty, viz., that they wanted money which they had not got?—I would take away from the Local Administration the excuse that it is the Government of India that stands in the way.

34234. Do not the Local Government tell the truth?—Doubtless. But it seems that the Government of India apparently were taking away from the provinces considerably larger sums than they ought to.

34235. Is there the same difficulty with regard to plague expenditure?—I refer to two classes of expenditure—one plague expenditure, and the other the general improvement of the city.

34236. Is this again a question of whether funds are, or are not, available?—We have always claimed that a substantial contribution towards the plague expenditure of the city should come from imperial funds.

34237. In what way does the Government of India interfere in the raising of local loans?—They have at present to determine the amount of each loan a local body can raise, the rate of interest, and the time the loan has to run; and then the sanction of the Imperial Government has to be obtained, and we have found that in carrying out works of great public usefulness the Government of India put serious difficulties in our way.

34238. Who raises the loan?—The Municipality.

34239. On the security of its own revenues?—Yes.

34240. What rate of interest does it pay?—4 per cent.

34241. And for what term?—We want to raise it up to 40, 50 or 60 years.

34242. How do you raise that now?—According to the sanction of the Government of India. Some of our loans have been for 60, some 50, and lately the Government of India has been insisting on 20 and 30 years' currency.

34243. Are most of these loans for considerable sums?—Yes.

34244. As a rule is the money which is received by the Municipality mainly found in the local money market?—Mostly.

34245. Has the Local Government any control over you in the matter of raising these loans?—None, beyond passing remarks and representations.

34246. (*Mr. Hichens.*) You want a financial settlement fixed for 30 years? Would it be possible to have a settlement fixed for such a long period as that?—I think it would be certainly possible.

34247. It very frequently happens that sources of revenue fluctuate. Might it not happen that a settlement which appears reasonable to-day, will prove unsuitable in a few years?—It is a matter of opinion.

34248. Then you would give the Imperial Government and the provincial Government independent and separate powers of taxation? In what form would have that taxation?—At present we have taxes levied variously—imperial and local.

34249. Would you like the Local Government to have the power to increase or lower taxation, or would you give that into the hands of the Government of India?—I prefer the Government of India.

34250. Would you explain in more detail the system of financial safeguards which you suggest?—I mean that, having given to the Local Government a considerably freer hand in financial matters, I would provide some safeguard against the exercise of these powers extravagantly; and I would have some form of appeal to the Imperial Government.

34251. (*Mr. Dutt.*) Suppose you had a high school here and wanted to make it a college and appealed to the Local Government for sanction; assume that the Local Government said, "No, the circumstances do not justify it." Would you allow an appeal to go to the Imperial Government?—That is a matter which I have not considered, but I am relying on the good sense of the local bodies.

34252. Do you think such appeals would be very frequent?—That depends entirely on how the Local Government manages its affairs.

34253. If they were frequent, would it not be harassing to the Local Government even more than the conditions now, and involve the Local Government and the Imperial authorities in complicated correspondence?—That would depend upon how obstinate the Local Government was.

34254. When you say that would leave the provincial administration a free hand to administer local affairs, do you still desire that the Imperial Government should retain the power to lay down general lines of policy?—I say so.

34255. And also to introduce reforms from time to time as they have done in the past?—Certainly.

34256. And these reforms would have to be carried out by the Local Government?—Yes.

34257. Supposing some of these reforms affected the sources of revenue, and the Local Government said, "You have assigned this revenue to us, and now you suggest a reform which causes a difference in our estimates; where are we to get the balance?" ?—If the reform is applicable to the whole of the country, then the Imperial Exchequer should contribute largely.

34258. Then the settlements would have to be revised?—These would be special grants.

34259. You have found fault with the Government of India as not being very amenable to the requests and necessities of local public bodies and the suggestions embodied in local opinion. Has the control of the Indian Government practically interfered with the interests of the City of Bombay?—In some senses, certainly.

34260. For instance, in the matter of preventing you from contracting loans?—The Improvement Trust has been authorised under the Improvement Trust Act to raise loans with a currency of 60 years.

34261. (*Sir Frederic Lely.*) Is there a general belief in Bombay that the interests of the rival port of Calcutta are favoured by the Government of India at the expense of Bombay?—I have heard that mentioned.

34262. Can you give any instance?—I know nothing about it personally.

34263. (*Sir Steyning Edgerley.*) The point of your scheme is practically the same as we have got from other witnesses—eventual popular control?—Possibly.

34264. Regarding this matter of appeal, you say that it should be applicable to all public bodies and Associations and to the non-official members of the provincial Legislative Councils. Do you mean that any single non-official member of the Legislative Council could appeal to the Government of India even if he was in a minority of one?—Yes, for the reason that he would be representing an important interest by election.

34265. You would give that power to a single individual?—Yes.

34266. Even though he has been outvoted by the non-official members of the Council?—Yes.

34267. What do you mean by the expression "public bodies"? Those which are so constituted by law?—Yes.

34268. And "Associations"?—Regarding these I would, for instance, suggest the Millowners' Association.

34269. Would you include the All-India Moslem League?—That is a matter of detail. I would personally prefer the power to be given to authorised public bodies, and the non-official members of the Legislative Council: with that I would be quite content.

34270. Would you accept the suggestion that if you trust a body with greater power you would increase their feeling of responsibility?—Yes.

34271. Therefore you are not afraid of trusting the Local Government with more power, with the safeguards which Mr. Gokhale suggested?—I have not carefully studied what he suggested.

34272. (*Mr. Meyer.*) You desire that the Government of India should surrender a very large amount which they now have in the matter of revenue?—Yes.

34273. May not the Government of India be thus put to serious embarrassment in the matter of meeting imperial charges? Supposing they have to spend more money on the army, for instance, or on imperial matters generally, would they not be rather crippled through lack of funds because of the reduction of their revenues?—My view is that as there should be a control over the Local Government, these powers should be fully vested in the Government of India.

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34274. You prefer, if it is a question of choice, that the Government of India should be hard up rather than the Local Government?—I should certainly prefer not to have my Government hard up.

34275. Let us imagine some imperial emergency—a great war—will the Imperial Government have the liberty to ask the provincial Government for a contribution?—Certainly, if their resources permit.

34276. But if the provincial Government says that it cannot contribute?—The Government of India must know what is the position of the Local Government.

34277. Is the Government of India to have power to say in the last resort, "We are absolutely involved, and you must contribute towards us in our expenditure," or are the provincial Governments to be given the power to refuse?—Imperial needs must come first.

(*The witness withdrew.*)

Adjourned.

FIFTY-FIFTH DAY.

BOMBAY, *Tuesday*, 10*th March*, 1908

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq

Mr. C. S. CAMPBELL, I.C.S., was called and examined.

34278. (*Chairman.*) You are the Registrar of Co-operative Credit Societies in Bombay?—Yes, since October, 1906.

I am of opinion that the following call for urgent notice:—

(1) The position of Commissioners.
(2) The strengthening of the Collector's position, as responsible for the peace and progress of the district.
(3) The necessity of personal assistants (to Collectors).
(4) The imperativeness of a personal selection of officers.
(5) Modification of our system of "revenue" appeals.
(6) *Sine-quâ-non* of the vernaculars.
(7) Retention of officers in one billet.
(8) Closer connection between Revenue Officers (and Magistrates) and the Education Department.
(9) Re-introduction of the "panch" system through the medium of Co-operative Credit Societies.

Commissioners should take no *direct* part in the administration of a district; but should merely be a Board of Advisors, passing between the Collectors and His Excellency the Governor.

No appeal should lie beyond the district under "Chapter VIII., Criminal Procedure Code."

A Personal Assistant is needed for *every* Collector; to relieve when necessary, prepare for the billet, and supplement the deficiencies of the ordinary Assistants.

I would not only allow a free discretion in the selection of officers; but in the selection, also, of the powers to be given to such.

I would substitute a system of *reference* for our present system of appeals.

I believe half our failure is due to ignorance of the vernacular: the other half may be due to our distrust of one another.

I deprecate transfers as unnatural and distracting. I would encourage specialization by special powers or privileges.

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34279. Will you tell us how these Co-operative Societies work?—They are very tentative and experimental at present. Our funds are to a great extent dependent on the grant from Government which we can give out on specified terms, namely, the amount that Societies deposit up to Rs. 2,000; any Society may deposit up to Rs. 2,000, and we give a grant of the same amount. Then there are one or two gentlemen who have very kindly helped us by starting a Financing Society themselves and offering loans to us of Rs. 3,000 or Rs. 4,000 or more, as the case may be; the difficulty is in the financing.

34280. Is the account of each Society kept separate?—Yes.

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34281. Is there any limit to the total grant by Government?—There is a limit to the total grant, as well as a limit to the total for each village. The total of the Government grant is one lakh for the Bombay Presidency.

34282. Is that from imperial or provincial funds?—I think from imperial funds.

34283. When you are going to start one of these Societies in a particular village, what is your *modus operandi*?—Probably I do not go to the village until they call me, in order not to have any apearance of pressing. When they ask, if I am near the place, I go and see what they have in their minds; otherwise I prefer not to appear at the first stage.

34284. When you visit the village, with whom do you confer?—I find those who have sent in the original application; I meet them, and the other villagers collect, and we talk over things.

34285. Does the village appoint a committee?—The applicants themselves form a committee; they are generally few in number, and undivided for the time being; there would be perhaps 10, 15 or 20; the original applicants would be so few that there would be no division amongst themselves.

34286. Do you make them responsible for the advances?—I make the Society responsible as a whole; they select particular members to sign.

34287. Do you form a committee?—The first thing is to frame their bye-laws. There would be provisions in the bye-laws for a committee and a Chairman of the committee, either to be elected out of the body of members at each meeting or to be appointed by the Society; we leave them as much as possible to choose the way they prefer.

34288. Do these committees work well?—The committees differ, but in most cases they have power to work well; occasionally factions will come in, or one man will make himself too important and there will be friction, but there is no necessity for that except in individual cases.

34289. Are there people in the villages of sufficient education and standing and influence to work the committees well, or do you have to dry-nurse the whole thing?—To begin with there is a considerable amount of nursing, but one always makes them understand that it is only the teaching of a child to make him walk alone in time. The difficulty is rather the state of mind than the state of intellect; that is to say, the factional spirit; otherwise the material is probably there for good committees and good Societies too.

34290. Is the factional spirit so strong that it would upset the usefulness or the impartiality of the committee?—I do not consider it absolutely a bar at all, because I would leave the opposition party out, and allow only one side in for a particular Society; if the other side were strongly opposed they should have a committee or Society of their own.

34291. Is the factional spirit so strong that you cannot afford to disregard it in actual working: is it irreconcilable?—Almost irreconcilable in most cases.

34292. In a large village you are bound practically to have two committees?—One would always be prepared for a committee and its opposition probably; any work of any kind in any village would always divide itself into at least two sides, which will work not for the common good but against each other.

34293. Merely in order to wreck what the other faction is doing?—Merely in a spirit of opposition.

34294. Are advances made to individual cultivators?—We only advance to Societies.

34295. What do the Societies use the advances for?—They vary very considerably, but the general rule is only to lend for profitable purposes; people are quite sensible enough not to be keen about lending their money to people for unnecessary expenses. The exact use of the money we cannot guarantee yet, because we have not seen the results. On paper we know that they have spent it for seed or for manure and so on, but the results we do not know yet.

34296. Has the money, so far as your information goes, been honestly used?—The money, I think, is likely to have been honestly used.

34297. On the whole, do the people know what they are about, and are the objects to which they devote their resources good objects?—In most Societies that is so, but in parts of the country they are apt to mistake the meaning of the movement and to say that they are ready to accept everything; I get numbers of applications saying that they will agree to anything I like so long as they get the money. It is a matter of paying off existing indebtedness to a great extent, and in those cases one has to be more careful, of course, in order to see that there is not only the proper spirit, but that the applicants have the means to go on. Speaking generally, I am always ready to accept anything that I can and let them start a Society, and see how they can get on with it. It is very tentative, and my successor may possibly disagree with my policy and adopt a different one, and I may be prepared to support him in his different policy.

34298. Your work has taken you very largely into the country districts, and you have visited a great number of these hamlets and villages?—Yes.

34299. Looking to what you have learnt from these Credit Societies, is it possible to start in most of the villages a panch for ordinary purposes for communal government?—A committee of my Societies might form a panch in themselves. They do not represent the whole village by any means, but they constitute a panch in the village, anyhow for a portion of it, and they might be supported and given more powers.

34300. Taking this nucleus of a Co-operative Bank, you would extend its functions from financing of the raiyats into something like a village authority?—I would be inclined to do so.

34301. Would you have to create a panch for each faction or caste owing to the difficulties with regard to factions?—I generally prefer to avoid anythink like creation. The Societies start on the voluntariness of a certain section of the people. Where the people are voluntarily coming forward we should give them all the power we can to manage their affairs, which might extend probably to the affairs of the whole village. It is a matter of experiment; I prefer, instead of a superior authority impressing an idea on them, to draw them on and see what they can do themselves with help from us.

34302. Assuming all that, would you have to create in each village a double panch?—It would depend on the nature of the opposition. If it is strong, defence would have to be given to the Society already existing; if it is weak, the opposition might be ignored; those who do come forward and seem worthy should have all the defence we can give them against unnecessary opposition.

34303. Owing to this faction you refer to would you require two panches side by side in order to satisfactorily control different parts of the village?—I would not think that necessary by any means, but if the other faction wanted a similar concession, I would consider their case as well, and perhaps they might have a panch in addition to the one already established. It would only be where they, too, expressed a voluntariness to work on their own lines.

34304. If a section of the village repudiated the authority of the panch, you would say "Very well, you can have a panch yourselves"?—Perhaps I have given a wrong idea as to the authority of the panch. The authority of the panch would extend only to those members whom it included; those who were excluded might remain without a panch; those who are willing to be included would get all the privileges and protection we could give them, and those who do not choose to be included should either remain outside as they are now, or, if they liked, they could have their own authority in their own panch.

34305. (*Sir Frederic Lely.*) Are these factions that you describe to be found in every village?—It would be rather difficult to imagine a village that was so much at one that factions could not occur at any moment.

34306. But as a matter of fact there are villages where they are not acute?—They might not occur at all possibly.

34307. If you could devise some plan of harmonius co-operation probably the appearance of factions would be all the less likely?—It might be done. I should have thought that if anything would have a harmonious effect it would be Co-operative Societies, but they do not apparently have that effect; that is in some villages more than in others.

34308. If you were an officer whose business was to promote village government by means of panchayats, would you begin with some villages where the spirit of faction was not obvious?—One would naturally suppose that.

34309. You would have the most chance of success by beginning at villages of that sort?—Yes.

34310. Could you give us any idea of how you would begin?—Suppose you selected a village where there was not much faction, how would you begin to introduce a system of panchayat among them; would you ask them to elect members of the panchayat by formal vote?—Beginning in a cold-blooded way is a thing I have never done; it seems to me so difficult to start the people on an idea that is not natural to them to begin with. My dealings have all been practically from the other side; the impulse has been on their side; they have called me in as it were to help them.

34311. Would you call it an unnatural suggestion to make that if their village well, for instance, wanted repairing, they should take the money and do the work on their own responsibility?—No, I think not.

34312. How would you set to work to carry out a suggestion of that sort in the village; would you make over the money to the *patel*, the headman himself?—I think it would almost come to that, except that one would on their selection appoint assessors, as it were, to the present authority of the *patel*.

34313. You would not suggest any formal election in the English sense of the word?—I think not.

34314. You would set yourself to find out the general sense of the village as to the most reliable and most respected men in it?—In most cases I have done that. I have asked who were likely to be the leaders, and who were likely to help and give the best opinions and to circle round the *patel* in order to support him, where he was a man apparently who was afraid to exercise influence alone. I stated that if there were five men in the village who were agreed that it was right to be a panchayat they would be able to help the *patel*. That was not in connection with my present work: it was some time ago in connection with magisterial cases.

34315. You think that that would be a most likely way of securing the help of the leading people in the village?—For specific purposes. One might leave a definite work in charge of a definite number of men who would have to be nominated possibly by the villagers, that is to say, they would choose the men for some reason or other; one should confine it to a certain number.

34316. You think that that would be the best instalment to begin with, that is to say, to give them a certain grant from local funds and leave them to expend it in their village on a village work on their own responsibility?—That would be presuming that the local funds could give a grant to any given village.

34317. Take a particular village, if you give the people a grant to spend on a village work, would you begin in that way?—I would at once call together those who are now in authority and I would ask them to choose; I would ask them to form a committee. Then I would openly entrust whatever funds were given by the Board and say, "You are responsible for these moneys." I would do that in the presence as it were of the general body of villagers, saying, "These are your representatives; they are entrusted with so much money for the good of your village."

34318. Would you go on to explain to them that their disposal of the money will not be interfered with by anyone, and that the only result of their not doing the work will be that they will have to go without a well, or whatever the work might be?—That would be very much on a par with the explanation that I give to my Societies now; I explain that after all they are the ones to suffer, not ourselves personally.

34319. You would leave it in that way, explaining to them that they would suffer from their own malfeasance?—Yes, that could certainly be made intelligible to the villagers.

34320. Would you go on to give them powers over the school?—There is a school panchayat at present existing, but it is dormant.

34321. Has it any real power?—I think not.

34322. Then it is no wonder that it is dormant?—There is a great deal of influence that they might exercise in getting parents to send their children to school, but they do not exercise it.

34323. They have no powers over the school management?—Except recommending for free scholarships.

34324. That is not very much to give to a committee of responsible householders?—There are very few things in connection with the school that need local power; there may be a question of furniture and building, but that is generally left to the villagers as far as buildings are concerned, unless there is a specially built school.

34325. Would you be inclined to say to the villagers, "If you want a school you must provide the building yourselves"?—I would like, if possible, to provide the building. In some cases it has been left to the villagers.

34326. But is it not preferable to leave it to them; would it not be a great saving to the public purse?—But there is not always a building suitable. I generally do suggest that if they want a thing they must shew some activity on their own part and shew that they are worthy to be entrusted with it, that they really want it, and not merely for show.

34327. If the provision of the building in the first instance is thrown on the authorities, would it not be a fair thing to throw on the village the burden of maintaining it?—That is an ideal; I have not thought whether it is practicable.

34328. Would they not respond to it?—I do not think they would in all cases.

34329. As a matter of fact, in the districts you know, is there a building specially built for a school as a rule?—In several places there are buildings, in other places there are not.

34330. Are they built by the Public Works Department?—Yes.

34331. It would save a great deal of money if the villagers provided the school-house themselves; they provide their own dwelling-houses for their children to live in; why should they not provide a house for the children to be taught in?—That is generally the view I explain to them.

34332. Might not a good deal be done in that direction, giving them more power over the school?—The power would depend a great deal on the funds at their disposal, and also a great deal on the village. In some cases it is right to say that one should impress upon them the necessity of education, although they did not like it at first, and in other cases one might say that if they were unwilling one could do nothing. Villagers differ very much.

34333. Would they not take much more interest if, for instance, you threw upon them the burden of providing the school-house to begin with, and then give the power to grant holidays, power to regulate the time of attendance, to a certain extent even, perhaps, the power of modifying the

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curriculum?—I think it would certainly not work well; they would not either appreciate the power or use it properly; they like to see their schools looked after well, but they feel and express their own helplessness in the matter; they like one to take an interest and see to things, but they depend almost entirely on outside direction.

34334. You do not see your way to making the school a more integral part of the communal life of the village?—I would like to, but I do not see my way, except that in connection with the Co-operative Societies I impress upon them the importance of having members who can read and write.

34335. Can you suggest any means by which we can stimulate village life beyond giving them a little money to spend on a public work?—I would like to confine my ideas to the line I have taken up with regard to Co-operative Societies. There are one or two disabilities we might remove; there is one I have pressed for myself in connection with our Societies, namely, summary procedure in the case of default on the part of those belonging to the Societies; in that way it might spread to the whole of the village in time—coming from them, not from us.

34336. You have no more definite suggestions to make?—No, I think not.

34337. (*Mr. Dutt.*) You mentioned that if the villagers were to build a school-house possibly it might be unsuitable?—I was referring to the present buildings. As a rule they do not think of building one, because it is a matter of expense; sometimes they say they will do it, and sometimes they say there is no building to provide.

34338. When they do provide one it may be unsuitable?—I do not lay much emphasis on that; the building may not be suitable from our point of view, there may be not enough light and air, and it may be stuffy.

34339. Who decides whether a building is suitable or not for a school-house?—The visitors generally make their remarks.

34340. When the villagers provide some sort of accommodation where 30 or 40 boys can sit and read together, do the authorities go round and say, "This is not suitable, and another house must be provided"? Would that not greatly discourage the villagers from coming forward?—Sometimes criticisms are necessary, but the best thing is generally to go on with what you have, and do the best you can with it.

34341. The children might sit under a tree even in the cold season?—I have myself adopted that system in one or two cases.

34342. Is it not possible to do in this province as is done in some other provinces, namely, for the Local Board to give a monthly sum of money to the village panch for the fee of the teacher and say, "You take this money and provide everything else yourself"? If that system was followed, might not the villagers be willing in the course of time to do everything if they got the fee of the teacher from the Local Board?—There might be an opening for them to do that; it would anyhow have the advantage of enabling them to exercise their will of sending their children to school. At present one sometimes goes to a village, and they say they have not got a school; one does not know what they would do if they had one. At the same time, to give them a teacher is one of the main things to begin with.

34343. Would you not give the village panch the power of saying, "It is harvest time, when our boys have to work in the fields the whole day; we would rather have the school hours 2 or 3 hours in the morning and 2 or 3 in the evening." Would you give that sort of discretion to the panch?—If the suggestion came from the panch I should adopt it, but where they express no desire to take an interest in the hours one should not leave it to them.

34344. Is that not because the orders always come from other people; they have never failed where they have had such powers?—That may be so; it would be a matter of history.

34345. With regard to these Co-operative Societies, how long has this work been begun?—The Act was passed in 1904; I do not think we began till 1905.

34346. In how many villages have these Societies been established up to date?—There are 143 Societies; they would not cover more than 120 villages; one might say perhaps 110 or 115.

34347. Anyhow considerably over 100 villages have these Societies now?—Not counting cities—speaking only of villages—I think about 100.

34348. What is the average capital of each of these village Societies?—The ayerage capital would be about Rs. 1,000 or Rs. 1,500.

34349. You say that it is mostly advanced by the Government, in some cases supplemented by help from public-spirited men?—Yes, and the members' own capital in the way of deposits from themselves.

34350. Is it too early yet to judge definitely of the results?—I think so.

34351. You have not found the necessity in any case of grouping two or three villages and forming a Society for those two or three villages?—Certainly, we have.

34352. Are they small villages which are grouped together?—They would probably be grouped by neighbourhood rather than by size; if one village likes to take the lead it would get other villages to join and form a group.

34353. So that where you would follow it up by the establishment of panchayats you would follow the same system?—If it followed on the same lines one would probably take the same course of grouping a number of villages, besides having independent villages.

34354. (*Mr. Hichens.*) Is the district machinery of Government to-day sufficient to cope with the work of promoting panchayats?—I think if it is to follow the line I have suggested, certainly the department of Co-operation Credit Societies requires strengthening at the present time, and will require continued strengthening in the future, possibly, if it increases. At present District Officers have not found time to enter into the question perhaps in the way that it will require to be gone into if more use is to be made of these Societies.

34355. Your view would be that it should be done through the medium of your department?—That is the line I have suggested.

34356. Suppose you had a voluntary panch, what powers would you give them; would you give them small criminal powers?—I would be prepared to give them almost anything in time, as they showed themselves worthy, but I would be quite eclectic in differentiating between different Societies and different villages in different conditions, according as they showed capacity for taking up the work. The school is one thing, and even revenue and police and criminal matters might well come in time if they showed the right spirit.

34357. It would be rather difficult to give a school to a voluntary panch?—I mean more or less substituting the co-operative system for the present system. Where there is a school panchayat they might not be members of our Societies, and they might take no interest in the Society. If I go to a village I meet with the villagers and ask them whether their children are going to school, whether they are pleased with the education, and so on; if the panchayat has no connection with our Societies they may never have the same interest in the school. If one pointed out to them that they were responsible for the well-being of the school, they might have enough public spirit to take it up. It is a matter of public spirit to a great extent. I have known in a village sometimes, where the people have been public-spirited, they have done a great deal of school work from their own purses and taken a keen interest.

34358. What additional staff would be required in order to make a reasonable beginning; would you say one or two officers?—According to my present plan of working it would have to be progressive, increasing as the movement progresses. At present I have asked for three Audit Officers to see that the accounts are correct, and also for a personal assistant who would be able to take over the work at any time; if the work progresses there might be no end, so to speak, to the increase of staff. I prefer, as a rule, not to have a staff that may be too big to begin with; I would let the staff follow the progress of the movement.

34359. (*Mr. Meyer.*) You speak of factions prevailing all through the Presidency; are they more prevalent in the Deccan than in Gujarat, or the other way round?—I should feel inclined to say that they are more prevalent in the Deccan, but perhaps that is because I know the Deccan better.

34360. But there are factions in other parts too?—Certainly, one sees them elsewhere.

34361. The essence of your co-operative banking system is the absolute volition of the villagers?—That is the one great essential.

34362. They can join the bank, or stand outside, or leave it, exactly as they wish?—Yes.

34363. You propose to apply that same system to village affairs generally?—I would rather put it in this way, that those who come forward of themselves to form a panchayat (as I would call this Society with its committee) might in time be entrusted with powers that would extend possibly to the whole village eventually.

34364. Provided the rest of the village had not any rooted objection?—If the rest of the village were in an insignificant minority, they might be neglected.

34365. The minority is to have no representatives at all?—It would depend on the reasonableness of the minority.

34366. One of the things that have been most prominently put forward to us as desirable is for the panchayat to dispose of its petty civil and criminal cases. At the outset would you allow that to be optional? Would a man who belonged to a union say, "My panch can try me for theft," but if he did not belong to that union would the panch have no power?—I rather want to convey the idea of the possibility of granting them these powers where they showed themselves worthy. It might be done in that way where now they do informally settle cases; directly our laws come in, the cases are dragged into Court. If the villagers agreed among themselves we should acknowledge the agreement.

34367. If they do not agree, a person who has not joined your co-operative system can still claim to go to the Courts?—Certainly, unless the panch was sufficiently approved by us to command the whole village.

34368. Then at the outset a man would join the Society entirely voluntarily; finding that his neighbour could go to the District Magistrate and that he could not, would he not be likely to withdraw from membership of your Society?—He would presumably know the bye-laws before he joined.

34369. But people sometimes do not appreciate bye-laws until they begin to touch themselves; suppose a man found that the result was that his neighbour had liberty to go outside to our Courts and he had not, do you think he would like it?—It would be a very good thing for him, although it might be inconvenient to him for the time being.

34370. But if it was inconvenient to him, no matter whether it was for his ultimate benefit or not, might he not withdraw from the Society?—He might do so, and in that case he would not be desirable to have as a member.

34371. As to working on a purely voluntary basis, is there not a material difference between banking, which is a pure matter of individual interest, and administration, which is a matter for the community?—But the idea of Co-operative Societies is not merely to do simple banking, it is rather a matter of general education in thrift and self-reliance and self-help, and moral qualities of that kind.

34372. Indirectly through the tangible method of loans for cultivation and so on?—They would not all necessarily be people wanting to borrow; the majority would be, presumably, but it is not necessary to confine the membership to such; it might include all the big people of the village, who would not require to borrow at all.

34373. Suppose you had these associations, would you adopt the mediæval system in Europe and the old system in India, namely, that of making the Association collectively responsible for any damage caused by crime or theft in which the individual offender could not be traced?—It would depend on how representative the particular Society was of the village as a whole.

34374. If it was representative of the village would you revive that old Deccan system?—I do not think I should object to it.

34375. You say you desire to substitute reference for appeals; what is the precise meaning of that?—I drew up a list of subjects in particular, and in that I tried to point out some points in the revenue system in which the Assistant Collector might be made responsible for the decision, with the option of referring heavy questions to the Collector, instead of deciding them himself and then being upset on appeal.

34376. If he was a self-confident person and thought he would not apply to the Collector, what would happen?—In a particular case the decision may be wrong, but, as a general principle, if he did not exercise his authority rightly I would not give powers to him; I would make him refer all cases until I was sure that he could decide for himself.

34377. In the meantime it would be rather adding to the Collector's work?—Not more than at present with the appeals.

34378. Would you do the same in respect of the Collector and the Commissioner?—I would have the same system.

34379. When a Collector first came into office, every order he passed would go up to the Commissioner for sanction, and after he had won his spurs there would be no appeal unless he specifically referred the case?—I suggest that the selection of the officer should also be accompanied with the selection of powers, so that it would depend on the powers he had.

34380. Every Collector might be having a different set of powers?—That might be so.

34381. Would that not be rather confusing to the people?—That I think is not so, because they do not know from whom the order comes until it comes in its final form; if the Commissioner allows the Collector to give the order it is really the Commissioner's order though it comes from the Collector; it is a decision from the Government; that is the way they look at it.

34382. At any rate, the people now know in what matters they have an appeal and in what matters they have not, and who is the deciding authority of first instance?—If it was known that the Collector was the final authority, there would be no doubt in their own minds, and they would understand.

34383. Would it not rather weaken the Collector's position in the district, or the position of the Assistant Collector for that matter, if it was known that every case might be referred to a higher authority?—I did not mean every case by any means. I pointed out a certain set of cases in which they would adopt the procedure; but in any case it seems to me that the position of the officer would be very much stronger than it is when he gets upset on appeal.

34384. It would be a little invidious to discriminate between a number of men of the same Service and the same standing and say to one "You shall have powers" and to another "You shall not"?—I would be perfectly willing to submit to the system myself.

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34385. (*Sir Steyning Edgerley.*) You said that you did not know whether your money was imperial or provincial; does it ever make any difference to you in any way whether the money that you are administering in a district is imperial or provincial?—For practical purposes, no. I have since ascertained that it is imperial revenue lent to provincial account.

34386. You do not for instance say to yourself "Well it is not Bombay Government money, therefore I need not be so careful of it"?—No, I do not think that idea would come in.

34387. When you want a little extra establishment you do not stop to think whether that is to be paid for provincially or imperially?—No.

34388. (*Chairman.*) You say "I believe half our failure is due to ignorance of the vernacular, the other half may be due to distrust of one another"; what do you mean by distrust of one onother?—The man on the spot very often will see things in one light and give his opinion, and no other opinion really can replace his, because nobody can see the same things; yet for some reason or other, either because he is not considered to have had enough experience, or for some other reason, it is not thought proper to trust him.

34389. It is a question not of personal distrust, but of official distrust?—Yes, of official distrust.

(*The witness withdrew.*)

Mr. M. KENNEDY was called and examined.

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34390. (*Chairman.*) You are the Acting Inspector-General of Police?—Yes, I do not belong to the Civil Service; I am an Uncovenanted Civilian, a member of the Indian Police. I have acted as Inspector-General twice before.

The Inspector-General of Police does not exercise any control over the police in the City of Bombay or Sind. The Presidency is divided into a number of districts and railway police charges. To each is posted a District Superintendent of Police. Provision has been made for a Deputy Superintendent in each district charge and for an Assistant in the larger or more important district and railway charges.

The direction and regulation of the police throughout a district is vested in the District Superintendent of Police, as executive Head of the force, under the command and control of the District Magistrate. The District Superintendent of Police is in fact an assistant to the Magistrate for the superintendence of the police of the district. On railways, the direction and regulation of the railway police is vested in the Superintendent of Police under the general control of the Inspector-General of Police. Assistant Superintendents of Police hold charge of divisions of Superintendents' charges, while Deputy Superintendents are personal assistants, so to speak, to the Superintendent of Police.

The Presidency and Sind are divided into three ranges, Northern, Southern and Sind, over each of which a Deputy Inspector-General of Police exercises jurisdiction. Similarly, over the four railway systems, the police on which are under the control of the Government of Bombay, a Deputy Inspector-General of Police exercises jurisdiction. This officer is also in immediate control of the Finger Print Bureau, Criminal Investigation and (under the orders of the Secretary to Government) the Special Branches.

At present, the duties of the Range Deputies in the Presidency proper are chiefly connected with inspection and supervising matters connected with the discipline and housing of the force and the prevention and detection of crime. The only functions of the Inspector-General of Police that they exercise are inspection and control of Line and Conservancy Funds; for the rest, correspondence on certain matters passes through them between the Inspector-General and District Officers.

The Deputy Inspector-General of Police in charge of the Railways and Criminal Investigation Branch besides controlling the Criminal Investigation Branch and Finger Print Bureau Staffs, exercises, subject to the orders and control of the Inspector-General of Police, most of the powers of the Inspector-General of Police with respect to police on railways.

The province of the Inspector-General of Police is to watch over the recruitment, drill, education, housing, and equipment of the police and so to regulate their internal organization and their methods of working as to render them the most efficient instrument possible for the use of the District Magistrate in the safeguarding of his charge. In relation to the District Police force, certain spheres of duty have been assigned to the Commissioner, Inspector-General of Police and District Magistrate respectively. Since the orders of the Government of India on the Police Commission's Report, the Inspector-General of Police's sphere of duty has been enlarged with a corresponding narrowing of the spheres of the Commissioners and District Magistrates. In respect to railway police, the Inspector-General of Police is vested with the full control. The duties of the Inspector-General of Police in respect to Agency police, Kathiawar excluded, are confined to inspection, reporting and equipment.

The power to punish sub-inspectors, head constables and constables is vested in District Superintendents of Police. Appeals from orders of punishment in the case of sub-inspectors lie to the Inspector-General of Police; in the case of head constables and constables to the District Magistrate. Punishment Returns are submitted by District Superintendents of Police to the Inspector-General of Police, who is empowered to call for proceedings thereon, and in the case of head constables and constables to move, if necessary, the District Magistrates in cases where, in the opinion of the Inspector-General of Police, the punishment requires revision.

Lastly, the Inspector-General of Police is an advisory authority to Government in all police matters on which Government may desire to consult him, and as Head of the Department is consulted regarding the posting, transfer, leave, etc., of all Gazetted Officers.

Strict uniformity in important details without due regard to local conditions and requirements is too often imposed with results fatal to efficiency. In police organization it is hardly possible to institute *safe* general comparisons based on figures and statistics, even those relating to the ratio of police, to men, population or crime, between the requirements in the regular police of any one administration and those of other jurisdictions. Still less is it safe to take any one Presidency or province as a model for the rest of India. The physical characteristics of different parts of India differ largely; in criminality, habits, temperament and nature the population varies; the system of village police and the management of their affairs by village communities is not the same in any two administrations, and even crime and the dealings of the police in respect to it are unlike. Then certain forms of crime, such as dacoity—which may be more prevalent in one province than another—require more police both for purposes of prevention and detection. Again, the regular police in some provinces and Presidencies receive more assistance from auxiliaries, such as zemindars, chaukidars, and other organised rural police, than in others. In short, the conditions under which police work is carried on in different parts of India show many variations. A system or method which may prove effective in one province will not necessarily work well in another, and what is sufficient in the way of establishment, salary, etc., in one place is inadequate or excessive in another. Considerable latitude must be allowed to local administrations in the matter of adapting measures of police organization to local conditions and requirements.

India is not a country suited to rigidity and uniformity in administrative details, and, politically, it is a mistake to aim at too great uniformity. In matters of police organization and reform let, if need be, the Government of India lay down the broad outlines, but let Local Governments and

Administrations be given a freer hand in working out the details and determining what is necessary to secure reasonable efficiency.

Police conferences between Heads of the police in the various provinces may be relied on to bring about greater uniformity where such is found, by experience, to be essential to the efficiency of the Police Service in India as a whole.

So far as the police is concerned, the Director, Criminal Intelligence, Simla, is the only officer under the Government of India who deals with us direct in this presidency. His sphere of work should be confined, in matters dealt with by direct correspondence, to suggesting and advising, care being taken to avoid anything suggestive of an order. Matters requiring orders should be referred to Local Governments, with a view to the latter being given an opportunity of considering the questions and, if they think necessary, issuing their own orders to the officers serving under them.

In the absence of any evidence of abuse of the power of appeal I do not think it would be desirable to prohibit appeal unless accompanied by a certificate as to its admissibility, from the officer whose decision is appealed against. The suggestion, if adopted, would practically block the way to appeal in nearly every case, as the authority passing the order appealed against could hardly certify to reasonable grounds of appeal existing without stultifying himself. I do not consider that any curtailment of the right of appeal is necessary or desirable in the case of Gazetted Officers.

As a rule police officers are fairly familiar with one vernacular but we have four in our Presidency, and it does not always follow that an officer has the requisite knowledge of the vernacular of the district he happens to be serving in. But officers of to-day have not the same colloquial fluency in the vernaculars than they used to have 30 years ago. I attach the greatest importance to the possession by police officers of complete familiarity with the vernacular for the efficient discharge of their duties. Aptitude for languages should be an important qualification for appointment to the Police Service.

In Bombay City the Police administrative staff is, in my opinion, quite inadequate to secure efficiency. There should be at least one more Deputy Commissioner and a personal Assistant to the Commissioner. In respect to the *mufassal* police, the Inspector-General of Police requires another Assistant Inspector-General of Police badly. Neither the Commissioner of Police, Bombay, nor the Inspector-General of Police has sufficient time to devote to outdoor work and keeping in personal touch with the Indian public. They are overwhelmed with office work. One or two of the district charges and all the railway charges are too much for one officer to do justice to.

I do not consider that a need exists for Advisory or Administrative Councils in police administration. An efficient officer who knows his work, and is in touch with the people, ought to be able to find out all that is necessary in the course of his tours and work in his charge. Moreover, it would be impossible to evolve any satisfactory system of Councils to assist in the administration of the police. Sufficient and efficient supervision is the basis of good police administration.

34391. Has the provincial Government liberty to increase the force when they think the requirements of the Presidency demand it?—They have to go to the Government of India.

34392. Whether for the rank and file or for the officers of the force?—Yes.

34393. Even to so small an extent as the increase of a single constable?—Yes; to the best of my belief they have to go to the Government of India for any permanent increase.

34394. Are you sure of that?—I rather think so, but it is scarcely within my province; I simply ask my own Government.

34395. Does the necessity of having to refer to the Government of India hamper you as Inspector-General in the maintenance of order?—It causes delay, and that causes administrative inconvenience.

34396. Has it ever caused serious injury to the efficiency of the force or the maintenance of order generally in the Presidency?—Not to my knowledge.

34397. Therefore, from your point of view, there is no reason why the Government of Bombay should not refer to the Government of India if they wish to increase the strength of the police force in the Bombay Presidency?—There is an objection, because it is so extremely difficult to convince the Government of India of the necessity for any increase, and serious injury is now being caused to the efficiency of the force by this very difficulty.

34398. It is easier to convince the Local Government, who know the requirements of the Presidency, than the Government of India, which is at some distance?—Precisely.

34399. Since the Police Commission have things been more easy?—We are in the throes of this very question; we cannot get anything out of the Government of India at all that we want in the way of extra police, as the result of the Police Commission.

34400. Have you in consequence of the recommendations of the Police Commission made certain representations to the Government of India?—We have.

34401. Have those been rejected, or are they under consideration?—They are under the consideration of the Government of India at present. Our proposals have just come back from the Government of India in two sets, one for railway police and the other for the district police; in the first case the Government of India kept the papers for thirteen months; then we got a letter objecting practically to everything that we proposed.

34402. Every single proposal?—Not quite, but the objections ran right through our proposals.

34403. Then in the second case?—In the second case, the papers remained with the Government of India for eleven months, and they have come back with the same sort of criticisms precisely as were made in the case of the railway police proposals.

34404. Detailed criticisms?—Absolutely detail.

34405. Who would be responsible for the increase of expenditure entailed by the acceptance of the proposals of the Government of Bombay?—I suppose it would be the Imperial Government; that is a matter of high politics upon which I am not competent to reply.

34406. You tell us that the command and control of the police force is under the District Magistrate. I do not quite understand the meaning of the word "command"?—That is the word in the Act.

34407. Is that an Act local to Bombay?—The local Bombay District Police Act.

34408. Does the word "command" in the Act practically interfere with the disciplinary control of the force by the District Superintendent of Police?—Not at all.

34409. The District Magistrate is wholly responsible for the peace of the district under that Act?—The Act gives him the power to exercise his authority, should he ever require to do so, over the District Superintendent of Police, but as a matter of fact he never does.

34410. For instance, could the District Magistrate call upon the District Superintendent of Police to remove an inefficient constable?—Certainly.

34411. Would that be an interference with your executive control of the District Superintendent of Police which you would object to?—Not in occasional and isolated cases, but if it was constantly being done without any rhyme or reason then it would be objectionable.

34412. When a subordinate police officer is fined or otherwise punished, are there two lines of appeal by him against that punishment?—There are two lines of appeal for different grades of officers. From the sub-inspectors grade the appeal lies to the Inspector-General of Police; in the case

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of the rank and file, the head constables and constables, the appeal lies to the District Magistrate.

34413. Is that a good system?—Personally I think it is very bad.

34414. Have any representations been made by the Inspector-General to the Bombay Government on the point?—Cases have cropped up where the inconvenience of the procedure has been pointed out, but it is in the law, and we have been rather watching for the Government of India Police Act that was promised, before making any proposals of the sort, because our law would presumably be then repealed.

34415. You have no reason to complain then particularly against the Bombay Government for the continued existence of this double line of appeal?—The lines of appeal were carefully thought out at the time and were embodied in a law, and it was not therefore right that we should question the Government of Bombay in the matter; but personally I think it is quite a wrong system.

34416. It is obsolete?—Quite.

34417. Does correspondence pass between the Deputy Inspector-General of Police and the District Officers?—All correspondence does not, only as to certain subjects, buildings, drill and discipline, and so forth; the Deputy Inspectors-General of Police have not yet been given direct powers, because we are waiting for this Government of India Act, which never comes; they are the creation of the Police Commission.

34418. Have the Government of India made a general announcement that an Act is not likely to come?—I think probably they have not; I do not know, but I am afraid it has been indefinitely shelved; unofficially I learned that when I was in Calcutta.

34419. Suppose the Act is not likely to come into existence, is there any reason why these matters should not be pressed on the attention of the Government of Bombay?—Not at all; I think they should be, and I think they will be.

34420. With regard to the Director of Criminal Intelligence, do you ever, in your capacity as Inspector-General, come into contact with him?—Personally I have not done so as Inspector-General, but as Deputy Inspector-General for Railways and Criminal Investigation, I have.

34421. Do you get orders from the Director of Criminal Intelligence?—Yes.

34422. Upon what subjects?—Subjects connected with finger-print work, and reporting to him certain classes of crime that occur.

34423. Do you mean orders to you as Inspector-General of Police in Bombay or orders to one of your Deputies?—As acting Inspector-General I have not received any orders from the Director, but as Deputy Inspector-General for Railways and Criminal Intelligence I have received orders, and those are the orders I refer to.

34424. Were you, when appointed Deputy Inspector-General for Railways and Criminal Intelligence, placed in any way under his orders?—Not in any formal manner.

34425. Were you led to believe that you would receive orders from him?—Yes, I was led to believe so.

34426. By him or by your Government?—Certainly not by Government.

34427. By him?—No, I was not, except that the orders came and one carried them out and obeyed them.

34428. Then you expected to receive orders from him?—That is how we have always looked upon it.

34429. Is that an assumption of undue authority on his part?—Certainly, I think so.

34430. Imposed upon you as Deputy Inspector-General by a gradual growth of practice more or less unconstitutional?—Yes; knowing the position he held in the Government of India with reference to all police matters, there was nothing to do but accept the situation and make the most of it.

34431. Are the action which has been taken, and the orders which have been given, generally speaking, detrimental to your work in the province?—I do not say that, but they cause unnecessary work. I have been able to discover nothing that the Director of Criminal Intelligence has done for us down here or has been able to teach us or anything else; he calls for returns and reports, and we submit them. He himself came down during the Royal visit and he wanted to go round and see where all the police were to be posted and so on.

34432. That is hardly a matter of Criminal Intelligence?—I do not think it is, nor do I think it right for an officer from Simla to come down here and tell us where to post our police.

34433. Was it the Director himself who came down?—Yes.

34434. Therefore, instead of the work of the Director being confined to advice and suggestions, it has actually come to this, that he issues orders which you are practically bound to obey?—Yes; we got some orders, not a large number.

34435. Suppose you refused to obey these orders?—I suppose we could have a fight over the question, but it is not right in a disciplined force that one should refuse to obey the orders of one you regard as your superior.

34436. Then you regard him as your superior?—Naturally, from the position which he holds.

34437. He is an officer of the Government of India, not of the Government of Bombay?—Yes.

34438. To whom are you responsible?—To the Government of Bombay directly.

34439. Have the European officers of your force a good knowledge of the vernacular?—Some of them have a very excellent knowledge of the vernacular; some are rather deficient, and some never will have a knowledge of the vernacular.

34440. Is a police officer of any use if he has no knowledge or an insufficient knowledge?—I do not think he could be a really good police officer unless he is fully acquainted with the vernacular colloquially.

34441. Have you any power of getting rid of such an officer?—No, none at all.

34442. Without mentioning names, if you had a free hand in this matter, are there a certain proportion of your officers whom you would like to dispense with on the ground that they are inefficient?—There are some officers whom I certainly would retire on a modified pension.

34443. And you have to retain them in the Service, more or less to its detriment, because you have no power to get rid of them?—We cannot get rid of them unless they are invalided out, or unless they put in their full time for pension, 30 years.

34444. (*Sir Steyning Edgerley.*) Is not the correct channel of communication of the Director of Criminal Intelligence with this Presidency through the Secretary to Government?—That is the recognised channel.

34445. You were a local member of the Police Commission?—Yes.

34446. And you afterwards went to Simla and worked through certain figures?—Yes.

34447. The *formulæ* which you had to use were supplied to you there?—Yes, it was a rule-of-thumb arrangement.

34448. When the Police Commission came round you had already been on special duty for some months and had practically prepared a scheme of re-organisation?—I had.

34449. The Bombay Government had also been working at a re-organisation scheme for Sind?—That is so.

34450. When you were at Simla you knew perfectly well that the figures which you were given to work on at Simla were quite insufficient in the lower grades for the needs of the Presidency?—Yes.

34451. As for the Police Commission scheme, broadly speaking, except as regards Bombay City, the Bombay Government accepted the principles of the scheme all through?—Yes.

34452. There was considerable hesitation before accepting the sharp line of division between the head constable and the sub-inspector?—I could not say what the Bombay Government thought about that; it is not within my knowledge.

34453. And before accepting the divisional training schools for constables?—There was a very sharp division of opinion there; we were very doubtful about the divisional schools.

34454. Because it was thought it would interfere with recruiting?—Yes.

34455. Speaking very broadly, the differences which really arose between the Bombay Government and the Government of India were relative to the numerical strength of force of head constables and constables, in order to give what was considered adequate relief for guards and adequate force at police stations and adequate clerical assistance?—Yes.

34456. And we also had some difference of opinion as to the superior force necessary for certain charges?—Yes.

34457. But there was really no difference of principle—it was a question of numbers rather than principle?—That is so.

34458. While that was under consideration the then Director of Criminal Intelligence came here and discussed these matters?—Yes.

34459. As the result of that you were sent to Calcutta?—I was sent to Calcutta in order to compare the Great Indian Peninsula Railway and the Bengal Railway system of police.

34460. The Inspector-General was sent with the intended Principal of the Training College to Bhagulpur, with orders to stop in the United Provinces and examine their system of *taluka* guards?—Yes.

34461. The Bombay Government were told as regards your deputation to Calcutta that they should examine the system in force in one of the provinces where a relatively smaller staff of railway police officers was found adequate?—Yes.

34462. In Calcutta did you find the Inspector-General satisfied with the adequacy and efficiency of his force?—I did not discuss with the Inspector-General the adequacy of the force, but he had inspected the railway and he had recorded a note to the effect that the system there was wrong; that the Superintendent was not sufficiently in touch with his crime at all; that the work was too much in the hands of subordinates, and that he disapproved of the system.

34463. I do not want to go into particular details, but as a system which you were to be sent to learn from as a model, it was not much good?—No good at all, and the officers up there did not altogether like it themselves.

34464. As regards the railway police, the Government of India objected amongst other things to constables being posted at the Byculla Station in Bombay?—The wording of it was, "The Government of India did not consider it necessary to have police at such suburban stations as Musjid, Byculla and Dadar; there are no police at similar suburban stations in Calcutta."

34465. As a matter of fact the long distance traffic leaving Howrah Station, Calcutta, runs without a stop to Hughli, 50 miles out?—I could not say for certain about that.

34466. But the chief long distance trains from Bombay all stop at Byculla, which is in the middle of the city, and serves the northern half of the city more conveniently than the Victoria Terminus?—Yes.

34467. Therefore, is not this comparison altogether misleading?—Yes; the traffic at Musjid Station alone is 11,000 per day, and at Churchgate Station 18,000.

34468. The Government of India also objected to your putting police to regulate law and order on the platforms of the Bombay Baroda railway stations south of Grant Road?—Yes.

34469. Is not the traffic through those stations over seven millions of people per year?—The average daily figures are 9,000, 10,000, 12,000 and up to 18,000.

34470. You regard questions of detail of that kind as having nothing nothing to do with principles?—Exactly.

34471. Then as to the strength of *taluka* guards, the Inspector-General visited districts in the United Provinces and examined the system, and found that, owing to the presence of paid chaukidars, the guard was independent of the *taluka* stations, and that the tahsildars were only Third Class Magistrates, so that the system was absolutely different?—Yes.

34472. As a matter of fact the United Provinces has a force of paid chaukidars which costs 22 lakhs, and which is paid from local funds; it does not come against the police fund at all?—That is the fact.

34473. In deference to the Government of India, the Local Government have been trying the proposed system of guards in Sind to some extent?—I do not know that.

34474. Have you any information about a recent escape of desperate criminals at Hala in the Hyderabad district?—Yes.

34475. Was that not due to a very inadequate guard in the middle of the day?—I am given to understand that the guard were away, excepting the sentry.

34476. As a result, two men were killed and eight or ten desperate prisoners escaped and were re-captured with difficulty?—Yes.

34477. If you have an inadequate guard you must occasionally expect incidents of that kind?—Of course.

34478. Is it putting it too strongly to say that the Government of India have been forcing the Police Commission scheme through, not merely in principle, but in all details, by the aid of the Director of Criminal Intelligence and in disregard of the Local Government's recommendations?—I should say that that describes it accurately.

34479. The Local Government are responsible for law and order and police administration?—Yes.

34480. The result has been very great delay, and in Sind public indignation meetings have been held as to the want of adequate police force?—We have had much the same sort of thing here.

34481. You were Inspector-General of Police before this reorganization scheme came on?—Yes, I was Acting Inspector-General.

34482. The Inspector-General of Police in this Presidency is the Controlling Officer for travelling?—He is now, but was not before; it was always the Commissioner who controlled the travelling allowance in those days.

34483. It was the Inspector-General's duty to see that the men travelled?—Yes.

34484. Did you find any difficulty in enforcing that under the old system?—No.

34485. You have now been Inspector-General under the daily allowance system; do you find that you have any greater facility for enforcing travelling under this system than you had before under the old permanent allowance system?—No, there is no greater facility at all.

34486. (*Mr. Meyer.*) Did not the report of the Police Commission go very much into detail?—It did.

34487. It set out what they thought proper scales of establishment for constables and head constables and sub-inspectors and all the rest of it?—In more or less a broad way.

34488. That report was referred to the Bombay Government as well as to other Local Governments?—I presume it was; I have no personal

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knowledge in what way it was referred; we all had copies of the report.

34489. Did not the Bombay Government accept it in general terms?—That I could not say; I was not in a position then to know.

34490. After the Local Governments had reported on the recommendations of the Police Commission, there was a resolution issued by the Government of India?—There was.

34491. And upon those recommendations of the Commission, and after consultation with, the Local Governments, the Government of India came to the conclusion that they would, in the course of a series of years, give a crore and a half to the provincial Governments for the development of police administration on these lines?—That is so.

34492. Are you aware that the Local Governments generally had sent up schemes on these lines, and that after a little give-and-take they were accepted? Is it the fact that the Bombay Government, having originally accepted the recommendations of the Police Commission, suddenly turned round and said, "This grading and this pay will not do for us; we must have a larger and more expensive force and more money"?—I am not aware of that; they sent up their proposals for establishment, and those are now under consideration.

34493. I put it to you that those proposals for establishment, whether rightly or wrongly, were on quite different lines from those which the Police Commission had laid down, and which the Government of Bombay had previously accepted?—I do not think so.

34494. They were a good deal more expensive for one thing?—I do not think so, it was a question of the units.

34495. You wanted more men in certain places? Sir Steyning Edgerley has given you some instances. You wanted a larger force in various respects than the scale of the Police Commission would have allowed you?—I think the only question was one of reliefs to the guards, and perhaps the clerical establishment.

34496. You mentioned the posting of railway police among other things?—We had to send up something, and we sent up something.

34497. Did that affect the total number of the railway police?—It reduced the total.

34498. Did you not want more highly paid head constables?—That did not enter into our proposals at all; we took the grades that were sanctioned by the Government of India.

34499. You say that the previous scheme and the scheme you sent up were almost entirely in accordance with the recommendations of the Police Commission?—Certainly.

34500. Except as to numbers?—Except as to numbers; we said what we thought was necessary.

34501. I put that to you just now and you said you wanted more men?—We drew up our requirements on the scales proposed and on the principles laid down by the Police Commission.

34502. If you take a certain scale you get to number X. You said, "X will not do, we must have X plus Y"?—Only as regards the question of the relief of guards.

34503. Not as regards the general force for the preservation of law and order throughout the districts?—No, not that I am aware of; we wanted more clerical establishment and more orderlies than the Government of India were prepared to allow.

34504. Except in those three matters, you stuck to X?—Yes, as far as I am aware.

34505. Anyhow, suppose for a moment that the Bombay proposals had involved a considerable advance over what the Government of India contemplated on the report of the Police Commission, there being only a limited amount of money to go round, it would have meant that if Bombay got more, the United Provinces of the Punjab or some other place would have got less?—It does not necessarily follow; they might have taken up reforms one by one and not all at once.

34506. The imperial grant was fixed for all India at 150 lakhs. If you have a fixed total quantity and you give more to one province, you must necessarily give less to some other province?—Quite so.

34507. As regards the Director of Criminal Intelligence, your point is that he is not concerned with the matters of police establishment?—I think he is not; I think he ought not to have anything to do with them.

34508. Are you aware that the Secretary of State specially agreed to his being consulted because he had been Secretary of the Police Commission?—I was not aware of that.

34509. Taking him in his proper function as Director of Criminal Intelligence, he is at the head of what you might describe as a Scotland Yard for India?—I should not say that at all.

34510. Has he not got a Central Criminal Investigation Bureau?—I believe he has some subordinates, but I have never seen any of them.

34511. Have you read the Resolution appointing him?—Yes.

34512. Did not that lay stress on the fact that the modern criminal did not respect provincial boundaries and that it was necessary to have co-ordination of police arrangements?—That we all know.

34513. Was that not the reason that we had this central department introduced?—I think probably it was.

34514. Then why do you dispute the suggestion that he is at the head of a sort of Scotland Yard for India; is not that exactly what Scotland Yard does at home?—He does not perform any of the duties that Scotland Yard undertakes; he does not send men here and there to help us to detect crime.

34515. Anyhow, it is his function to look after crime in India?—Special forms of crime.

34516. Note forgeries, and rupee forgeries, for instance?—Yes.

34517. Is it not necessary, in order to track certain forms of crime, that he should get information locally?—Yes, if he is going to do anything with the case.

34518. Do you object to his asking for such information?—Such information as he asks for in a general way I do object to, because it gives a lot of trouble, and we get nothing in return for it.

34519. But he may get something in return for it?—If he had got anything worth having in our cases, we should have heard of it I should have thought; we ought to have heard of it.

34520. You admit that he may require a certain amount of information, but he asks you for too much—is that your point of view?—I object to the way in which we are called upon to supply information.

34521. Would you say it is too peremptory?—Yes, and I do not think it comes through the right channel.

24522. You say that you had never complained to your own Government about it?—My dealings with the Director have been as a Deputy; I have complained to my own Inspector-General in an informal way; I have not put it on paper and made a formal complaint about it.

34523. Now that you are yourself Inspector-General, have you used that position to protest to the Director?—Lately nothing has come from him; since I have had charge I have had no complaints at all.

34524. The Bombay Government mention a case in which the Inspector-General of Police in this province wrote up to the Director of Criminal Intelligence suggesting that he should convene a

conference to consider the question of police pensions; was that in your time?—I was not Inspector-General, but I know the instance.

34525. Do you think that that was a proper thing for the Inspector-General to do?—Under the particular circumstances I do not see that there was any harm in it; it was a question of the 30 years rule or the 25 years rule. We had a police conference of the province in Poona, and at that conference a lot of the officers asked the Inspector-General to move in the matter of reducing the term of service from 30 to 25 years, as it is an old burning question. He said that he thought it was a question that should be dealt with all over India, as there are police all over India, and he said, "I will write and ask Sir Harold Stuart whether we can discuss this question at a conference of other Inspectors-General." He said he should like to take the same line as other Inspectors-General were going to take.

34526. What was Sir Harold Stuart's answer?—To the best of my recollection he said that it was not a subject which ought to be dealt with at a conference of Inspectors-General.

34527. Was that not an eminently reasonable answer?—I am not prepared to judge in the matter.

34528. Suppose he had acceded to that proposal, would he not very justly have exposed himself to the reproach of interfering with the functions of Local Government?—The conference of Inspectors-General was a proposal that was put forward by the Police Commission, and the Government of India, I think, endorsed it; the proposal was that there should be periodical conferences of Inspectors-General all over India; it was in pursuance of that suggestion that our Inspector-General wrote.

34529. Has there been such a conference?—No, not yet.

34530. Have the Bombay Government taken any notice of this matter?—Not that I am aware of.

34531. Have they intimated their displeasure to the Inspector-General?—Not that I am aware of.

34532. (*Mr. Hichens.*) Is it desirable to have a uniform pension scheme for the police all over India?—Yes. Whatever scale you sanction for one part of India should hold in other parts; why should officers be differently treated?

34533. Would you apply that to officers only, or would you say it applied to the men as well?—I should apply it to the men as well as the officers.

34534. Would you apply the same to their scale of pay?—No, because the rates of living are so very different in different parts of India and the conditions and circumstances are different.

34535. Their salaries differ in different parts of India?—They have done hitherto.

34536. Some parts of India are much more unhealthy than others?—Some parts are more unhealthy for Europeans, of course.

34537. May not those factors, namely higher pay and unhealthiness and various other similar factors one might mention, influence the class of pension that you give to a man?—I should not say that it is necessary to vary the rates of pension. Pensions actually vary as it is, because, broadly speaking, they are calculated on the average pay of the last three years of service; so where the average differs, the pension differs.

34538. The Government of India gave a certain grant for carrying out the reforms recommended in the Police Commission Report. Have those doles to be separately accounted for?—I do not know.

34539. Are District Superintendents of Police empowered to make promotions?—Yes, they do promote and appoint the rank and file; head constables and constables they appoint, promote and dismiss.

34540. Have they power to give small rewards?—Yes, they have a small grant for that purpose; up to a certain limit it is in their own discretion, beyond that they have to come to me in the case of larger rewards.

34541. (*Mr. Dutt.*) You have told us here that under the orders of the Government of India on the Police Commission's report the sphere of duty of the Inspector-General of Police has been enlarged and there has been a considerable narrowing of the powers of Magistrates; is that a move in the right direction?—I think so.

34542. You say that appointments and transfers of inspectors and sub-inspectors are now within the sphere of duty of the Inspector-General. The principal work of sub-inspectors is the investigation of crime?—That is their chief work.

34543. And that constantly comes to the notice of the District Magistrate?—No, I do not think it does necessarily; he does not try many cases himself.

34544. But he keeps himself acquainted with it?—He tours in a district and comes across all the officers of police; he has means of finding out and keeping himself informed.

34545. Would it be a good thing that the Magistrate should be officially consulted in matters of transfers and promotions in the police?—I do not think it is necessary at all.

34546. Then you say that the creation of police stations and outposts is also within the sphere of the Inspector-General's duties; in that case ought the Magistrate to be consulted?—Yes, certainly.

34547. As a matter of fact is he consulted?—Yes, always.

34548. Is it in the orders that he should be officially consulted?—Yes.

34549. The power to punish sub-inspectors is now vested in the District Superintendent of Police?—Yes, it is left with him.

34550. Should a Magistrate have a voice in the punishment of sub-inspectors?—I think not.

34551. Or in hearing appeals from sub-inspectors?—I think not.

34552. You think the Magistrate might be entirely set aside so far as the punishment of sub-inspectors is concerned?—Yes.

34553. So far as your experience goes, has the appointment of the Director of Criminal Intelligence been of any help to you in this province in the detection of any serious crime?—Not the faintest.

34554. Or in the prevention of any class of crimes or the suppression of any class of criminals?—No, not at all.

34555. So that that appointment, so far as this province is concerned, has been of no use to you in any of the objects or functions of police administration?—No, we have derived no benefit at all.

34556. (*Sir Frederic Lely.*) On the whole how would you characterise, shortly, the general effects of the Police Commission's Report as carried out?—The effect in this particular province has been somewhat mixed. It has been disastrous in the case of the lower grades. As regards the higher grades they have benefited. We have got a considerable amount of supervision now; we have more inspectors and Deputy Superintendents, and consequently there is more supervision. As regards the rank and file it has absolutely ruined them—blighted their prospects. The pay of the head constables having been reduced from Rs. 35 as the highest to Rs. 20, and a practical barrier having been raised against their advancement in the Service, they have absolutely no prospects whatever.

34557. That is a direct order imposed on the Local Government?—Exactly. We have now the sub-inspectors going through the school; the result is we have inexperienced sub-inspectors, boys from school, and a disaffected rank and file and between the two I really do not know how crime is to be detected.

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34558. In the Central Provinces the re-adjustment in the lower ranks has been a great boon?—That is because they drew lower pay before the orders came out. Every other part of India in fact has benefited except Bombay.

34559. You deprecate appeals of police officers to the District Magistrate—on what ground?—The appeal ought to be to the Inspector-General, for the simple reason that the Inspector-General understands these matters better.

34560. You mean even those appeals which go to the Magistrate now?—Yes. I should remove those to the Inspector-General.

34561. That would be distinct centralization?—It would be decentralization as well as centralization, because it would relieve the District Magistrate of the work.

34562. It would be departmentalization?—Yes; the Inspector-General can better appreciate cases of police default than the District Magistrate.

34563. Is not the District Magistrate deeply concerned with the police of his district?—Most certainly.

34564. Does not the success of his administration depend as closely upon the police as upon the efficiency of his revenue subordinates?—I should say the efficiency of the administration, both in the district and the Presidency, and in India in fact, depends on the efficiency of the police.

34565. I am speaking now of the District Magistrate's special interest in the police. His administration depends for success as much upon the police as upon the efficiency of his revenue subordinates?—I think probably more so.

34566. Is it not an advantage to any department to get co-operation on as broad a basis as possible?—Yes.

34567. Would you not say that it is an advantage to the police sepoy to be able to appeal to a man accustomed to treat matters judicially?—They do not like it, they prefer going to their own officers.

34568. On what ground do you say that?—There are reasons within reasons; I do not think always that the District Magistrate looks into the case in the same way that the Inspector-General would.

34569. It is not a matter as between the District Magistrate and the District Superintendent or the Deputy Inspector?—No, the District Superintendent punishes the man in the first place, and the appeal then lies to the District Magistrate.

34570. You would transfer all appeals to the Inspector-General?—From the District Magistrate I would transfer them all to the Inspector-General, because at present the Deputies have no legal status.

34571. You think that that would be more popular in the force?—I am positive of it.

34572. Is the status of the police as good as you would wish it to be at present? I mean the general social status of the police in general estimation?—No.

34573. Would it be improved by transferring the last word on their careers from a man accustomed to judicial work to the Head of a Department?—I think so, because the Head of a Department understands them very much better than the District Magistrate does.

34574. (*Chairman.*) Do you transfer your Inspectors?—Yes.

34575. Without reference to the Commissioner?—Yes. As a matter of fact transfers are very rare, but I can make them.

34576. If an inspector comes back from furlough can you, as Inspector-General, place him in any district you like, without having to get the leave of the Commissioner?—Yes.

34577. With regard to the scrutiny of what is called civil budgets, of which you make mention, what does it mean?—All the district budgets go up through the Inspector-General of Police and he scrutinizes them and forwards them to Government with his remarks and opinions.

34578. Who is responsible for the composition of those budgets?—The District Superintendent in the first instance; then they go up through the Inspector-General, and certain items are subject to the scrutiny of the Commissioners.

34579. Before they come to you or afterwards?—Before they come to me; then they go finally through me to Government.

34580. Are you satisfied as to the scrutiny of the Commissioner?—We get on very well, we never have very much difference.

(*The witness withdrew.*)

Mr. F. G. SELBY was called and examined.

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34581. (*Chairman.*) You are Acting Director of Public Instruction?—Yes, on this occasion since about a year; before that I was for 15 months in the same position. I came out to India from Oxford to the Deccan College.

Principals of colleges are responsible for the internal arrangements, the distribution of work, and the maintenance of discipline in their colleges. The same is true of the head masters of schools. Principals of colleges and head masters of high schools correspond directly with me. Principals of vernacular training colleges are immediately subordinate to the inspecting officers of their divisions. Professors and lecturers in colleges have no defined work beyond teaching. But they are expected to give such general assistance to the principal as he may require.

Inspectors are generally responsible to the Director for the state of all forms of education in their divisions except collegiate education. They do not directly administer the high schools, but they inspect them and are expected to advise the Director as to their requirements. Their chief concern is with primary education. They advise municipalities, frame Local Board budgets, administer Local Board primary schools through their deputies, and inspect all schools in receipt of aid and recommend to the Director the grant to be assigned. The inspectresses are expert advisors of the department. They have no financial or administrative powers. Deputy inspectors administer Local Board Schools, under the general control of the inspector, and assist in the work of inspection. At present I have, by my own wish, no personal assistant in the Indian Educational Service.

Ultimately I am responsible for everything which affects education. There is nothing, no matter how trifling, which may not be referred to me. But my chief duties are:—(1) to bring to the notice of Government educational requirements generally, and to advise Government on any matter which they may refer to me; (2) to suggest appointments either in colleges or to head masterships of schools, or to inspectorships or deputy inspectorships, and to make subordinate appointments either in schools or in training colleges or in the inspecting branch of the Service; (3) to make recommendations with regard to courses of study or the nature and conduct of examinations; (4) to report to Government upon books the authors of which seek departmental patronage; (5) to control the sums allotted for building grants and grants-in-aid of educational institutions; (6) to act generally as arbiter in matters which may be subject of dispute or appeal; and to decide matters referred to me by Heads of colleges or inspectors.

There is a tendency towards undue uniformity. The other day the Government of India wished to insert a conscience clause in the new Code for European Schools, apparently for no other reason than that it was not objected to elsewhere. Again, some years ago, in opposition to the advice of the Local Government, the Financial Department insisted on forcing upon the Deccan College a mode of dealing with caution money which involved loss

to the college. This was done simply because a universal rule was thought necessary. This was a case in which it was quite unnecessary for the Government of India to interfere at all. Such interference would not occur often if officers were more willing to act on their own responsibility instead of asking Government for rulings. A desire to secure uniformity in a country like India ought never to be put forward as a justification of any proposal, and when it is a question of applying a principle to local conditions or of utilising locally a grant made by the Government of India for a specific object the opinion of the Local Government ought to prevail.

I can see no justification for the existence of a Director-General of Education. So far as this department is concerned he might as well not exist. An individual may occasionally do a useful thing, but he is not worth the cost of his upkeep. I suppose that one way and another he costs from 50 to 75 thousand rupees a year; and I am certain that the money could be better spent.

Sometimes I have found that whether I got what I wanted or not depended on the mere accident of whether the Member dealing with a question sent for me to discuss it personally or not. I think that a proposal to which the Head of a Department attaches importance ought not to be negatived without giving him a chance of discussing it with the Member in charge. There is occasionally too much eagerness to make higher education more self-supporting. For instance, a mistake was made recently in raising the rate of room rent in certain colleges.

The people with whom it is becoming more and more important that high educational officers should be in close contact are the educated leaders of native opinion. If a man wants to know them he can know them. What influence an individual will have with them will depend on the range of his intelligence and his sympathy. An inspector probably knows enough of the vernacular to understand what the villagers want to say to him on his tours: but of course in his inspection of a primary school he is at a disadvantage, just as a Marathi inspector is at a disadvantage if he has to examine a Canarese or Gujarati school. The examination in vernaculars according to the Higher Standard might be improved.

With the opening of new primary schools it will be necessary from time to time to add to the subordinate inspecting staff.

In colleges transfers are very rare. I have submitted a proposal which has been approved by the Local Government, which will render the transfer of head masters equally rare. Transfer of inspectors is not common. There are more frequent transfers of assistant deputy inspectors than I could wish. Something might be done to stop this by making salaries personal instead of local. Transfer of assistant masters in schools are undesirably frequent but this is inevitable.

Municipalities have full powers already in educational matters. The department does and can do little more than offer advice.

It is not desirable to increase the powers of District Boards. The present system works without friction.

34582. Had you had any experience of Indian languages before you came here?—No.

34583. Had you any difficulty here in understanding the vernaculars spoken by the students?—None, so far as the college goes, one does not depend much on the vernaculars.

34584. Were you teaching Indian students?—They were all Indians.

34585. What were your means of communication?—English. What you find in a college as a rule is that boys of ordinary acumen and industry learn in a month to understand an Englishman readily.

34586. Is that a good system?—It is desirable that those who lecture to the junior classes on English should know the vernacular, because then they could see how students come to make the mistakes they do.

34587. Do these lecturers come out as inspectors of schools?—No, but there is nothing to prevent a man being transferred from the professorial to the inspecting staff. Inspectors come out first either as schoolmasters or as professors.

34588. If a man prefers he can go from the professorial to the inspecting line?—He can do so.

34589. In what capacity does the ordinary educational officer arrive in this country?—Never as an inspector. Sometimes as a schoolmaster, sometimes as a professor.

34590. Then he rises from the grade of schoolmaster or professor to be inspector?—I should not call it a rise from a professorship to an inspectorship; I should call it a transfer.

34591. Does the inspector receive a higher pay?—It depends upon his seniority.

34592. Is there any motive for transfers to an inspectorship from a professorship?—It is a matter of taste. Some people prefer one kind of work to the other. It is also possible that a man may see promotion earlier in front of him in one line than the other.

34593. Is there any examination in the Indian vernaculars for members of the Educational Service?—Yes, in the language of the province in which the officer is serving, but in Bombay a man is allowed to take up Urdu if he likes.

34594. Is the standard of examination sufficiently high?—It is faulty in that a man may pass without being able to talk much. The vocabulary of the books is useless for conversation. I represented that to Government years ago, but my suggestions were over-ruled by the permanent Director.

34595. Does that rest with the Government of India or the Government of Bombay?—My impression is that it rests with the Government of Bombay.

34596. When the inspectresses come out do they actually examine the pupils in the schools upon their arrival?—They examine the European schools first. An inspectress in Bombay is not given an inspectorship in the native schools until her work has been proved.

34597. Would you say that you are responsible for Indian education?—If there is a matter for decision it comes up to me.

34598. When you formulate a scheme for the consideration of the Government, do you, before you reduce the scheme to paper, discuss it with the Secretary of the Department with which you are concerned?—I do, if I happen to be in the same place with him.

34599. Do you move about with the Government of Bombay?—I do not come down to Bombay, for instance. My headquarters are at Poona.

34600. Therefore you are separated from Bombay for certain months of the year; during that time you have to conduct all your correspondence with the department by letter?—Yes.

34601. Do you find that that is an advisable method of conducting all the preliminaries to a scheme?—I think it is as a rule. Of course, sometimes points arise which you would like to talk over with a man, but for nine-tenths of the business I have to do I do not find any difficulty.

34602. When you are in Bombay are you in the same office as the Secretariat?—I have no office at all here.

34603. When you are at Poona, are you in the same building?—I do my office work mostly in my house. There is no Secretariat in Poona.

34604. You do not see any particular advantage to be gained by oral, in preference to written communications?—Not in nine-tenths of the matters which arise.

34605. Cannot anything be done to check these frequent transfers?—I think it could, by making pay personal, not local. I have submitted proposals to the Government suggesting the power to give a man better pay without moving him. There should be a general power given.

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34606. (*Mr. Hichens.*) You think that the Government of India should be entitled to lay down general principles in the matter of educational affairs. How far do you think that the Government of India is entitled to interfere?—We are dependent of course on the Government of India for large grants of money, and the Government of India should lay down general principles regarding how that money should be used.

34607. Do you think that the money should be given generally, and not for any specific educational purpose?—What I object to about the system of doles is that we do not know when they are coming. If they are suddenly thrown at your head it is rather difficult to make the best use of them. In the case of the last grant but one, the Government of India made a reduction of half a lakh which we wanted to carry over; and generally there is difficulty in getting money transferred from one year to another. That is one of the weakest parts of the system.

34608. Would you say, generally speaking, that the Government of India should give the money and allow the Local Government to spend it as they liked, or would you prefer that the Government of India controlled the expenditure?—If the Government of India gave money for primary education, the Local Government should be left to see how it should be used.

34609. Would it be desirable for the Government of India to lay down the principles upon which grants-in-aid were to be distributed?—No, that depends upon local conditions which the Government of India do not know as well as the local people do.

34610. For example, should the Government of India determine whether they should be based upon results or not?—As a matter of fact the Government of India did concern themselves with that through the Committee which sat at Simla.

34611. But have not the Government of India some responsibility with regard to general education?—Yes, without doubt. The Government of India may fairly decide for what purpose they give money, and they may generally approve of the scheme for which that money may be used.

34612. What are the relations between the District Boards and the department in educational matters?—The District Board has the framing of the budget.

34613. They pay and you manage?—They do not pay. They contribute, and we manage except in so far as they must pass the budget.

34614. Are they entitled to say what number of schools they support?—The *taluka* Local Board can decide in what a place a school shall be fixed, and what class of school it is to be.

34615. Do the District Boards have Visiting Committees?—They have a committee in every village, but the District Board cannot do the inspection themselves because the area is too large.

34616. But the *taluka* Boards might do it?—They might ask one of the men in the village to do so regarding the village in which he lives.

34617. What do these committees do?—They do not do much. They turn up on the day that the inspector comes round and have a talk with him, and so on. But what they are chiefly interested in is about getting new schools where there are none.

34618. Do they take any interest in the educational work?—I think they do.

34619. Would they take more if they had more power?—I do not think they would.

34620. Would you advocate giving to the District Board and the authorities subordinate to them further powers in educational matters?—I would not.

34621. Do you appoint teachers in municipal schools?—I give them teachers when they ask for them. Actually of course I have no power over them beyond such influence as I can exercise through the Collector or the Commissioner. If a municipality refuses to listen to me I have no means to exercise my authority. I have the right of inspection simply. That follows from the grant. The curriculum is prescribed as a condition of the grant being given by the department.

34622. Would you give the District Boards the same powers as the municipalities have?—If you transfer powers, they should be given to the *taluka* Boards.

34623. Would you be in favour of doing that?—I think not.

34624. (*Mr. R. C. Dutt.*) Why not?—We have more knowledge than they have, and we have more time to give to the work. The masters, too, are more contented under our administration than they would be under people in the same village.

34625. But, on the other hand, would it not stimulate a little interest in the members of the *taulka* Boards themselves?—I do not think they are deficient in interest.

34626. But the members, if they had some little work to do, would take a little more interest generally in the welfare of education in the *taluka*?—They do not exercise the powers they have at present.

34627. But the powers are very limited now?—You seem to think that they have no powers. I think that a school is hardly worth keeping up in a village because of the attendance, and I want to transfer it, but the *taluka* Board says "you must not transfer it"; and I have no power to do anything.

34628. Do they say that?—They did the other day, and they are protected by the Act.

34629. The education budget is made up of one-third of the Land Cess?—Yes; everything else they get is from Government.

34630. Do you prepare a budget for the whole district?—Yes.

34631. Is the money sufficient for the purposes of education?—Certainly not. The people are always clamouring for new schools.

34632. Do you maintain and support these village schools or do you aid them and assist the villages to maintain them?—We do not expect the villagers to give anything in addition to the one-third anna cess.

34633. You have said that many villagers are anxious to get schools in their own villages. Supposing the *taluka* Boards agreed to pay the salary of the schoolmaster, and you provided a house, might not the number of schools be increased, and the schools placed under the management of the villagers themselves?—No, I do not think so.

34634. In other provinces the District Board simply pays the salary of the teacher and the villagers often find the house and furniture?—But what would become of the rest of the money?

34635. It would give you the chance of increasing the number of schools?—That is to say, that all the income we have now would go in salaries. I do not think that would do because I doubt if people would combine continuously to keep up a school.

34636. Supposing you were not able to build a school-house, would not a well-to-do man in a village give his outer room in which to hold the school? An arrangement like that would not cost much money?—That is the arrangement we do have now very often, but they do not like it.

34637. But suppose they do not have money for furniture the boys can squat on the floor?—We are supposed now-a-days to keep up to requirements, and how a boy should sit at work is considered a serious question.

34638. Anyhow you do not think that that system is workable in this province?—I do not think so.

34639. With regard to the establishment of schools you say that the final power rests with the *taluka* Boards?—That is a power they have, but I do not mean to say that it is always exercised in that way. The matter is as a rule discussed in the

District Board. It is passed in the budget discussion of the District Board.

34640. And no changes are made afterwards?—A supplementary budget can be produced.

34641. But in the case of a supplementary budget who has the power of passing the order?—The *taluka* Board has the power to do it.

34642. How are members of the Provincial Educational Service appointed?—They are appointed by Government. I recommend.

34643. Are the promotions and transfers in the hands of Government also?—They are.

34644. And you do not propose any alterations in the method of transfers and appointments?—No, I think it is quite right that the Government should have the power of promotion and transfer.

34645. Has the Director-General of Education sometimes sent you advice or suggestions about new methods of education which might be introduced with advantage in this province?—No.

34646. Might he not be useful in that way?—Why is he likely to know more about them than I do?

34647. You do not think that he is more in touch with these things in Europe or in India?—I do not think so.

34648. So you do not think he can be of any use in that way?—He has been of no use whatever.

34649. (*Sir Frederic Lely.*) With reference to the control over municipal schools you can withdraw the grant for a good reason?—I cannot; but I might recommend the Government to do so.

34650. That must give you a considerable control in the last resort?—Only in a very indirect way. Of course, under the Municipal Act, municipalities are bound to make and give reasonable facilities for primary education. But this is a vague requirement. Of course I can proportion their grant to their expenditure.

34651. Is the examination in the vernacular the same for Educational Officers as it is for Assistant Collectors?—I do not know. My impression is that Civil Servants pass certain departmental examinations in their own sphere. Our officers have to pass in the Higher Standard.

34652. Have you approved of a new scheme for the colloquial examination?—I approved of a scheme some time ago.

34653. It has been before Government, but was not accepted?—It was not accepted.

34654. What are the relations between the Education and Revenue Departments?—My relations with the District Officers have always been most pleasant.

34655. But do you think you can get, or do get, what help you need?—Yes, I have no doubt every Collector is quite keen about primary education.

34656. About secondary education?—I have suggested to Government that Collectors might assist us more by way of giving advice to the headmasters of secondary schools.

34657. There are no committees for secondary and high schools?—No.

34658. Might it not be well to make District Officers visit these institutions and acquaint themselves with the tone and general management?—It would be a very good thing and it is done to a great extent. I am constantly getting letters from Collectors, calling my attention to points they have come across.

34659. But is it generally done?—Yes.

34660. Does the Collector feel that he is responsible in the matter?—I do not know that, but when his attention is drawn to any question he draws my attention to it.

34661. But suppose anything was going wrong in a secondary school and it did not come to his knowledge for a considerable time, would Government blame the Collector?—No; I do not suppose the Government would blame him.

34662. (*Sir Steyning Edgerley.*) Did your scheme of examination ever reach Government?—It was rejected by Government.

34663. I think you said that it was disapproved of by the Director of Public Instruction?—He disapproved of it, and the Government agreed with him.

34664. (*Mr. Meyer.*) Are the majority of secondary schools maintained or aided by Government, or through District Boards and municipalities?—District Boards practically have nothing to do with secondary education. Municipalities have a certain interest in them. There is a Government high school in every district and there are a number of Anglo-Vernacular schools in every district.

34665. Your higher secondary education is given in English, generally?—Yes.

34666. Is it given at schools directly maintained or aided by Government?—There are some schools maintained in part by municipal grants; there are also schools maintained by Government and private schools maintained out of purely private funds.

34667. So municipalities do spend some of their funds on English secondary education one way or another?—Yes, by grants-in-aid in general.

34668. Still, taking the bulk of the expenditure, the support is chiefly by Government?—Yes; except in the city of Bombay, where the larger schools are private.

34669. Regarding the vernacular secondary schools?—We have no secondary vernacular schools.

34670. As regards primary education, is the aid local or provincial?—It is local in the sense that there is a grant from the Government to the Local Board, but the provincial Government gives a sum equal to half what the Board itself spends.

34671. Practically, the district expenditure is one-half directly from local funds and one-half from Government grants? Besides maintaining schools of its own, does the District Board aid private schools also?—Government may give a grant-in-aid to private primary schools out of provincial revenues. The District Board does not aid private schools.

34672. You refer to the Finance Department interfering with the use of money?—Yes; it was a matter in which I had the money in my hands myself and had put it into the Post Office. I was told that the money should have been put into the Government treasury.

34673. But there is a general rule that Government money should be put into the Government treasury?—Yes; but the interference was petty in the case of a small thing of that kind.

34674. But might not such suggested liberty lead to the injudicious investment of Government money?—Yes; but if they asked for an account I would have understood it. For instance, a Collector wrote the other day to say that the villagers had contributed money for certain schools, for which they had to wait for years, and he put me this question, "Why cannot I invest this money for them?"

34675. Did you raise that question?—That was only the other day.

34676. You do not agree with the appointment of a Director-General of Education; do you think you can learn all about other provinces from their reports?—I think so.

34677. You approve of conferences of Directors?—I think they might be useful.

34678. Is it not an advantage to have a man with a personal knowledge of the different provinces?—But my point is that he would only have a superficial knowledge.

34679. You have a practice now of sending Educational Officers abroad to acquire a knowledge of other systems. A gentleman was sent some time ago to Japan. Did he come from your province?—He did so.

34680. Do you think that that was an unnecessary expenditure, and that he could have got all

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the knowledge he required from the Japanese blue books?—No; I do not think so. I am not so intimate with Japan as I am with India.

34681. If money is not spent in the course of the year the Government of India do not take it: it goes to the provincial balance?—Not necessarily. The Government of India may take it.

34682. What particular grant was this to which you refer?—My impression is that it was one of six lakhs.

34683. May it not reasonably happen that the Government of India will not give money if they think you will not spend it?—It was a case of our wishing to transfer the money from one year to another; the balance was about half a lakh.

34684. It has been suggested to us in other provinces that it would be a good thing if the Secretariat notes on your proposals concerning education should come to you for reply before final orders are passed?—That is a practice which is very often followed.

34685. Would you like that to be recognised as the proper method of procedure?—I should like to be able to ask that an unofficial reference might be made to me before a case was finally decided against me.

34686. (*Chairman.*) Have you seen the case sent in by the Bombay Government, containing delegations which they purpose to make to the Director of Public Instruction, and which the Director of Public Instruction should make to his subordinates?—Yes; they are mostly my own proposals.

34687. Do you agree with them?—Yes.

34688. Are there any further delegations which the Local Government might make to you or your subordinates?—No.

34689. Do you think that these proposals cover the whole case?—I do not know, because I do not know whether these proposals include all mine.

34690. But so far as they go you agree?—Yes.

34691. Have you seen the proposed delegations from the Government of India to the Government of Bombay?—Yes.

34692. Do they cover what do you think is necessary?—Yes; I think so.

34693. Regarding the control exercised at the present moment over the various grades of schools, are you satisfied with the existing arrangements, or do you desire that the control of schools should be transferred?—No.

34694. If panchayats were established, would you give them the control of the primary schools?—I would not give them control over the curriculum at all. I think, too, the masters would be discontented if subject to panchayats. They would not feel sure of fair and impartial treatment.

34695. You are satisfied with the present arrangement?—Yes.

(*The witness withdrew.*)

Mr. G. S. Curtis, I.C.S., was called and examined.

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34696. (*Chairman.*) You are Settlement Commissioner and Director of Land Records?—Yes, and Inspector of Registration.

A Provincial Government should have full authority to deal with regulations affecting expenditure which is entirely a provincial charge. For instance, it should be able to decide whether service is superior or inferior. At the present moment, to take an example, it is urgently necessary to grant pensions to stipendiary village accountants as superior servants (their duties have largely increased; while the supply of candidates has diminished). The extra charge would be small and would fall entirely on provincial funds. But the Government of India have consistently declined to give the requisite sanction, and the result is that the Government will be forced to raise pay, which will cost far more than the grant of pensions on the higher scale.

The particular matter in which I would advocate larger powers for the Local Government is the collection of subjects dealt with in Section 78, Act III. of 1877. The question of fees to be levied under the Registration Act is one which must depend on local circumstances, and which can therefore be best decided by the Inspector-General of Registration. There is nothing to be gained in enforcing uniformity, and, as a matter of fact, uniformity is not insisted on by the Government of India; the fees taken in the various provinces differ in the most marked way.

The position of the Commissioner in the Presidency proper is not satisfactory. It is felt that partly owing to defects in the law, partly owing to the unwillingness of certain recent holders of the office to undertake responsibility, the Commissioner is not utilized, as he should be; that he tends to become a mere channel for the transmission to Government of communications from the Collectors in his Division. The Bombay Government have proposed to get over this difficulty by arranging to delegate to each Commissioner the powers now exercised by the Commissioner in Sind; but the Government of India have so far, I understand, refused to accede to this proposal. I am entirely on the side of the Government of India in the matter. The delegation may have been successful in Sind, but, firstly, the circumstances of Sind are peculiar, and, secondly, the Comissioner in Sind is always a picked officer of exceptional capacity and administrative powers. None who has had experience of Divisional Commissioners and their ways can deny that they are, as a rule, inferior in ability to the general run of Commissioners in Sind.

The abolition of the Divisional Commissioners and the substitution for them of a Revenue Board similar to that which has existed for some time in Madras, is a proposal which ought to receive careful consideration. I was nearly 5 years in Madras, where, for an outsider, I had a very fair opportunity of watching the working of their system; since I left the Presidency I have studied very closely the manuals issued by the Board of Revenue, and in my present office I have exceptional opportunities for observing the defects in our own arrangements. My conclusion is that the creation of a Board of Revenue is the only measure which will secure the object aimed at, *viz.*, the constitution of an authority between Government and Collectors which will relieve the former of the mass of details now imposed on it, and by their supervision of, and control over, local officers, maintain the efficiency of the administration without impairing the dignity of those immediately connected with it. My reasons are as follows:—

The appointment of Commissioner dates from January, 1830. There was originally only one of them. His duties are described in the original order as being "to secure a general supervision over the revenue administration, to prevent the infringement of established right and custom, to receive complaints against the acts of Collectors: to devise means for the improvement of the conditions of the people, the modes of agriculture and the resources of Government: to promote economy in public expenditure, secure uniformity, conciseness and other improvements, by which labour may be abridged, efficiency promoted, and the revenue of the different districts settled with reference to usages and seasons: to submit to Government suggestions calculated to promote the grand object of improvement in the fiscal administration of the country." Every branch of the administration was to come under his observation—schools, salt, excise, police, opium, post office: nothing was withheld from him. He was, as far as possible, to visit every district in the Presidency in the year.

The control of the multifarious branches of the public service proved too heavy a charge for one

officer, and in 1843 it was found necessary to appoint a second Commissioner, the Commissioner, Northern Division, taking Gujarat, Khandesh, and Thana, together with the control of continental customs and excise throughout the Presidency: and the Commissioner, Southern Division, the rest of the Presidency. The headquarters of the Commissioner, Northern Division, were fixed at Surat during the touring season: but he was required to spend the monsoon at the same station as the Commissioner, Southern Division, *viz.*, Poona. In the words of the order passed at the time Government observed:—

"The Honourable the Governor in Council desires that the freest and most unreserved communication be kept on all subjects between the two Commissioners, and each Commissioner is authorized to call for the advice and opinion of his colleague on all questions of general nature. During the monsoon the Commissioners will meet at such station as Government may previously determine in each year, in order to take into consideration any questions which may be referred to them by Government, and consult generally on matters of general application."

The duties of Commissioners were, in fact, to be twofold, partly administrative, partly consultative and advisory. Their control extended to every branch of the administration.

In 1844 the Commissioners wrote to Government, stating that they had both passed the monsoon at Poona, and had derived considerable advantage from being at the same place in the facilities for personal communication, and still more in the opportunities of access to each other's records They added:—

"The station to be selected for our ordinary monsoon residence is a point to which we attach less importance than to that of its being fixed somewhere. If we are to be together, we conceive that there can be little doubt that Poona would be considered the most eligible situation, there being already office buildings there and its vicinity to the seat of Government tending greatly, as we have experienced this season, to expedite the revenue business of the Presidency, almost the whole of which passes through our hands."

Government replied that though they were unwilling to deprive Gujarat of the advantage to be derived from the presence of the Revenue Commissioner there during the monsoon, yet having regard to the Commissioner's opinion, they were pleased to approve of their continuing to make Poona their headquarters, so long as it appears to Government that advantage results from the arrangement.

In 1855 the post of Director of Public Instruction was created which involved, of course, the transfer from the Commissioners of the supervision of schools; but otherwise their connection with departments other than the Revenue Department remained a close one.

In 1867 Mr. A. Rogers moved Government to allow him to remove his monsoon headquarters to Surat, but Government refused to accede to his request, and finally placed on record that considerable advantage was gained by the Commissioners meeting in Poona during the monsoon and considering important questions together, and that the possibility of creating a central office for them in that place should be considered. From 1868 onwards opinions wavered between the appointment of a third Commissioner or an Inspector-General of Police, but eventually in 1876 the occurrence of famine in the Carnatic necessitated the deputation of a special officer to control those districts, and this officer became the Commissioner, Southern Division. The Presidency was thus divided into the three divisions which exist at present, except that Kolaba was placed in the Northern Division.

About the same time the work of the Alienation Commission, which had been progressing for a number of years, was wound up, the post of Alienation Commissioner abolished, and the central office placed in charge of the Commissioner, Central Division. Further, a fourth Commissioner was created for the control of Salt, Excise and Customs work, which was therefore transferred from the Divisional Commissioners. The monsoon headquarters of all these Commissioners continued to be Poona.

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In the discussion which arose round the proceedings of the Finance Committee in 1887, the Honourable Mr. Peile suggested that, in order to relieve Government of work, the Commissioners should be formed into a Board at Poona during the monsoon and dispose of business in the same way as the Boards of Revenue in Bengal, United Provinces and Madras. Enquiries were made as to the practice prevailing in those provinces and the possibility of delegating powers to the Commissioners, and in the course of discussion which ensued it was suggested that they should live in their divisions during the monsoon. This suggestion was considered and finally adopted, with the result that in 1890 orders were issued that the Commissioners, Northern Division and Southern Division, should thenceforward make Ahmedabad and Belgaum their headquarters. Nothing was said in the orders directing the change regarding the measures necessary to maintain the joint consultative and advisory action of Commissioners, on which so much stress had been repeatedly laid by Government during the previous half-century. It was probably thought that this disadvantage would be more than counterbalanced by the relief which would be afforded to Government from the delegation to the Commissioners of the powers exercised by the Commissioner in Sind. If this was so, the expectation has not been fulfilled. As already stated, the Government of India refused sanction to the legislation necessary for this delegation, and at the present moment, except as regards the municipalities and a few minor subjects, the powers of the Commissioners are much the same as they were in 1890. At the present moment of course the headquarters of the Commissioner, Northern Division and Southern Division, are at Ahmedabad and Belgaum, respectively, and these officers only pay visits of a few days' or hours' duration to headquarters during the year.

The subsequent stages in the history of the Commissioners may be shortly described. In 1901 the Survey Department was wound up, and the appointment of Survey Commissioner was abolished, the responsibility of Settlement work and Land Records being transferred to the Divisional Commissioners. But in 1906, owing to the introduction of the records-of-rights and the necessity, which experience had fully demonstrated, of appointing an officer of higher status to advise on these subjects, the appointment of Settlement Commissioner was revived and matters connected with this branch of the administration are now fully dealt with in the Settlement Commissioner's office, this change relieving the Commissioner of a certain amount of responsibility. Furthermore, as a result of the recommendations of the Police Commission, the post of Inspector-General of Police was created and the duties of the Commissioners with reference to the police were in consequence very largely restricted.

I submit that two facts stand out very clearly. The Commissioner's duties were originally partly administrative, partly consultative and advisory. As far as administration is concerned, his sphere of action, which originally included all departments, has been much narrowed. The Collector, as District Magistrate, is still the Head of the police; he is still responsible for excise administration; as President, District Local Board, he is largely concerned with education, sanitation and medical relief; as Chief Executive Officer of the district he must necessarily have relations with Heads of Departments, like the Inspector-General of Jails and Director of Agriculture; as District Registrar he corresponds with the Inspector-General of Registration; as Chief Revenue Officer with the Director, Land Records, and Settlement Commissioner. But the Commissioner has not necessarily any connection with these branches of administration. A great deal can be done, and is done, without consulting him at all.

Secondly, his consultative and advisory duties are reduced to a minimum. Conferences of Commissioners are held from time to time in Poona

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during the monsoon; but no one who has had experience of them will say that they are satisfactory. The Commissioners, Northern Division and Southern Division, have constantly shown the greatest unwillingness to visit Poona for a longer period than two or three days. Subjects, which require sustained deliberation, are rushed through, or at any rate are disposed of with more haste than would be the case if the Commissioners were permanent residents of Poona. Moreover, the Commissioners, Northern Division and Southern Division, are largely cut off from Government and Heads of Departments under Government. The latter are often unable to discuss matters with the Commissioners during their hurried visits to Poona and, when they in turn visit the Commissioner's headquarters on tour, the latter are frequently away. Personal interviews thus become rare and correspondence increases.

If these two facts are admitted, if it be recognized that the Commissioner's usefulness lies largely in his advisory duties, that his direct interference with administration is confined to certain specified branches, he must reside with other Heads of Departments at the place where his usefulness as an advisor will be greatest, viz., at Poona. The orders of 1890 must be cancelled, and all the Commissioners summoned to Poona for the monsoon.

But this is not all. The Commissioner has become an officer concerned only with certain branches of the administration. This being the case, surely the logical course is to specialize still further and make each Commissioner deal primarily only with a few of those branches; in other words, to convert the Commissioners into a Revenue Board. Let us consider a few of the disadvantages which attend our present system. In the first place an enormous amount of work is done twice or three times over. There are, roughly speaking, alienations of land and cash allowances in the Presidency, which amount to a crore of rupees annually or nearly one-sixth of the whole income of the Presidency. Every single change in the amount or nature of these alienations in the Northern Division and Southern Division, after it is approved by the Local Commissioner, is scrutinized once more in the office of the Commissioner, Central Division, even though in many cases (where the grants depend on settlements) this change may have already been approved by the Settlement Commissioner as well. Would it not be better to have a single branch of the Board to deal with and settle the matter once for all, instead of passing the matter through three offices?

The exact relation of the Commissioner to settlements and land record work is at present in a state of uncertainty, but the number of correspondences dealing with revenue matters which are found to affect land record work in some way or other, is increasing and will probably eventually amount to 75 per cent. of the whole. All these have to be dealt with at present by two offices. Would it not be better to abolish the post of Settlement Commissioner and make the senior member of the Board responsible for everything?

Most questions connected with stamps come before me as Inspector-General of Registration in the first instance—though I have no power to dispose of these—because Registration Officers collect four-sevenths of the whole, and their action is constantly called in question in inspection reports. The officers who decide these questions are the four Commissioners and they all act independently. It thus may happen, as it has happened if I am not mistaken, that the same question may be referred by different Collectors to four different Commissioners and may be decided in four different ways. In practice the position is not quite so anomalous as it appears, because Collectors generally prefer to settle the matter in consultation with the Inspector-General of Registration in the light of the rulings of the Madras Board of Revenue, which appear from time to time in published works on the Stamp Act. But this is merely an accident. As far as the Bombay system is concerned, there is nothing to prevent the anomaly arising. Cases which arise out of the Watan Act and Acts allied to it are constantly being dealt with on different lines in different divisions. Would it not be far better to place every case arising out of hereditary rights before one single officer? In the second place there is a very large amount of petty detail which now has to go before Government, but which might be disposed of by the Board. A conspicuous instance of this is the preparation of forms. At the present moment every single change, be it an extra column to an Assistant Collector's diary or a new abstract for the record of rights, has to go up to Government for sanction, a course which involves an immense amount of work and delay. Commissioners could dispose of such matters now under the orders in Government Resolution No. 7569, dated 17th December, 1907, but it is not difficult to foresee that this new system will never answer. There are certain classes of more or less routine work, of which the preparation of forms is one, in which uniformity is absolutely necessary and, with three separate Commissioners working independently, uniformity will never be secured. In a recent case I suggested the preparation of certain forms to be filled up by *mamlatdars* and others for my annual report. Two successive Commissioners of the Northern Division, one of the Southern Division, and one of the Central Division, agreed to them; but when it came to using them, another Commissioner, Central Division, refused to do so without express Government orders and insisted on referring them to the Commissioners again. If each Commissioner was independent, this sort of thing would be happening every day. There is no question that, with our present elaborate administration, uniformity is necessary, if the machine is to move properly. A system of three petty Local Governments, as the Commissioners would be (if they are given the powers of the Commissioner in Sind), working independently, and without reference to one another, will result in confusion and chaos.

Thirdly, in one particular respect, viz., in the amount of attention which it secures on the part of Revenue Officers in general towards settlement and land records work, our present system is very bad indeed. The responsibility for advising Government and Revenue Officers generally on these matters lies on the Settlement Commissioner and Director, Land Records, but he is a junior officer of Collector's rank, a sort of fifth wheel in the Commissioner's coach, and has no power of giving orders. The result of the arrangement is that land records work is throughout the Presidency regarded with indifference and contempt, the term "land records" is never used except in a depreciating way, and the work of maintaining the revenue record on which the whole of our system depends is carelessly and indifferently performed. With a Revenue Board all this would be changed. Land Records would fall to the charge of one of the senior members and it would follow as a matter of course that Land Records work would receive the same attention as other branches of the administration.

I contend therefore that the time has come to abolish our Divisional Commissioners as such and establish a Board of Revenue. The Board would have its headquarters at Poona, where it would be within easy reach of Government and of every part of the Presidency proper (except Kanara and Ratnagiri) at all times of the year. It would consist of four members who would undertake control of different branches of the Administration on the following lines:—

1. Opium, Abkari, Salt, Customs, Stamps, Income-Tax.

2. Settlements, Land Records, Registration, and Agriculture.

This Member would have two, possibly three, Deputies on Rs. 1,500 or Rs. 1,800, one for Agriculture, the others for Land Records and Registration and Co-operative Societies.

3. Land revenue, alienations, *watan* cases, pensions and cash allowances, &c.

4. Forest, municipalities and local funds, political cases.

There would be at least one Civilian Secretary to the Board on Rs. 1,800 a month.

The advantages of this arrangement over the Divisional Commissioners' arrangement would be enormous, *e.g.*—

(1) Greater uniformity.

(2) Better style of work. Each member would be dealing with one sort of subjects only.

(3) There would be none of the present duplication of work, the office of the Settlement Commissioner and Director, Land Records, would be abolished; there would be a single Commissioner for settlements and a single Commissioner for alienations.

(4) The arrangement would restore the advisory character of the Commissioners. The Board would be in Poona for the whole of the monsoon and, acting collectively, would be a very powerful factor indeed; they would form a useful counterpoise to the Secretariat, which in Bombay is generally recognized to have been far too strong.

(5) The arrangement would secure the advice and assistance of the Excise Member on all "Full Board" questions. He has always been in my opinion the strongest and most able of the four: and at present he takes no part in the discussion of general questions.

(6) The Collectors of Ahmedabad and Belgaum and to a less extent other Collectors near them would regain their independence. At present they are over-shadowed and swamped by the proximity of the Commissioner: they are also subject to interference to a very unnecessary extent. This interference varies from time to time according to personality and circumstances. It was acute, I remember, 15 years ago at Ahmedabad and, I am informed, at Belgaum also at the present moment there is a tradition in one of the divisions that in the time of a recent Commissioner the Collector was not free to appoint his own *chaprassis*.

(7) Collectors generally would acquire a greater sense of responsibility, and more independence, which would be a good thing. The Madras Collector is a much bigger man than the Bombay Collector.

(8) There would be far less difficulty in delegating powers. Government would lay down the broad principles; the Board would fill in the details.

My scheme contains no provision for the inspection of district and *taluka* treasuries, *mamlatdars'* cutcherries and other offices. As regards treasuries I doubt if the inspection at present performed by the Commissioner is productive of very much good. It is carried out almost entirely by clerks under the supervision of the native assistant, none of whom are experts. It would be much better if the work was handed over to an Assistant Accountant-General, just as the audit of District Local Boards and municipal accounts has been.

Members of the Board would have to tour in connection with their own special branch of work, just as the Settlement Commissioner does now; they could easily, by arrangement with one another, perform routine inspection of offices outside their own department, if it is really necessary; at present the only offices which seem to be regularly inspected are *mamlatdars'* cutcherries, and they might very well be left to local officers. The important inspection of higher offices (*i.e.*, Collectors' and Assistant Collectors'), which is systematically neglected in Bombay, could easily be done by the various members on tour. Another objection will be that members of the Board will be out of touch with local feeling. If this means that the public will be compelled to resort to the Collector, instead of going behind him to the Commissioner, as they are tempted to do at present, it is a good thing. The members of the Board would travel for six months a year and meet members of the public in the districts which they might visit. Moreover, Poona is so central, and communication from every part of the Presidency (except Ratnagiri and Kanara) is now so easy, that anyone who has business can always get there. A third objection will be the extra cost of the Board. As far as I can see, however, a Board is a cheaper institution than three Divisional and one Abkari Commissioners. Judged by the Madras figures it would certainly not cost more. There would be a big saving in travelling allowance and contingencies as the members would travel with smaller establishments and smaller records than the Divisional Commissioners. A fourth objection will be the cost of the central office in Poona. But this will not be greater than the cost of similar accommodation elsewhere. A fifth objection will be the loss of the political and local influence of the Commissioners. There is force in this; but it is discounted by the fact that the Commissioners' influence is often secured at the expense of the Collectors', and that when the Commissioner and Government disagree on local questions, even if the Commissioner is right, as he is apt to be, the local influence of the Commissioner is to a certain extent an actual disadvantage.

34697. You were at one time Under Secretary to the Government of Bombay in the Revenue Department; for how long?—For practically three years.

34698. As Settlement Commissioner you say your duties are merely advisory; have you any final power of appeal?—No.

34699. Settlement questions go up through the Divisional Commissioner?—They may go through him or through the Head of another Department. There is no settled routine. But generally anything touching settlement comes to me ultimately, and then through the Revenue Secretary to the Government.

34700. Is that a satisfactory system?—I do not think the system is satisfactory. It means an unnecessary duplication of work.

34701. You want to have the final power of decision regarding fees under the Registration Act?—I want the Local Government to have the final power of decision. We should not have to go to the Government of India; it should be settled locally.

34702. You tell us that the position of the Commissioner is not a satisfactory one? Did you find that so during your tenure of office as a Collector?—I only speak generally. I think that in certain cases the Commissioner is unwilling to exercise his power.

34703. He has the power, but does not use it?—I think so.

34704. In your judgment is there any selection made in the choice of Commissioners and Collectors?—I have known men passed over.

34705. Would it be feasible to exercise that power of selection and supersession at an earlier stage of an officer's career?—Now-a-days a man does not get a Collectorate until after about 14 years' service, and then he has presumably shown whether he is fit for his position or not.

34706. How are officers selected for promotion to 1st and 2nd Assistantships?—It is purely a matter of pay. So far as revenue matters are concerned an officer's revenue duties do not change until he becomes a Collector. An officer begins at Rs. 500, which generally lasts about three years, and then he becomes an acting Second Assistant, which means another Rs. 200.

34707. Would you make a point of selection then?—No, I would not.

34708. What is the next grade of promotion?—Rs. 900 as a First Assistant.

34709. Would you stop at that point? An officer has had eight or nine years' service; is it time for the Government to decide whether he is worth keeping or not?—Yes. If necessary there should be temporary supersession or temporary reversion. It might have a good effect.

34710. You make a general proposition that the Commissioner should disappear and that a Board of Revenue should take his place. Have you seen the workings of a Board of Revenue?—Yes; I was five years in Madras as Postmaster-General.

34711. Do you come very often there in touch with the Board of Revenue?—As an outside officer; and I have studied the Madras system a good deal. Its principal advantages are those of specialization.

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34712. You can divide the work into departments and have a man as Head of each Department. What would that mean?—A much better style of work.

34713. You attach much importance to forms?—I have to in my present position.

34714. Could they not be altered under the present system where you have a Divisional Commissioner?—No. The disadvantage is that I have to consult every one, even the Sub-Divisional Officer, concerning a form, and that might take a year; whereas if you have a Board of Revenue I could consult an individual member and the matter might be done in a month.

34715. You tell us that Commissioners' conferences are of no particular use. How many have you attended?—I have been present at several as Settlement Commissioner.

34716. Do the Divisional Commissioners have a conference every year?—Sometimes; not always.

34717. Who presides?—The Senior Commissioner.

34718. Are the three Commissioners present?—Yes, and myself as regards my own particular subject.

34719. You think these conferences would be of the same value if the three territorial Commissioners became members of a Board of Revenue?—I think we should do more useful work. The result of the present system is that we talk things over and we come away and start on independent lines, so that at the finish we are where we were before. The work of a Board of Revenue would be more definite and final.

34720. (*Mr. Meyer.*) How are your settlements managed now?—By Assistant Collectors mainly, and by Superintendents of Land Records.

34721. There used to be a separate department?—Yes, about 15 years ago; but the system was bound to go.

34722. The present system brings the Civilians into direct contact with the settlement?—It is excellent so far as that is concerned.

34723. Does your Settlement Officer's report go through the Collector?—Yes; then to me; then to the territorial Commissioner; and then to Government.

34724. In the matter of registration have you got adequate powers concerning sub-registrars?—Yes; but the Collector is Registrar.

34725. Does that impose much duty upon him?—Yes. I hope that he will be relieved of that.

34726. Registration is in your opinion a technical matter which it would not be hard for the Collector to be quit of?—Yes. But it depends on the extent of the connection between the Registration and Land Record Departments, whether it will be possible to relieve the Collector of them.

34727. You say that you would like to give the Local Government powers under section 68 of the Registration Act. There is a section which deals with references to the Government of India about establishments?—As far as appointments are concerned there is no trouble under the Registration Act. I submit my reports once a year and they are accepted.

34728. You say that every alteration in any form has to receive the sanction of the Local Government. Is that not very undue centralization?—That is my main point about the Board.

34729. But apart from a Board, surely the Local Government might trust its Commissioners to introduce new forms?—The Commissioners might not always agree.

34730. But does this order affect the Bombay Presidency generally?—Yes. The general order is that no new forms shall be printed. I should like to have the power myself. There are dangers in delegation, but that power might very easily be delegated.

34731. Is it not a fact that the Madras Collector is a much bigger man than the Bombay Collector?—Yes.

34732. What revenue can the Collector in Bombay remit direct without going to anybody else?—He can give suspension in the first place for, I think, two years; but they have altered the rules so much lately that I am not quite sure.

34733. In revenue matters the Madras Collector has greater powers than the Bombay Collector. District decentralization has gone a good deal further there?—I think so.

34734. Have you studied the position of the Sub-Divisional Officer in Madras?—Only in the matter of how he conducts abkari sales.

34735. In Madras the Sub-Divisional Officer lives in his sub-division. In Bombay he tours for seven months in the year, and in the other five he lives at headquarters. It is possible that during these seven months the people who have to do business with him have to be following him about?—There are advantages in both systems, but I prefer that of Bombay, as it keeps the Collector more in touch with his Assistants.

34736. But just as the Commissioner lives in the same place and overshadows the Collector, would not the Collector overshadow his assistants?—No, I do not think so. There are generally four or five of them.

34737. Do you think from your experience in Madras that a collective Board furnishes a counterpoise to Government?—I think so.

34738. And that is more difficult for Government to override a collective Board than a Collector?—Yes.

34739. Have you studied the Sir A. P. MacDonnell's Famine Commission Report?—Yes.

34740. Could the difficulties therein referred to in connection with territorial Commissioners each going on different lines be obviated by a better method of co-ordination?—The work would be better done by a Board. I doubt whether in 1899 in Bombay any one Collector or Commissioner could personally have done the whole of the work.

34741. (*Sir Steyning Edgerley.*) The Commissioner of Sind is always selected from among the Commissioners. The position has really more pay attached to it, and the man appointed is probably the best of the Commissioners?—That may be so.

34742. But probably the other Commissioners are likely to attain to the same position?—No; only one in three or four.

34743. As regards the Board of Revenue, are you acquainted how far the members work together?—No, I cannot say. I understand they meet pretty frequently.

34744. And work in consultation?—I understand so.

34745. Would you be surprised to hear that that is not the impression we have gathered in going through the provinces?—The custom might vary.

34746. And they are moving towards a different system in the Board of Revenue in Bengal?—I have not heard so.

34747. With regard to the question of forms coming up to Government, are these forms numerous?—It is simply a matter of printing.

34748. And there is a man put on special duty with a view to systematizing and remodelling the forms?—Yes.

34749. Have you found it make any difference in the establishments whether the funds with which they deal are provincial or imperial?—No.

34750. Are not the men who really have charge of the spending of the money ignorant of where the money comes from—whether it is provincial or imperial?—I am certain they are.

34751. (*Sir Frederic Lely.*) I understand you propose that there should be a central Board of Revenue which should take in the whole Presidency and be a substitute for the Commissioner. Surely you do not call that decentralization?—I do. The best method of transferring power from

Government to some lower body would be accomplished by the institution of a Board; if you transfer full power to your territorial Commissioner you run a risk of acute centralization.

34752. But your proposal is really a proposal for centralization?—It might be, but there is a good deal to be said the other way.

34753. You say that a Board of Revenue conduces to a better style of work. Do you not mean that it conduces to a better class of office work?—I mean that that particular branch of work is better done by a Board of Revenue than by the territorial Commissioner and his Assistants trying to cope with all branches of work.

34754. By dealing with special branches of work, I presume you mean dealing with paper work?—You do not mean they come more face to face with the people?—No.

34755. Then you do not think that the Commissioner is much wanted?—No. In my opinion the Collector is sufficient.

34756. As a matter of fact a Board of Revenue would not come into such close contact with the people as the Commissioner, and not so much as the Collector?—It could be easily arranged that the Board of Revenue should meet the Collectors and come into close contact with the people.

34757. Would you be surprised to hear that an Assistant Collector of Madras said that he had never set eyes upon a member of the Board for seven years?—I think it would be quite possible for an Assistant Collector at Kolaba or Thana to say that he had not set eyes for seven years upon a Commissioner.

34758. A useful knowledge of the people is only to be obtained by contact with them?—Yes; certainly.

34759. Therefore, as the Commissioner has more general contact with the lower classes, he is likely to know more of them?—Yes, to a certain point.

34760. (*Mr. Dutt.*) You do not approve of the proposal for a general delegation of powers to other Commissioners as has been done in Sind?—No.

34761. And you seem to have your doubts as to the future there?—I am looking to the future. Sind is to be one of the wealthiest parts of India, and I do not know whether the officials will be able to cope with the work under existing arrangements.

34762. You do not think that the existing system of Government is conducive to future progress?—I do not say so at all. Sind is going to progress, and it is possible that the form of Government they have there of the single Commissioner may not be equal to the enormous volume of work which will arise.

34763. Is it generally necessary to reclassify lands before the settlement is undertaken?—We do no classification now except where land has deteriorated.

34764. Are the rates generally published on the spot or made known to the people before they are submitted to the Government for sanction?—Always.

34765. Are any objections offered by the people considered by the Collector and the Commissioner and yourself?—Yes.

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34766. Have the people every opportunity of bringing these questions up for consideration?—Yes.

34767. In this province is the water-rate consolidated with the land-rate?—In most parts. We have two systems. We have the consolidated soil and water-rate; in some parts of the provinces we have the crop and season rate. But the consolidated rate is the simplest.

34768. That is the sub-soil system. The sub-soil water system has been remitted as a rule.

34769. (*Mr. Hichens.*) I see that among the functions of the Board of Revenue which you propose you would include that of supervising municipalities. Would you also include education?—No, because there is a specialist in the Director of Public Instruction.

34770. But if you prefer the specialist theory with regard to education, what makes you object to it in the matters of opium, salt and customs?—I object to that because in those instances the supervising official's experience and knowledge might be used for general purposes.

34771. When does a Bombay Collector get his collectorate?—Officers of about 12 years' standing are now acting.

34772. When does an officer become a permanent Collector?—I became a Collector after 17 years' service; I became an acting Collector after 15 years' service.

34773. After what service does a Madras Collector become a Collector?—About the same; but he is a much better paid servant.

34774. What is the area of an ordinary Collector in Bombay?—It varies a good deal. The average area is between 5,000 and 6,000 square miles.

34775. What is the average area of the Madras Collector?—That is much bigger; it runs up to 17,000 square miles.

34776. Do you ever get young officers sent to you for training?—Yes, I get them only for one month at Poona.

34777. Might that time be advantageously increased?—No. I think that they might be trained in their districts by my own men. All the practical work they can learn just as well under the local surveyors as I can teach them at Poona. All that I should have to teach them is the theory.

34778. And besides the training which a young Civilian receives from you as Settlement Commissioner, he receives training in settlement work from your subordinates?—No. I do not know that they do. They are generally put under a senior Civilian to learn their work, and if he knows something about settlement, as he often does, they learn from him.

34779. Should a young Civilian on joining be given a greater amount of attention in the matter of settlement work in the district where he lives in order that he may learn more about the habits of the people than he does?—I do not think so. I do not think it is necessary. I think he picks it up as a matter of course.

(*The witness withdrew.*)

Mr. W. D. Sheppard, I.C.S., was called and examined.

34780. (*Chairman.*) You are the Municipal Commissioner for the City of Bombay?—Yes. I have been so continuously for the last three years, and before that for fifteen months in 1901-02.

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Three years ago the Commissioners and the Collectors had practically no expenditure to control as they had no funds from which expenditure could be incurred. In the Poona district some Rs. 20,000 were then needed for *petty* necessary works and, as far as I can remember, the district was fortunate in obtaining a grant for the year of Rs. 300. I believe the total sum at the disposal of the Commissioner for discretionary minor works was only some Rs. 2,000. This sum should be largely increased. The obligation of referring almost all petty expenditure in a district for the orders of Government should be removed, and the Commissioners trusted to see that money is not wasted.

The staff ordinarily provided for *mamlatdars'* offices is very rarely sufficient and the pay of the clerks is miserably small, while their promotion is excessively slow.

It seems to me that the time has come to consider whether our present impersonal system of Government by departments has not ceased to be the most

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effective and the most desirable. We occupied the Deccan, the Southern Maratha Country and the Konkan,—after these countries had been harassed for many years by war and marauding bands, and we set ourselves to restore order and evolve conditions favourable to the development of a prosperous and contented peasantry. The raiyat was —as he still nominally is—the object of our greatest solicitude. We found him suffering from a multitude of evils, the spoliation of war, the looting of robbers, the oppression of a corrupt administration. These evils we have gradually removed, till now, without war, with only occasional outbreaks of dacoity, and with an administration which is attentively overlooked, he suffers but little from his original evils. We have, however, during all this time allowed him to encumber his land to whatever extent he might choose, we have introduced our Civil Law under which the money-lender is enabled to extort in safety any interest he thinks fit, and to finally become the real owner of much of the raiyat's land. If the raiyat has gone to law, he has expended as much on his legal advisers as he used in earlier times to devote to the bribing of the officers in power. Economically therefore the raiyat is in much the same position as he was when our protection was imposed upon him, and this in spite of unremitting labour intended for his benefit. For the efforts of Government on his behalf have never ceased. The whole of the land in these countries has been minutely surveyed, valued and assessed. Each holding has been noted on a map. The village accountant has the results carefully recorded in a number of forms. The raiyat has a receipt book. At fixed seasons he pays, or ought to pay, his rent. As a result, therefore, of our system of administration, it is known when and what each raiyat has to pay for the use of his land. What should happen to the raiyat or his land in any ordinary or extraordinary contingency is all laid down either in laws, codes or rules promulgated by Government or the Secretariats, after deep thought and most prolonged discussions.

Meanwhile, from being a more or less permanent officer in charge of a district with almost plenary powers in all matters of revenue administration, and with the fullest powers in all other matters, the District Officer is now an individual, often of very limited acquaintance with his district or its people, with practically *no power at all*—except an obligation to apply in each individual case as it arises some section of an Act or some rule of a code affecting Land Revenue matters. There is nothing for which a raiyat can ask that can be granted unless his request falls among the cases provided for by such Act or code or rule. With one Collector to each million of the population, it is obvious that this enquiry cannot be made by the Collector himself, and it therefore descends through the Assistant or Deputy Collector to the *mamlatdar's* cutcherry, where the necessary statements are recorded after greater or less delay by a clerk on some very small pay. These statements, which may or may not be accurate, are the basis of the Collector's order under some code or rule. As far, therefore, as the raiyat is concerned, the Collector is an officer who is under the obligation to apply to his particular case the rules applicable to that case. He has no other power, except perhaps as a Magistrate. The raiyat should, therefore, regard him, and very probably does regard him, as a person neutrally unobjectionable, but of no great use to him.

The classes above the raiyat are the Baniya and the Brahmin. The Baniya has benefited considerably under our system. He has been shrewd enough to take advantage of our system of civil and criminal law, and is contented to live quietly under our rule. We cannot prevent his taking advantage of the simplicity of the raiyat, when the latter comes to borrow money, and his unscrupulousness in matters of this kind is only limited by the fear that his outraged victims may one day turn ferocious and deprive him of his nose. *Vis-à-vis* of the Collector or other District Officer, he has but few dealings with them and lives a quiet life.

The Brahmin's influence was predominant in the countries under discussion when we first took them over. The Government itself was at that time Brahmin. He has therefore lost his position and his prestige. The more important families have lost their privileges. He has, perhaps, consoled himself by the fact that it is mainly through Brahmin agency that the Government has since been carried on, and that a very large proportion of the civil and criminal posts have been filled from his community. Many Brahmins also have found lucrative employment in the legal profession, while others have derived from education a meagre subsistence. They have not decreased in numbers and have increasingly availed themselves of all educational facilities. They are very largely "unemployed," and having great brain power and but little to do, are rapidly advancing into a condition of discontent. They are too numerous to be overlooked. They too have little or no use for the District Officer. Bound, as he is, by the rules and codes, they know he can do nothing for them that he is not obliged to do if a letter be sent through the post; and as his patronage is small and mostly disposed of by rule, that possibly powerful incentive to acquaintanceship has little or no influence with them. They see in him an ordinary man carrying out prescribed rules and orders with conscientious regularity, but they do not wish to know him, or expect to be able to influence his decisions. They would like to govern themselves and to govern everyone else, though they cannot propound any feasible scheme under which this could be done, nor is there any apparent place for them in a joint administration except as parts of the present Government machinery.

The position therefore seems to be this: that the raiyat's conditions of life are practically fixed, and that no change will be effected in the relations of Government to him unless fresh developments should render necessary some modification of the rules under which he at present lives. That except as an enforcer of existing rules the District Officer is of no use to the raiyat, and cannot prevent him being adversely affected by the operation of the Civil Law. That the Baniya has no use for the District Officer at all, and cannot be prevented from exploiting the raiyat. That the Brahmin is becoming more and more highly educated and more and more resentful of a system of Government in which there is apparently no room for him except as a minor Executive Officer.

What is the necessity for the British District Officer in such a scheme of Government? With little or no original power, with little or no discretion except as to the application of a rule to a case, why should he be chosen to only nominally administer a district? I can reply that it is because he is honourable, capable, very hard-working and ordinarily exceptionally conscientious. If taken away he cannot—except in rare instances —be replaced by Indians who would be as capable and reliable as he. Yet with all his qualities and all his endeavours, the raiyat is poor, the Baniya is indifferent and the Brahmin is discontented. Popular feeling is not with him, and of popular Government there is not a symptom.

Some system should be devised by which the raiyat would become no poorer than he is, that law and order should be maintained while the mercantile and the educated classes might feel that they are being governed in consonance with their feelings and their position. To know that this can be done we have only to look at the Native States, where the raiyat is certainly no poorer than in British territory while all the other classes obtain among themselves that social position and those degrees of dignity which we, British Officers, are so unable to assess or award.

Is there any valid reason why the whole of these countries to which I have referred should not eventually be placed under some Native Ruler? I would advocate the gradual leasing of all these countries to these Native Rulers, making each portion given be a reward for good government in the latters' States, and to be retained so long only as that government was not unsatisfactory. The British Government has itself held Berar on a lease from H.H. the Nizam. On similar conditions we could hand over the districts under consideration. Our paramountcy would not of course be affected, and for purposes of control we could retain in our

hands, as ex-territorial jurisdictions (similar to Bangalore and Secunderabad), such places as Poona and its cantonment, Ahmednagar, Satara (if necessary), Belgaum and perhaps Dharwar. At such centres we would maintain as advisers to the Chiefs and Political Agents of the leased territories a small and well-selected number of British Officers. The duties of these officers would be mainly advisory as far as the leased territorials would be concerned. In the ex-territorial jurisdiction they would exercise the present powers of British Collectors and District Magistrates.

I have made no recommendation for the mere modification of our present system, which might maintain efficiency while drawing more closely into association with the bureaucracy representatives of the various local interests and castes. I do not believe that any useful joint arrangement is possible unless Government is prepared to entirely alter its system and change the Head of a district from a Land Agent and Magistrate tied by rules into the President or Executive Head of a Local Parliament (similar to a Presidency Municipality) with the fullest powers of administration over the whole revenue and expenditure of the area entrusted to its charge. In the present state of India I do not believe that anywhere could a satisfactory local body be formed on these lines—nor do I suppose that Government would ever agree to the devolution to such a body of the powers which it at present exercises through the officers of its bureaucracy.

34781. What is the exact relative position of the Municipal Commissioner to the Municipality of Bombay?—The Municipal Commissioner is the Chief Executive Officer of the Municipality of Bombay, and all proposals for works that have to be done in the city have to come up from him. They may come of his own initiative, or after some resolution has been passed in the Corporation; but nothing can be done without his having to submit financial proposals. The financial question goes through a second body called the Standing Committee, which is the one permanent committee of the Corporation. That body criticises the matter from a financial point of view, and passes it either in the form suggested by the Commissioner or some varied form as approved by them. Then it goes to the Corporation, and they pass orders on which the Commissioner proceeds.

34782. Does the Commissioner attend meetings of the Corporation?—He is not legally bound to do so, but he generally does so.

34783. Is he entitled to do so?—He is.

34784. He does not vote?—No.

34785. He is practically the Executive Officer of a deliberative association?—I think so.

34786. The President is simply the Chairman?—Yes.

34787. On the other hand, the Municipal Commissioner cannot without the assent of the members of the Corporation lay any charge or cess upon the city?—No.

34788. Nor can the Government?—Government can in an extreme case; but it never has.

34789. Would it be possible to extend something of that sort of control to *mufassal* municipalities?—That would depend on the position of the Executive Officer. If he was a man who could be dismissed by the local body whenever they thought fit and if he was to be elected by the local body, his position would be so insecure and he would be so troubled by factions and intrigues and interests that the system would probably fail. But if he was an officer appointed with some certainty of tenure of office and with the approval of Government, the system might be a success.

34790. How is the Municipal Commissioner of Bombay appointed?—By Government.

34791. Is he a Civil Servant?—He is ordinarily, but not necessarily so.

34792. Is he appointed for a term of years?—He is appointed for a term of three years renewable, and he can be removed on a vote of three-fourths of the Corporation.

34793. Whether the Government support his policy or not?—They must remove him then under section 54 of the Municipal Act of 1888.

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34794. (*Mr. Dutt.*) How long has Bombay had its constitution?—The present municipal constitution dates from the Act of 1888. But before that the city had municipal government for many years.

34795. Is there an executive council of the Corporation?—No. There is a Standing Committee which has specific powers given to it under the Act; those powers are mainly financial.

34796. Are the members of the Standing Committee chosen from among the members of the Corporation?—The Standing Committee consists of 12 members—eight elected by the Corporation themselves, and the other four nominated by Government from amongst the Corporation.

34797. What is the total number of the members of the Corporation?—Seventy-two—partly elected and partly nominated by Government. Thirty-six are elected by the seven wards; 16 are nominated by Government; 16 are elected by the Justices; two are elected by the University; and two are elected by the Chamber of Commerce.

34798. Are there any servants of the Municipality whose appointment requires the sanction of Government?—Two—the Health Officer and the Executive Engineer.

34799. With the exception of these two officers the other servants of the Municipality are appointed by the Municipality?—No; they are appointed by the Municipal Commissioner.

34800. Have you also the power of suspending or dismissing them?—Servants drawing more than Rs. 300 a month cannot be dismissed without the approval of the Standing Committee.

34801. Those drawing under Rs. 300 may be treated by the Commissioner as he thinks fit?—Yes.

34802. Have they no right of appeal to the Corporation as a body?—Not legally.

34803. But as a matter of fact can the Corporation pass a resolution reducing their punishment?—No; they could ask a Commissioner to reconsider their case, but the power rests with the Commissioner.

34804. (*Mr. Hichens.*) What independent powers has the Commissioner got? The Corporation I understand cannot force him to take back a dismissed employee. Is he independent in other ways?—He is hardly independent in other ways.

34805. For example, supposing the Corporation passed a resolution that a certain road should be remetalled; would you be obliged to carry that out?—Certainly, if I had the money. But if the Corporation were to pass a resolution which the Commissioner thought was unwise it would be his duty to say that it would cost so much, but he certainly would be obliged to comply with their orders.

34806. There are practically no limits to the resolutions they pass affecting municipal business?—Providing they do not clash with the financial standing rules.

34807. The President does nothing besides preside at the meetings?—He has to conduct the business of the meetings and has to decide points of order, and he generally behaves as a sort of Speaker.

34808. Are you satisfied with the borrowing powers which the Corporation has?—We have no borrowing powers. The limit to which we may borrow is very considerable. It is double the gross assessment of the city. But when we want to borrow anything we have to go through the Government of Bombay up to the Government of India, and I personally should have thought it would be sufficient to go to the Government of Bombay.

34809. (*Mr. Meyer.*) Has the Commissioner power over the municipal clock?—Theoretically he has.

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34810. The Corporation, however, may pass a resolution telling him that clock shall keep different time?—The Corporation have passed a resolution that in all their offices they want Bombay time to be kept and not standard time. I have respected that resolution.

34811. Are you equally bound by resolutions of the Standing Committee? Can they pass resolutions that you feel it incumbent on you to follow? —They only pass resolutions on matters I bring before them.

34812. They have no independent power of initiative?—They cannot oblige me to present a report even.

34813. Anybody can bring anything before the Corporation?—Yes, and if they pass a resolution I must follow it.

34814. Does the law give powers to the Standing Committee apart from financial powers?—Yes; but there are specific powers such as about removing buildings. Say, I order a part of a building to be removed. I may have to get their approval in cases of that sort before the man is forced to pull down the building.

34815. Is there an appeal from the Standing Committee to the Corporation?—No.

34816. The Corporation might pass a resolution saying that the action of the Standing Committee was regrettable?—They might, but I do not think they would.

34817. They might pass a resolution saying that it was desirable to do something different?—I think the President would rule that out of order.

34818. Speaking generally you have got three authorities—the Commissioner, the Standing Committee, and the Corporation. Do they work together harmoniously, or is there friction occasionally?—They generally work harmoniously and there is never any actual friction, but at times the Corporation have been somewhat jealous of the Standing Committee.

34819. The tendency is for the Corporation to encroach on the work of the Standing Committee and not the other way?—The Standing Committee is appointed by the Corporation.

34820. Who is the Chairman of the Standing Committee—the President of the Corporation?—No.

34821. As you put it, he is simply a Speaker?—Yes, except that he has a Secretary who is under him.

34822. Is an annual Administration Report drawn up?—Yes. I prepare it. I summarize the reports of the Executive Health Officer, the Chief Engineer, the Chief Accountant, Assessor and Collector, the Chief of the Fire Brigade, etc.

34823. Do you submit it to the Corporation for approval?—No. I submit it to the Standing Committee for information, and they criticise it.

34824. How far do you deal with education in the municipality?—I am not quite clear about that because there is a separate committee to deal with the subject. It is called the Joint Schools Committee.

34825. Is it within your functions as a Commissioner?—No. I simply find them a sum of money.

34826. Is it the same in other matters?—No; that is very exceptional.

34827. Do you maintain hospitals of your own? —That is a separate question. The Corporation used to make fixed grants to two or three hospitals and one dispensary, but the rest of the money was provided by Government. Now there is a new arrangement by which these institutions are maintained.

34828. Hitherto it has been the Government maintaining them with the aid of a grant from the Corporation and in future it will be *vice versâ*? —The particular institutions which we supported will now be entirely supported by Government, and any new hospitals in addition to these particular hospitals the Corporation will provide.

34829. There has been some discussion as to police matters between the Corporation and the Government?—Yes. The Corporation had to find about 5 lakhs a year for police. That sum was increasing, and the Corporation had no control over the police at all. This was resented by many members of the Corporation, and last year an agreement was come to by which Government took over that head of expenditure while the Corporation has taken over liabilities to the same extent in the shape of medical relief and vaccination. The constantly increasing charges became a burden which we had no chance of controlling.

34830. As regards loans, you say that the Government of India should have nothing to say to the Corporation?—I think the Bombay Government might be empowered to allow us to raise our loans in the local market when the Government of India loans have been satisfied.

34831. You admit then that the big loans of local bodies might interfere with the financial projects of the Government of India?—They might.

34832. But what you object to, really, is the Government of India interfering with the conditions of repayment?—I think if we could keep ourselves to our own Local Government we would be very much more satisfied.

34833. There is always a tendency on the part of local bodies to pass burdens on to posterity?— I do not know; but many local bodies require loans every year.

34834. Therefore, that being so, it is all the more desirable that they should pay them off as quickly as possible?—If you limit the number of years you limit the power of the people to carry out useful and necessary work.

34835. (*Sir Steyning Edgerley.*) The Municipality has to maintain a minimum balance?—Yes. It is one lakh.

34836. And the Municipality is subject to the control of the Local Government?—In certain matters it is.

34837. Have you observed any anxiety on the part of the Corporation to spend down to this limited minimum balance?—It is only on the advice of the Commissioner that it would be done, and no Commissioner would be likely to allow the minimum balance to be less than 10 lakhs. Even twenty lakhs has been considered a desirable minimum balance.

34838. The Local Government would never allow the Bombay Municipality to go bankrupt?—I do not think so.

34839. But at the same time in order to prevent it they do not find it necessary to restrict you in all matters about the budget and so on?—No; they do not even sanction the budget.

34840. But your financial stability is maintained?—Certainly.

34841. It is quite possible without requiring previous sanction for a different class of expenditure to maintain the financial equilibrium?— Quite so.

34842. Then as to this scheme you put forward concerning the Government of the country; it is very analogous to the system enforced in Java?— Yes.

34843. When you were Collector at Poona, were there any schemes put forward with relation to the Chief of Bhor?—Yes.

34844. Were there any proposals to exchange lands with him?—Yes.

34845. What attitude did the villagers take?— I do not know. Up to the time when I left Poona, no village had been selected for exchange.

34846. But supposing your scheme was put into operation, you could not altogether neglect the wishes of the people?—I suppose there will always be people who would object to a change.

34847. But if there were a widespread objection of that nature you would have to abandon it?—I suppose so.

34848. The second scheme which you suggest seems to me to have a very strong resemblance to the scheme of Mr. Gokhale. Do you think that anything in the shape of a District Council to manage the district would meet the case?—A difficulty would be caused by the movements of the Collector.

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34849. Of course that would alter the character of his work?—Yes; it might be possible.

(*The witness withdrew.*)

Lieut.-Colonel T. E. Dyson was called and examined.

34850. (*Chairman.*) You are Sanitary Commissioner to the Government of Bombay?—Yes; permanently since the 16th of April last year. Before that I acted for 8 months in the previous year.

The gazetted staff of the Sanitary Department consists of a Sanitary Commissioner and 5 Deputy Sanitary Commissioners, each of the latter having a charge which comprises 4 to 6 British Collectorates besides many Native States. The Department, although called Sanitary, is chiefly concerned with the administration of vaccination. In sanitary matters the Deputy Sanitary Commissioners are Advisory Officers in their respective charges, and they also superintend the registration and compilation of vital statistics.

The duties of the Sanitary Commissioner comprise the administration of the Vaccination Departments; the control of plague operations; in times of famine he is responsible for relief measures in their sanitary aspect; and he is a member of the Sanitary Board.

His duties in relation to all questions of public health are laid down as follows:—

(*a*) Watching the sanitary condition of the people.

(*b*) Recording vital statistics.

(*c*) Reporting on the causes, prevalence and prevention of disease.

(*d*) Advising upon such schemes and questions of sanitary improvement as may be submitted for his opinion.

(*e*) Bringing to the notice of the Collector of the district concerned such sanitary defects as may come to his knowledge, together with his suggestions for their removal.

I desire to bring to notice the method of appointing Gazetted Officers to the Sanitary Department. The department is a small one, comprising a Sanitary Commissioner and 5 Deputies. Notwithstanding the recent revision of pay and allowances the department does not attract men; the life and work are not congenial to many, and the ultimate prospects are poor as compared with service in the ordinary medical line. Candidates for civil employ, whether in the purely Medical or Sanitary Departments, are all on the same list; vacancies are filled up in rotation and the Sanitary Department serves as a stepping-stone to civil medical employ for men who have a wish to do sanitary work. It has happened that an applicant for employment in the Sanitary Department is so far down in the list of candidates for civil employ that his chances of gaining his desire, always uncertain in a small department, become practically *nil*, since all the men above him have to be provided for first.

Twenty years ago vacancies in the Sanitary Department were only offered to those who were willing to remain in the Service, and I would advocate a return to the old system so that the Sanitary Department might be recruited in the same way as other specialized departments such as the Jail and Chemical Analyses Department.

The *cadre* of the department is to be shortly increased by the addition of a separate Superintendent for the Vaccine Depôt at Belgaum, and I would further urge the desirability of including in the department all the Port Health appointments in the Presidency.

The port of Bombay has its own Health Officer with a staff recruited from Secretary of State's doctors; and Karachi with its rapidly growing port will soon need a whole-time Port Health Officer, If all the sanitary appointments under the Local Government were linked together in one Service, a department would be created sufficiently strong to afford fair chances of promotion to candidates, a practical certainty of acting vacancies, which have now to be filled by Civil Surgeons as additional charges, and a varied field of work which would attract more men.

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A conspicuous example of what may result from over-centralization is afforded by recent orders of the Government of India with regard to the Vaccination Department of this Presidency, and curiously enough these orders have decentralization as their effect. The orders of the Government of India were issued, changing the whole character of the Vaccination Department of this Presidency without any reference to the Local Government as to their expediency or practicability. The right of sole control of the vaccination establishment was taken away from the Sanitary Department, and vaccinators who had hitherto been enrolled as pensionable servants of Government were reduced to the level of Local Board and municipal servants who have no claim to pensions and as a rule receive none.

34851. You are a member of the Sanitary Board?—Yes, only a member, not a Chairman.

34852. How often does the Board meet?—That depends entirely on the business brought before them; sometimes twice or three times a year.

34853. It does not move about from place to place?—No. The meetings are always held at Poona.

34854. Is that a satisfactory system?—I think so.

34855. You never examine schemes brought to your notice as a Board on the spot?—No, I personally see as many of the schemes concerning water supply and drainage as I can.

34856. How many schemes come before you in the year on the average?—Really we have only just begun. There are but half a dozen being made up now, and probably there are a dozen or fifteen more under consideration.

34857. The Secretary to the Public Works Department is one of your members?—Yes.

34858. When he attends the Board does he give a fairly close attention to the schemes?—He goes through them with the Sanitary Engineer.

34859. Is there any necessity, therefore, for referring a scheme after it has left the Sanitary Board to the Public Works Department?—I think it is still necessary that all Public Works schemes have to go through the Public Works Department. As a member of the Board the Secretary to the Public Works Department criticises schemes at the Board, and they come to him as Chief Engineer.

34860. After the first consideration by him as an individual member of the Board, does it require his subsequent consideration as the Head of a Department?—He cannot, as a member of the Board, go into every detail of large schemes of water and drainage.

34861. Cannot they be considered at a meeting of your Board?—That would take too long.

34862. It would give the members of the Board too much to do?—I do not say that. There are questions he would go into that it would not be necessary for the other members of the Board to attend to—details connected with Public Works work.

34863. Are these schemes examined before they come up to your Board by any competent Engineer?—They are made out by the Sanitary Engineer before they come to the Board.

34864. The technical details are examined by an expert before they come to the Board. They are

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examined by four experts at the Board, and then they have to be examined by another expert after they leave the Board?—The details have to be individually gone through, which would take hours.

34865. Is that not all done by the Sanitary Engineer before they come to the Board?—Yes; if Government is prepared to accept his estimates for the work, that would be sufficient.

34866. Is the Sanitary Engineer under your orders?—No.

34867. Is he generally a competent officer?—Yes.

34868. Would his criticisms not be sufficient for the Board?—I think they would.

34869. Have you any relations with the Sanitary Commissioner to the Government of India?—Only unofficially, except as concerns the submission of monthly returns to him.

34870. You submit certain monthly returns under whose orders?—The orders of the Government of India.

34871. Do you have much official correspondence with him?—No; very little.

34872. Does he attempt to interfere with your Department?—Not at all.

34873. As far as you are concerned there might be no such an officer in existence?—I do not say that. There have occurred, and may occur, questions which prove him very valuable to the Government of India. One is that the pay of the department was re-organised about 3 years ago and raised, and the original proposal of the allowances to Sanitary Officers was negatived at the time, but it has since been admitted.

34874. So that he has rather stood by the Sanitary Department?—Yes.

34875. That is the principal use he has been to the department as far as Bombay is concerned?—So long as I have been Sanitary Commissioner, yes.

34876. Are candidates for sanitary employment interchangeable between the Sanitary and Medical Departments?—Not when they are permanently enlisted in these departments.

34877. But up to that time?—There is no rule hindering a man going back to the Medical from the Sanitary Department.

34878. An officer goes from military employment and he can be employed as a Medical Officer or a civil Sanitary Officer?—According as his position is.

34879. A man therefore may be a very considerable medical operator, but that is swept on one side and he is sent to be a Sanitary Officer?—Not as a rule, because although he may be gazetted to the Sanitary Department, if he does not wish to act, and another officer is available, they are exchanged.

34880. If there is no substitute available?—He would have to give up his medical work until there was another vacancy.

34881. Is that a good system?—No, I do not think so. I would prefer men enlisted for the Sanitary Department.

34882. Have you any power of veto upon persons sent to your Department?—None at all.

34883. Does that matter lie with the Local Government or the Government of India?—The Government of India.

34884. You suggest that the whole of the Sanitary Service of the Local Government should be linked together. Why do you want that?—To make a complete Service of it in itself. It would be a very small Service. It would not be more than 8 or 10 appointments, but at present the Port of Health Officer of Bombay does not come under the department at all. He is under the Bombay Government.

34885. And at Karachi?—There is no separate Port Health Officer there. The place is not at present big enough to maintain a separate Port Health Officer.

34886. (*Sir Frederic Lely.*) What is the official connection of the Sanitary Commissioner with the District Board?—I do not think he has any official connection whatever.

34887. Does he hold any communication with them at all?—Not with the Board. He does with the President of the Board—the Collector.

34888. His duties are advisory?—Purely advisory, in connection with any improvement in the sanitation of towns or villages outside the municipal areas—improvements in water-supply or the cleanliness of the villages or the drainage.

34889. He returns vital statistics?—Yes, they are compiled in his office.

34890. Does he superintend vaccination?—That is his main work as an officer of Government.

34891. What disciplinary control has he over the vaccinators?—Any representation made about them that they are not working satisfactorily in the opinion of the people is made to the Deputy Sanitary Commissioner, and every attention is paid to it. If necessary the man is removed from that particular place.

34892. The vital statistics are collected by the police?—By the village headmen.

34893. Have the police anything to do with it?—Not at all.

34894. In the case of municipalities what connection has the Sanitary Department with the municipality?—In the course of tours we inspect.

34895. And have you no further connection with them at all?—Not in connection with sanitation. They have the control of the vaccinator in the municipalities in the same way as in the District Boards.

34896. Some change has taken place lately in the position of the vaccinators?—An order has been issued. That has not yet financially come into effect. It will take effect from the 1st of April.

34897. Will it have any effect other than financial?—It will give local authorities complete powers over the vaccinators.

34898. Do you mean to say the disciplinary control which now rests with the Sanitary Board will cease?—Not altogether, but it is quite conceivable it will be seriously interfered with.

34899. You cannot say yet how it will work out?—No.

34900. In the case of an outbreak of some violent epidemic, such as cholera, have your officers any direct power at all?—Nothing except advisory.

34901. Would the Deputy Sanitary Commissioner go to the place if it was a bad enough attack?—Yes, and he would advise what measures should be taken.

34902. Do you think that the number of officers who have to tour in the year and the amount of kit they have to carry impose a burden on the people?—I think it does, and that it falls particularly heavy on certain areas. There are recognised places which are used as camps. I have known half a dozen officers in the cold weather visiting the same village.

34903. And in addition there are a large number of subordinates touring?—Yes.

34904. Do they constitute a burden to the people?—I do not think so. They pass on from village to village more quickly.

34905. (*Mr. Dutt.*) You have five Deputy Sanitary Commissioners under you?—Yes.

34906. And their charges do not exactly correspond with those of the Commissioners of divisions?—Not exactly. There is a sanitary inspector in each district, and sometimes in the larger districts there are two.

34907. They are also paid by Government?—Yes.

34908. Do District Boards employ any Sanitary Officers under them?—Not to my knowledge.

34909. Nor do municipalities?—Some of the municipalities have their own inspectors.

34910. So that all the sanitary work of the district has to be done by your sanitary inspector?—As a matter of fact it is very little. His chief work is inspecting vaccination.

34911. At the same time, when he visits villages does he note any defects in the sanitation of the villages, and forward these to the Collector as Chairman of the District Board?—Yes. But that is not done so much since the introduction of village sanitary books, in which the entries are now made, and any notice that is taken of these is taken by the District Officers in the village.

34912. Is there a village sanitary book in every village?—No.

34913. But there are many important villages which keep them?—They are not always the important villages. Some very small villages have them.

34914. What is the principle on which they are distributed?—I do not know.

34915. Supposing your inspector visits a village in which there is no book, does he send his report to the District Collector?—Yes.

34916. When the Sanitary Commissioner with the India Government was appointed, was it not the original order that he should correspond unofficially with the provincial Sanitary Commissioners?—Yes.

34917. And that order was changed three or four years afterwards and he was allowed to correspond officially with the sanitary Head of the province. What was the reason why the order was changed?—I do not know the exact reason unless it was considered that official correspondence would be sent to the Government without passing between the provincial and the imperial Sanitary Commissioners, unknown to the Local Government.

34918. You are aware that is the subject of complaint by the Bombay Government?—Yes, but that is only a copy of a letter.

34919. And the order passed in 1907 stands now?—Yes.

34920. You say that the Sanitary Commissioner to the Indian Government has been a useful ally to you?—Yes, in the matter of allowances to Sanitary Officers.

34921. But in the general sanitation of the province or in the suggestion of sanitary improvements, has he been of help?—I do not think there is any necessity for an imperial Sanitary Commissioner in that connection.

34922. As a matter of fact has he been of any help to you?—No.

34923. In the matter of plague, for instance, or other epidemics in this province, have you been in communication with him, or have you received any help or advice from him?—No, none at all.

34924. (*Mr. Meyer.*) Are you aware that the Bombay Government have occasionally asked for the advice of the imperial Sanitary Commissioner on various questions?—I am not aware of that.

34925. Has the imperial Sanitary Commissioner been down here in your time?—Not in my time.

34926. He has been before, perhaps?—He was here, I think, two years ago, or less than that.

34927. As regards official and unofficial correspondence, have there not been recent orders referring to the unofficial correspondence?—I have not seen them.

34928. You desire to include Port Health Officers and other people in one large Sanitary Service. The Imperial Sanitary Commissioner went a bit further and said he would like to make an Imperial Department and that the Sanitary Officers should be appointed by the Government of India?—I think that would improve the department.

34929. But might it not be said, on the other hand, that it would rather weaken the power of the Local Government?—No, if there was a proviso that the Local Government managed their own sanitary affairs themselves.

34930. You do not think it would matter if the Government of India selected the officers originally. But would you give them a voice in the subsequent promotion?—I should leave the control, including promotion, to the Local Government.

34931. But originally they should be recruited by the Government of India?—Recruited from the whole of the Indian Medical Service or outside sources.

34932. Regarding this order about vaccinators, the District Boards, you have told us, pay and still pay for the vaccinators. It has been put before us as a sound principle of devolution that powers should come down to the lowest authority that is capable of exercising them. There is also another princivle which has been largely accepted; that the power that pays for an officer should control him as far as possible. Does the present system in Bombay agree with these two criteria?—I should make Government pay for them just as they pay for the Medical Department.

34933. You think that if Government wishes to control the vaccinators they should pay for them. On the other hand if the District Boards pay for them should not the District Boards have control?—Theoretically that is a good principle, but it would lead to a sacrifice of efficiency.

34934. But if the vaccinators are paid by District Boards they should be regarded as District Boards' servants?—Quite so.

34935. Therefore the Local Boards' servant should look to the Local Board and not to the Government?—Yes.

34936. What control have you over Local Board budgets in the matter of sanitary works?—None at all.

34937. Therefore, as far as you are concerned, a Local Board might spend nothing in sanitation?—Yes.

34938. Do you think village sanitary committees do much good?—I am afraid they have not been a success.

34939. How are they constituted?—A village committee for one village, and the village Board may include a group of small villages.

34940. But it is merely a question of name and area. The powers are the same?—The Boards have slightly larger powers. They may have a sanitary inspector and may do more work.

34941. But how do they get their funds?—Half the money comes by voluntary contribution, and the other half is from provincial and local funds in the proportion of one-sixth and two-sixths, the local funds paying the latter, which depends entirely on the village contribution.

34942. Do the villagers raise much in the way of contribution?—In some places there is quite a fair amount, but nothing equal to what is required to do effective work.

34943. Do they agree to levy a cess or do they open a subscription list?—It is voluntary subscription.

34944. There are two ways of doing that. People can meet and agree to pay a general levy or open a subscription list?—I think they get according to what people will give. I do not think there is any regular cess.

34945. Then local committees have the administration of these funds?—Yes.

34946. Are these committees non-official usually, or are they run by the *mamlatdar*?—As a rule they are non-officials. Occasionally where the *mamlatdar's* headquarters happen to be at a small place he may be Chairman of the Sanitary Committee.

34947. And what do they do with the money? Do they employ scavengers and keep the street clean?—They do as far as they are able, but it is inefficiently done and inefficiently looked after.

34948. Do they rise to lighting the town, or is it a matter simply of sanitation?—In some cases attention is given to both matters.

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34949. Is the institution popular among the people?—Very unpopular, because they get very little for their money. They do not like it because the members of the committee do not seem voluntarily to take to the work.

34950. Would you like to abolish these committees?—Better work might be done in other ways.

34951. Through the direct agency of the *taluka* Boards?—Generally *taluka* Boards have one or more sanitary officers.

34952. We have heard a good many suggestions about villages receiving certain grants from which they should among other things look after wells and drinking water tanks. Would that work here in Bombay?—No, I do not think they would spend it to the best advantage. They have wrong ideas as to where a well should be placed in a village. Their idea is to select in the first instance a spot most convenient to themselves.

34953. You do not think they are sufficiently advanced to work the principle?—No.

34954. (*Sir Steyning Edgerley.*) Has the Sanitary Board time to meet wherever it likes?—I think so.

34955. Did they not consider the outbreak of cholera at Pandharpur in 1904?—Certainly.

34956. They can go to a spot if they choose?—Certainly.

34957. (*Mr. Meyer.*) In this Presidency the Sanitary Commissioner is subordinate to the Surgeon-General. In other provinces he is independent. Do you agree with the present system?—I think he should be independent. The Surgeon-General in administering purely medical work has quite sufficient to do, apart from any question as to fitness for sanitary work.

34958. It is a question of division of labour, really?—Yes.

34959. (*Chairman.*) Under the existing arrangement a sanitary scheme is outlined by the District Board and the Collector, is put into shape by the District Engineer, is administratively considered by the Commissioner, technically considered first by the Sanitary Board and then by the Secretary in the Public Works Department, then administratively sanctioned in the Municipal Department, and financially sanctioned in the Finance Department and possibly in Council?—That is so.

(*The witness withdrew.*)

Mr. V. C. French was called and examined.

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34960. (*Chairman.*) You are the Examiner of Public Works Accounts?—Yes, I am solely concerned with the Public Works Department.

I would recommend for the Local Governments of Bombay and Madras full financial powers in the case of provincial funds, limited only by the funds available. A reference might be advisable, however, to the Government of India in cases where personal interests are concerned, such as an increase to the salary of an officer, the enlargement or improvement of churches, &c. Even a Local Government is liable to be prejudiced for or against a certain case in proportion to the popularity or otherwise of the officer whose personal interests are concerned. Other Local Governments and Administrations might have powers extended, but to a lesser degree according to their importance.

So far as imperial funds and funds pertaining to divided heads are concerned the powers of the Bombay and Madras Governments might be extended to the powers at present enjoyed by the Government of India. Full powers in these cases are not recommended as it is inconceivable that the Government of India should have no voice in the disposal of imperial funds.

In the Public Works Department the only works carried out from loan funds are railways and irrigation major works, ordinarily called in both cases productive Public Works, these being works which may be expected within a reasonable period after their completion to give good return for the outlay incurred upon them. In no single case to my knowledge has the Secretary of State refused to sanction such works that have been properly estimated as "productive." In the case of productive irrigation works money has been freely given and the complaint has generally been that the department has not been able towards the close of an official year to spend all the money allotted to such works. Under the above circumstances the advantage to the Local Government to be gained by having borrowing powers is not apparent. Moreover, there is not the least doubt that on occasions the arrangements for borrowing made by different Local Governments would clash and probably result in a tightening of the money market.

The limit for sanctioning new gazetted appointments, and to which enhancement of salaries in existing appointments is permitted, might be raised with advantage to Rs. 500. Experience has shown that the Government of India is averse to refusing sanction in such cases.

The case of non-gazetted appointments is somewhat different. Salaries given elsewhere for subordinate work are not easily ascertainable, and therefore raising the present limit of Rs. 250 is not recommended, as the Government of India, from its knowledge of the price of labour in other provinces, has the best means of deciding what salaries should be given for any particular kind of work done.

Restrictions in regard to deputations in Articles 78 and 79 of the Civil Service Regulations might be removed.

I consider it sufficient in the case of matters relating to an important Local Government like that of Bombay for the Government of India, by code rules or orders, to lay down the general principles to be followed. It should be left to the Local Government to carry out such orders having at the same time the discretion to make exceptions in particular cases that, in their opinion, merit special treatment. It may perhaps be advisable for the Local Government to submit to the Government of India a periodical report, say once in three years, of all exceptions to any rule or order granted by the Local Government.

As must be expected there is uniformity, but this is not in the direction of excessive rigidity. The Government of India has always appeared to be willing to favourably consider a case that has been clearly and strongly placed before it.

I consider that Directors and Inspectors-General should merely be Advisory Officers both to Local Governments and to the Government of India. The experience of other provinces they bring with them must be of the utmost value to the Local Governments in connection with the works and departments inspected. Inspectors-General should be allowed to issue no orders themselves to Heads of Local Government Departments. Any orders necessary should come through the Government of India. Inspectors-General and Directors should spend more time with each work or Department of the Local Government inspected than is at present done.

I would not recommend an interference with the present rules, the right of appeal to a higher and unprejudiced tribunal is absolutely necessary to the ends of justice.

So far as my office is concerned there is a *net* increase of three returns within the past ten years, but it cannot be ascertained whether this is due to the requirements of the Secretary of State or of the Government of India.

Executive Officers have sufficient opportunities for personal contact with the people, but a very large proportion of them do not take advantage of these opportunities. One of the reasons for this is the want of interest the average Englishman displays in the alien race; another very strong reason is that 90 per cent. of the natives of India either try to take advantage of any act of friendliness or consider such act is done with some

ulterior object, as the majority of natives are unable to understand a disinterested act.

Many Executive Officers have a perfect knowledge of the vernacular, but the majority have not a sufficient knowledge. In the Public Works Department sufficient stress is not laid on the colloquial part of the vernacular examinations, and the first or colloquial examinations are not wide enough. I have known officers to be held to have passed a colloquial examination on a mere smattering of stock phrases picked up from occasional conversations with their *munshi* and their servants.

Greater care in selection should be insisted upon. Owing to long residence in India and consequent diminution of health, an officer's powers frequently fail just when seniority establishes for him a claim to betterment.

34961. You recommend that Bombay and Madras should have full financial power in the case of provincial funds. Do you mean that the other Governments should not have those same financial powers?—Financial powers would naturally be less in the smaller provinces. You would not expect the Central Provinces, which is a small administration, to have the same financial powers as the Government of Bombay. It has not the same spending capacity, for instance.

34962. Within the limits of its revenue is there any reason why it should not have the same measure of financial freedom as the Governments of Bombay or Madras?—Within its revenues it might have the same.

34963. Is there any particular reason why a distinction should be drawn?—No. My opinion was that the more important Governments should have the more important powers.

34964. Is it a question of a Governor in Council or a Lieutenant-Governor; or what differentiates the Government of Bombay from the Lieutenant-Governor of Bengal?—The Lieutenant-Governor of Bengal is an individual: the Government of Bombay is composed of a Governor and Council.

34965. That is the distinction you draw?—Yes, that is the distinction.

34966. The Government of India is averse to giving sanction to new appointments. Is that because the Government itself has not got the power? Until recently it could only sanction appointments up to Rs. 500?—Until recently it could not go up to Rs. 500.

34967. Have the Government of India given you the full powers that they have themselves?—No, the Local Government have only power to sanction appointments up to Rs. 250 a month.

34968. There are all sorts of differences of limit as to what Superintending Engineers can sanction in the way of estimates and the accepting of contracts, whether the expenditure is from provincial or imperial funds or whether it is local. Is there any reason, from your point of view, as an Examiner of Accounts, why that distinction should continue?—No, not for a Superintending Engineer.

34969. You are a Public Works Accounts Examiner, and there is no reason from your point of view?—There is no reason.

34970. So far as your office is concerned there is a net increase of three returns in the last three years. What are those returns?—I cannot say exactly. We have had certain returns abolished and others introduced.

34971. Have you anything to do with the Inspector-General of Irrigation?—No, except what I see on paper.

34972. Is there any other Inspector-General in the Public Works Department?—No.

34973. Does the Inspector-General of Irrigation issue orders?—No, I have not seen any orders issued by him.

34974. (*Sir Steyning Edgerley.*) You say that you see no objection in leaving the Local Government discretion to make exceptions in particular cases meriting special treatment subject to a triennial report. Do you think that the triennial report would suffice?—I did not put down the limit of 3 years for any particular reason, but the Government of India should have a periodical report.

34975. So that they might see what is being done?—The Government of India should see whether any of their rules were being taken advantage of, and whether the exceptions granted were more than desirable.

34976. And it would also enable them to relax rules which were unnecessarily strict?—Yes.

34977. Have you ever had a regular overhauling of Public Works accounts from outside?—We have had our accounts inspected by a Civil Accounts Officer.

34978. Is that the usual thing, or was it a special inquiry?—The usual thing.

34979. Is the form of Public Works audit unnecessarily detailed for the purpose of security regarding expenditure?—No. I think if the Public Works got all its restrictions adhered to, the audit is not too deep.

34980. Do the codes, as they exist, provide too much audit for the safety of the Government funds?—I do not think so.

34981. You would not be prepared to recommend any simplification?—No, I consider the system itself as laid down in the Public Works Code quite simple and suitable. Difficulties and bulk of work are the result not of any weakness in the system itself, but of the manner in which the system is applied by the several officers responsible for its working, and the bulk of work is due also to the fact that the full latitude allowed by the rules is not always taken advantage of. As an instance of the latter the Public Works Code rules require the record of outlay to be kept *by sub-heads* for ordinary works and repairs that cost Rs. 2,500 and above. It is, however, left to the Local Government to raise this figure to Rs. 5,000. This latitude has been taken advantage of by the Bombay Government, only lately. The raising of this limit decreases the amount of work in an Executive Engineer's office considerably. Another factor which has helped to swell the volume of accounts work, and has caused it to steadily increase in bulk in the course of time, is the tendency on the part of conscientious Audit Officers towards ultra-refinement in audit. Extensions of audit in details have been introduced from time to time without consideration that the increase of efficiency gained thereby is by no means commensurate with the increase of work involved. As an instance it was lately found possible in the Bombay Public Works Department to require the record and accounting for repairs to buildings by *groups or classes only*, for buildings other than residences, instead of as hitherto by individual buildings. The latter system introduced many years ago, though in itself desirable, was found not to be absolutely necessary for the purposes of audit, and is not required by the Public Works Accounts rules. The reversion made lately has considerably reduced accounts work in all offices concerned. And if the Government of India could be prevailed upon to abolish the, to my mind, unnecessary return "The Capital and Revenue Account of Government Buildings used as residences" (which abolition would in itself make a great reduction in work) the change lately introduced could be extended to residential buildings also. Yet another instance of the way unnecessary work is done: In the United Provinces the abolition is being considered of a system which has grown up of keeping registers of works in both the District and the Divisional Public Works Offices. It is necessary that this record should be kept in one office only and it is not known how the system of an unnecessary double record came to be adopted. I give these instances to show that it is not the system of Public Works Accounts as laid down by the code rules that is at fault but the application of that system that is responsible for much duplication of work.

34982. Except your detailed schedule of proposals you have no other suggestions to make?—No.

34983. One witness suggested that allotments might be made not only to Commissioners but to

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Collectors to carry out Public Works and another tells us that that would probably lead to great difficulty in the matter of audit?—Yes, it would lead to increase of audit.

34984. So what you would save by allowing the Collectors to have little sums to play with in their districts, would be lost in extra trouble in the audit?—That might possibly be so.

34985. Any way you would have to consider that before adopting such a scheme?—Yes.

34986. (*Mr. Meyer.*) Why should it give greater trouble in the audit?—The larger the number of sanctioning authorities the greater would be the amount of correspondence involved.

34987. But take the Commissioner. Supposing a large part of the provincial funds went to the Commissioner, how would that materially affect audit matters?—We should have to consider each Commissioner separately.

34988. As to whether he was not outrunning the constable?—Not only that. We should have to see that his sanctions were not exceeded by those under him. The Commissioner would sanction a certain sum for certain minor work. We should have to audit on this sanction.

34989. But even now the Commissioner sanctions a certain amount and that appears in the Public Works budget?—Yes, but so far as minor works are concerned we can limit them altogether.

34990. Supposing the Commissioner had power to sanction Rs. 50,000 for a new road or a new tank, would it matter to you?—No, it would cause more work.

34991. On the other hand, in the matter of minor works, where there would be a larger working audit, it would save a good deal of delay and might be more satisfactory if the sanctioning authority were lower down than it is now?—I do not think it would save delay; it would probably add to it. Take the work at present sanctioned by the Local Government. We have all their sanctions practically beneath our eye. Where you have several Commissioners making sanctions it would necessarily increase the work.

34992. From the public point of view, do you not save considerable delay in the matter of sanction?—I do not know, because the estimates would still have to be sanctioned in the Public Works Department.

34993. Might you decentralise considerably in the matter of passing estimates?—That is being proposed at present.

34994. How far can a Superintending Engineer sanction now?—He can up to Rs. 10,000. The proposal is to increase his sanction to half a lakh.

34995. What power has the Commissioner to sanction buildings?—Up to Rs. 2,500 and it is proposed to raise it to Rs. 5,000 in Bombay. The Rs. 2,500 is for minor works under his own charge only.

34996. You have said you do not insist on a 3-years' list of sanctions?—No, I simply put that down as a convenient period.

34997. Would it not be very inconvenient? Suppose the Government of India wanted to stop some allowance which the Local Government had granted, would you not have got almost a vested interest in it?—No, it would be simply in the power of the Government of India to stop the Local Government's power being abused.

34998. If the Government of India is to interfere in that way, should it not be the sooner the better, both for the sake of the public and of the officers concerned?—Yes, but that is a very extreme view.

34999. You have seen a great deal of human nature in your career as an audit officer? Do you find that a man usually takes as much care of the Government money as he takes of his own?—No, he certainly does not.

35000. And when it comes to a Local Government dealing with its own money would it take as much care of it as it would of the Government of India's money if it came to expenditure?—I do not quite understand.

35001. Somebody comes up and says, "I want more appointments in my department." If that is entirely within the financial responsibility of the provincial Government, it finds, if it gives in to that request, that it is cutting down its surplus. But if it is the Government of India who will bear the expenditure, might not the Local Government sanction the charges somewhat more freely?—It might possibly.

35002. As a student of human nature from the audit side, do you think it would?—Possibly it would; I should not like to say that a broad-minded Local Government would.

35003. Are not some people very broad-minded with other people's money?—Yes.

35004. As regards the construction of houses for officers from provincial funds, if you give an officer for Rs. 100 a month a house which under commercial principles you should charge Rs. 200 a month for, you are really adding to his salary?—Possibly, but you also may be adding to his expenses. He would want a bigger establishment to keep up a bigger house, and he might thus be involved in a larger expenditure than might otherwise be the case.

35005. Has Bombay got a separate Public Works Code?—No. We follow the Government of India one.

35006. Is that the case with Madras also?—I think Madras has abolished its separate code.

35007. With the possible exception of Madras, there is otherwise one imperial code for the whole of India?—Yes, I think so.

35008. (*Mr. Hichens.*) You make some distinction with regard to the limit of salary for ordinary gazetted appointments under provincial Governments as against non-gazetted appointments?—Yes, because in the case of gazetted appointments each Local Government has definite lists, and these lists are published, whereas in the case of non-gazetted officers they have no idea what other Governments are paying for certain work.

35009. If an appointment of the kind was to be made the pay would depend very largely on the local conditions?—Yes, to a certain extent.

35010. Therefore the Local Government would know those best?—Yes.

35011. They certainly might prosecute inquiries as to what was paid elsewhere?—They could do that.

35012. They could satisfy themselves quite easily on the point in that way?—I do not know about "quite easily." They would have to refer to other provinces.

35013. There would be no difficulty in finding out?—If the Local Government would take the trouble to do that it would be an easy matter.

35014. But they would not object to take the trouble?—I think they would proceed on their own ideas of what a fair salary would be.

35015. But supposing they had a fair idea of what the salaries were elsewhere, would you allow them to have the same powers?—I do not think the matter is of much importance.

35016. You do not lay much stress on that point?—No.

35017. Would the best plans be that each Government should have its own regulations based on general principles laid down by the Government of India, or would you retain the present system whereby the regulations are those of the Government of India?—I should retain the present plan.

35018. If the Government of India laid down the broad principles, who would lay down the detailed rules?—The detailed rules are laid down at present. I suggest that only in the case of exceptional circumstances should any departure be made from these rules.

35019. You would allow the Local Government to make that departure?—Yes, if the circumstances were exceptional.

35020. Are the restrictions in regard to the grant of pensions excessive at the present time?

In your experience have you come across a large number of cases which have had to be referred to the Government of India?—No, I have not come across many.

35021. Are pensions a matter in which reform is desirable?—I think so.

35022. As between one province and another?—I think as between one Service and another. As between one province and another there is uniformity already.

35023. It might be desirable that a man should be allowed to retire earlier in one province than in another, or owing to the differences in climate a different rate of pension might be allowed?—There might be different conditions.

35024. Therefore, if certain broad general principles were laid down, would it not be possible to apply to pensions the suggestions made in regard to other regulations, leaving it to the discretion of the Local Government to carry out the general principles?—Yes, that might be possible.

35025. Take the case of a policeman who is killed in the execution of his duty under distressing circumstances, leaving a widow and children. It might appear in such a case that the pension was inadequate. Would you allow the Local Government to give any pension they liked under these conditions?—Yes, I would. But such cases would have to be very carefully looked into by the Local Government.

35026. But is there any reason to suppose that they would neglect to look into such matters carefully?—There has been no opportunity in the past of looking into them at all; the rules are so hard and fast that they work automatically.

35027. Any exception has to go to the Government of India?—Yes, and possibly to the Secretary of State.

35028. Might there be a good deal of relaxation?—Yes.

35029. (*Mr. Dutt.*) You would give Local Governments discretion in cases of exceptional hardship, but you would not make different rules for the different provincial Governments for the same Services?—I do not see how the latter could work.

35030. Take the Covenanted Service, for instance?—You would not make one rule for Bombay, one for Madras, and another for Bengal?—No; there should be uniformity.

35031. And if you have not uniformity there might be discontent?—It would cause grumbling, of course, about pensions as about any other matter. If one Government was very liberal about pensions the people in another province would feel annoyed if they had not the same privileges.

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35032. Is your appointment in the Accounts or the Public Works Department?—My post is in the Public Works and the Accounts, both. I am adviser to the Local Government in the Public Works Department, and I am also an Accountant under the Government of India.

35033. You are aware that most of the big works done by District Boards in this province are done by officers of the Public Works Department and that a certain percentage is paid to Government for the services of these men?—Yes, 12 per cent.

35034. Is that a fair percentage for the service of the Public Works Department?—In many cases it is a good deal too liberal.

35035. Might it be reduced?—No, it ought to be increased. It is too favourable to the Local Boards, taking into account the Public Works establishment.

35036. What is your opinion as regards the desirability of the Local Boards employing their own Engineers as they do in other provinces of India?—I do not think that the works of the nature which Local Board have to carry out would in many cases be of such dimensions as to justify the employment of an Engineer, that is, in the Bombay Presidency.

35037. But suppose they had sufficient work and they had a sufficient income would it not be desirable to have their own men who could go here and there at their own pleasure, instead of their relying upon the convenience of the Public Works Engineer?—The present arrangement is satisfactory.

35038. Have you any knowledge of the Engineering College in this province?—Not here. I went through the Engineering College at Roorkee.

35039. Does the Bombay College teach up to the same standard as Roorkee?—I think so.

35040. Have you many clerks under you?—I have 56 clerks under me, and 48 accountants.

35041. Are your clerks and subordinates in a habit of making frivolous appeals against your orders?—I have had no appeal against me yet.

35042. You are not in favour of having any restrictions placed on the right of appeal?—No.

(*The witness withdrew.*)

Adjourned.

FIFTY-SIXTH DAY.

BOMBAY, *Wednesday*, 11*th March*, 1908.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

The Hon. Mr. W. L. CAMERON was called and examined.

35043. (*Chairman.*) You are Secretary to the Bombay Government in the Public Works Department?—I am. There is a Joint Secretary for Irrigation along with me.

In the case of the provincial budget and expenditure this Government should be entirely independent of the Government of India. The budget should issue on the responsibility of this Government only, and should be only communicated to the Government of India. If any changes are subsequently required and a supplementary budget become necessary, it likewise should be only communicated to the Government of India without explanation.

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In the matter of sanction to expenditure from provincial revenues this Government have the same powers as the Government of India possess with regard to imperial expenditure, but all estimates for works costing more than 10 lakhs of rupees have to be submitted to the Government of India for sanction. If the sanction of higher authority be required it should, in my opinion, be that of the Secretary of State only. But the time seems to have come for raising the limit up to which the Local Government can sanction estimates for provincial works. A Government that is fit to be a Government can be trusted to see whether, taking into consideration the resources at its disposal and the demands in different parts of the Presidency, a certain work should, or should not, be undertaken. It may be argued that the Government can be trusted, but it may not be advisable to repose such confidence in the technical adviser of Government. If the Chief Engineer is not fit for his post he should give way to one who is, but the fear that he may be incompetent should not result in the curtailment of the powers of the responsible Government. In cases of difficulty the Local Government should be encouraged to obtain the advice of the Consulting Engineers to the Secretary of State or of any private engineer in any part of the world who has made a name in the particular branch of engineering concerned. Ordinarily, however, complex questions do not arise. Plans are now in course of preparation for a new jail in Bombay. There is nothing complicated in the design of any one of the buildings, but owing to the large number of buildings required, the high prices ruling in Bombay, and the cost of the land and of the filling necessary, the total cost of the jail will exceed 20 lakhs, and this Government have not the power to sanction the work, and the estimates must be submitted to the Government of India and the Secretary of State. If any limit is necessary to provincial expenditure on any one work without reference to higher authority, it might be fixed at 100 lakhs for works only and estimates exceeding the limit should be submitted direct to the Secretary of State without troubling the Government of India.

Full powers should be given to the Local Government in the accommodation to be provided for, and the rent to be recovered from, Government Officers when residences are constructed from provincial revenues. An objection may be raised that different standards may be set up in different parts of India. But under the existing rules there must be different standards. In the Bombay Presidency rates are high and the same accommodation cannot be provided within the limit of permissible expenditure as in other parts of India where the rates are low. Another objection may be that in the same province there may be different standards; the Government of India, among whose officials there may be no one acquainted with the local conditions, may have views with regard to accommodation and rent in the case of residences built from imperial funds which do not coincide with those of the Local Government. The solution of this difficulty would be for the Government of India to leave to the Local Government all matters of this nature.

Divided heads of account are in two ways objectionable: (*a*) they may give rise to irritating interference; and (*b*) they may be the cause of expenditure in any particular direction not proceeding as rapidly as the Local Government might desire. Irrigation is one of the divided heads, but it rests entirely with the Government of India to decide what the expenditure is to be. Whatever may be the grant that the Government of India give for say minor works this Government is required to give an equivalent grant. This Government, however, may be able to devote more money in order to spread irrigation, but, if the Government of India cannot give a larger grant, the Local Government must divert to other purposes the money they wished to spend on irrigation. In my opinion divided heads should be abolished and heads of revenue and expenditure should be entirely "imperial," or entirely "provincial."

In this Presidency very large irrigation projects have been investigated. Estimates for some works have been sanctioned, others have been submitted to the Government of India, and others again will before long be ready for submission. The cost of the "protective" works proposed in the Deccan and Southern Maratha country alone will be about 15 crores, and in Sind estimates are in course of preparation for "productive" works which are expected to cost about 10 crores. Works of such magnitude, or, at all events, the productive works, manifestly cannot be carried out from revenue, and money must be borrowed. "Protective" works, while they do not give a direct return on the capital expenditure, are indirectly beneficial by increasing the wealth of the country, and they afford a large measure of protection against famines. Measures for protecting local areas against famine and for increasing the agricultural wealth of the country are essentially the concern of the responsible Local Government, if their resources are sufficient. In the case of the Bombay Government, given that local revenue is wholly provincial, the resources will be sufficient, and therefore both famine and irrigation should be "provincial" and, on that assumption, Government must have borrowing powers. It would not be advisable to have Local Governments in all parts of India issuing loans without consideration of what is being done in other parts, and it might be objectionable to have the credit of one province different from that of another. Applications for loans, therefore, should be submitted to the Government of India, who should issue them at such times, and of such amounts, as might be justified by the state of the money market. The total amount raised by loan, if less than the sum of the demands, might be allotted, after deducting brokerage, to the provinces that had submitted applications, possibly, in proportion to the sums demanded.

In a country of the size of India it is impolitic, if not impracticable, to lay down a line of policy in detail which is applicable to all parts of the country. The Government of India should content themselves with enunciating general principles to be followed, and their application with the issue of detailed orders, which might vary in different parts of the same province, should be left to the Local Governments.

In matters of expenditure Local Governments might have power to sanction non-recurring charges up to, say, £100, which are not covered by rule. They might also have power, subject to the same limit, to sanction expenditure even in opposition to rules, when circumstances justify departure from rule. All such sanctions should be reported to the Government of India annually in tabular form.

The influence of the departments of the Government of India is undoubtedly in the direction of excessive rigidity and uniformity. The only salutary measure of reform that I can suggest is complete decentralization in giving real power to Local Governments, who alone know requirements and the best means of meeting them.

As far as my experience of the Government of India goes, it is far too impersonal, and the impression created is that it is wanting in sympathy and too much dominated by consideration of revenue.

In technical matters, such as irrigation, an Inspector-General may be invaluable as an adviser. He is, or should be, a man of wide experience and special knowledge and ability, and his advice should be available at all stages of a project. If he is not overburdened with office work he should travel freely over the country and enquire into the system of irrigation followed, and if he finds that in any province methods are being tried which have been tried elsewhere and found unsuccessful he should recommend their abandonment; or he can recommend the adoption of certain methods proved to be beneficial in some other province. To fill adequately the post of Inspector-General of Irrigation a man must unquestionably be broad-minded. He must take no offence if his advice is not followed, and he must be able to realise that, however much he may have travelled, India is a large country, and that it is impossible for one man to be acquainted with local conditions in all parts of the country. He must be satisfied that his advice will receive the fullest consideration, not only from the technical advisers of

Government but from Members of Government themselves, and that if it is not followed it is only because the local conditions are such as not to justify the application in full of the methods recommended.

Even under the existing system, the functions of the Inspector-General of Irrigation should be advisory and not executive or administrative. The Government of India provide funds for capital expenditure on both productive and protective works, but this Government is responsible for half the interest charges and half the working expenses, and their financial interests, therefore, are no less than those of the Government of India. Seeing that the works are in this Presidency and that the people to be benefited belong to the Presidency, this Government are more interested than the Government of India, and should therefore be allowed to carry out the works in the manner that seems to them most suitable.

In administrative matters there should be no appeal whatever from the decision of the provincial Government. If a Collector is not considered fit to be a Commissioner, or an Executive Engineer is not selected for promotion to Superintending Engineer, it is entirely wrong that a responsible Government should be required to justify their selection to the Secretariat of the Government of India, as they practically would have to do if they were obliged to give their reasons for superseding the particular individuals. In the, perhaps, more serious case of dismissal of officials whom the provincial Government have power to appoint, no good can result from appeals, and, in fact, it is conceivable that grave complications might arise if the Government of India directed the re-appointment of a man whom the provincial Government did not consider fit for Government Service, and had, in the exercise of their powers, dismissed.

At present Commissioners can sanction, from lump sums placed at their disposal, allotments for works costing not more than Rs. 2,500. The limit might be raised to Rs. 5,000, the Commissioner acting in consultation with the Superintending Engineer.

No object would be gained by giving Collectors financial powers, while work in the Examiner's office would be considerably increased if every Collector and every District Judge had a discretionary grant at his disposal. A Collector submits to the Commissioner a list, arranged in the order of urgency, of the works required in his district, and then the Commissioner decides for what works he can provide funds. There certainly will be no saving in correspondence if the Commissioner placed at the disposal of the Collector a lump sum from which he could sanction works costing not more than, say, Rs. 500. The simplest plan would be to place the lump sum at the disposal of the Executive Engineer for expenditure on certain definite works, any balance, however small, being returned promptly to the Commissioner. The works would then be carried out without further correspondence, and it is very desirable to curtail correspondence.

Government should be authorised to delegate to any officers serving under their orders all the powers vested in them. They should not be bound to include the whole of any class in any scheme of delegation. Entire freedom of selection should be left to Government, and certain powers might be delegated to one officer which were denied to others in the same class. If an officer shows that he is not fit to exercise the powers with which he has been vested, Government should be able to withdraw the powers from him individually without detracting from the whole class.

One appeal only should be permitted, and that to the authority to whom the officer competent to deal with the case, and against whose order the appeal is made, is immediately subordinate. Thus the only officers against whose orders an appeal would lie with Government are the higher officers who correspond direct with Government, such as Commissioners, Superintending Engineers, etc.

The tendency of all Governments under British rule appears to be towards uniformity and rigidity. The Bombay Government in the past has not been free from this fault, but they have not been to blame. They are as much fettered by rules and regulations as the lowest paid of their servants, and all they can do is to interpret the rules.

The influence of the Commissioner on matters relating to departments other than the Land Revenue Department is very strong and adequate weight is given to his views.

Executive Officers have sufficient opportunities for personal contact with the people, but District Officers of all departments seem to be so overwhelmed with office work that they are unable to make full use of their opportunities. The remedy is to reduce the office work in every way possible, and if necessary to appoint personal assistants to deal with the less important part of it. But, while the number of reports and returns due from the District Officer may be reduced to a minimum, he must at the same time trust his subordinates and depend on frequent inspections and personal intercourse, rather than on lengthy reports, for a knowledge of the district.

In the Public Works Department the Executive Officers often do not possess the knowledge of the vernacular requisite on the part of all who have much to do with the people. Steps, however, have been taken to stiffen the examinations which officers must pass before they are eligible for promotion.

In the Public Works Department the evils attendant on frequent transfers are fully realised, and transfers are as infrequent as possible.

35044. Is there much irrigation in the province?—Yes, a great deal; Sind is entirely irrigational, and without irrigation there would be no crop there practically.

35045. The sanctioned strength in your department in engineers in 101 and the actual strength is 95; have you a considerable number of temporary engineers?—Yes, a large number; there are some temporary engineers appointed out here with the sanction of the Government of India, and others are appointed by the Secretary of State and sent out; they are men selected practically in the same way that the Secretary of State now selects engineers for permanent employment; there are seven of them.

35046. And are there 14 other temporary engineers appointed under the sanction of the Government of India?—Yes, on annual sanction.

35047. Is that a satisfactory arrangement?—No; for India one wants men on the permanent, that is to say, the pensionable establishment.

35048. What is your difficulty in getting them?—The men on the pensionable establishment are appointed by the Secretary of State, and the Public Works Department was allowed to go down and down until at last it became so undermanned that it was exceedingly difficult to carry out works. This Government wrote to the Government of India on the subject, but it turned out that the Government of India had themselves written before to the Secretary of State direct for practically the same number of men that this Government had asked for, namely, 101.

35049. So that there has been no difficulty caused you by the intervention of the Government of India in this matter?—No.

35050. What are the powers of the Local Government with regard to the sanctioning of estimates and contracts for provincial civil works?—Up to 10 lakhs in each case, both contracts and estimates.

35051. What is the amount with regard to imperial civil works?—Two lakhs.

35052. And for contracts how much?—I think the sanctioning power for contracts is the same as the sanctioning power for estimates.

35053. What is it with regard to imperial military works?—That would be the same.

35054. And with regard to Incorporated Local Funds?—The Local Boards can sanction estimates without limit.

35055. And for contracts?—The same.

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35056. And for estimates, the same?—Yes. It is 10 lakhs in each case.

35057. And for the Excluded Local Funds?—That is unlimited.

35058. Are your powers the same as those of the Local Government?—Not as regards the sanctioning of estimates, but with regard to accepting tenders I have full powers.

35059. What are the powers of sanction of a Superintending Engineer?—At present he has power to sanction up to Rs. 2,500; that has been raised lately to Rs. 10,000 which is the limit in the code, and a proposal has been made recently by the Government of India to raise the powers to Rs. 50,000 or, it may be, to one lakh of rupees.

35060. That is with regard to provincial civil works?—Yes. The limit suggested for imperial works is Rs. 50,000.

35061. Is it the same with regard to contracts and estimates?—Now the Superintending Engineer has power up to Rs. 20,000 for contracts.

35062. What are the powers with regard to imperial military and civil works?—He has the same power, but he has not administrative power to that extent. He has power of sanctioning the engineering details of estimates, and he is not bound to send to Government, the actual drawings and estimates for works costing less than the sum which he has power to sanction.

35063. What is the power in the case of contracts as regards imperial civil and military works?—Rs. 20,000.

35064. And as regards estimates?—He has powers up to Rs. 10,000.

35065. And as to Incorporated Local Funds?—The same, Rs. 20,000 and Rs. 10,000.

35066. And Excluded Funds?—The same.

35067. What are your own powers?—As Chief Engineer I deal with estimates myself, but I do not submit estimates of less than Rs. 10,000; all others are submitted to Government.

35068. And contracts?—I accept all contracts up to the limit of the Local Government.

35069. I do not mean the actual administrative sanction, but the Imperial Government or Local Government having once agreed to a work being constructed, is there any reason why an engineer of the standing of a Superintending Engineer or of your own standing should have varying power with regard to the final sanctioning of contracts and estimates?—I can see no reason whatever why the Superintending Engineer should not have full powers to give out a contract, unless the Local Government have some reason or other for wishing to import some European contractor who has done good work, say, in Egypt; in that case the Government would say that they were going to call for tenders themselves.

35070. Is there any reason why there should be a difference between that which the Superintending Engineer can sanction for the provincial Government and for the Imperial Government?—I cannot say.

35071. His experience will be exactly the same in one case as in another?—Exactly the same.

35072. Are you a member of the Sanitary Board?—I am.

35073. Do works come up to you for consideration on the Sanitary Board?—Yes; they are discussed by me first of all as one of the members of the Sanitary Board, and then they come to me for submission to Government, or rather they are forwarded to me from the proper department for consideration of the engineering details.

35074. Could you not give that consideration at the same time as you are considering the works on the Sanitary Board; have they been through the Sanitary Engineer's hands?—They have.

35075. What is the necessity for any further reference to you?—The men on the Sanitary Board are all busy men, and if I delayed their discussions while I was going through all the engineering details, the meetings would be protracted to great length, and instead of their being able to dispose of matters in a couple of hours we should have to meet for two or three hours for two or three days.

35076. Does not the Sanitary Engineer consider them?—He prepares them, or they are prepared under his direct orders.

35077. Is there any reason then why they should be considered by the Sanitary Board?—I think so.

35078. Is not the process that the matter is considered by the Sanitary Engineer in his office; it is considered by the Public Works Department in their office; then it is considered by the Sanitary Board in an intermediate stage, by the Sanitary Engineer and the ordinary Civil Engineer, sitting side by side—surely those three processes for the examination of one scheme are not necessary?—But a great deal of the work done at the meetings is administrative. Suppose there is a drainage scheme proposed for a certain town, and the point is whether that scheme ought or ought not to be carried out, there is a good deal of discussion with regard to ways and means and whether the municipality or the Local Board—whichever it may be—is able to afford it or not. The engineering part is not much discussed there. I go through the plans hurriedly, and if there are any points which strike me as requiring explanation I ask for it, and the Sanitary Engineer then either gives the explanation or says that things will be altered. The members of the Board do not understand the engineering details of the work; they do understand, if it is a case of water-supply, where would be the best place to fix the reservoirs, how the line of pipes should run, and that sort of thing; but they do not know if the reservoir proposed is large enough, and they do not know whether the pipes are sufficiently large to give the discharge requisite. They will know whether the quantity of water provided for is sufficient or not. Say that the Sanitary Engineer has assumed that five gallons per head is enough, they would at once say it was not enough and it was no use sanctioning a scheme of that kind. Matters of that sort the Sanitary Board would deal with, and then when the plans come to me I go through them carefully and examine them from an engineering point of view; there may be points which I have missed in going through them during the few minutes at my disposal at the Sanitary Board meeting.

35079. Then the scheme goes on to the Municipal Department?—To the General Department.

35080. Where the questions of finance and administrative details are considered?—Yes.

35081. (*Sir Frederic Lely.*) You would give the Local Government power to raise loans?—Yes, certainly.

35082. But you would have them first of all submit applications to the Government of India, who would issue them?—Yes, that is my view.

35083. Would those loans be raised on the security of the Government of India revenue or on the security only of the provincial revenue?—That is a financial question which perhaps I ought not to touch upon, but it seems to me with loans of that kind it would be better, for the reasons I have given, if they had for security the revenues of India, because although this Government would be able to finance its own loans very easily, having exceedingly good credit, there are other parts of India where the credit might not be as good, and therefore if there is the least shadow on the credit of the various parts of India, the credit of the different parts of India would vary, and it would be a bad thing to have different parts of the same country placed differently financially.

35084. Even in those provinces where the credit is good, the revenue is already hypothecated for loans of the Government of India?—Yes.

35085. So that the interest which would have to be paid on a purely provincial loan would be more than if raised on the security of the Government of India revenue, as the revenue is already hypothecated by the Government of India?—I do not know to what extent the local revenues are hypothecated by the Government of India.

35086. The existing loans are all issued on the guarantee of the general revenues?—Yes.

35087. So that the interest which would have to be paid on a purely provincial loan would be somewhat greater than the interest on a loan raised on the security of the revenues of the Government of India?—Not as far as this Presidency is concerned; the Local Government could take over all the loans issued on behalf of the Presidency and be able to finance other loans still.

35088. I understand you do not approve of giving Collectors a discretionary grant, but you would rather give it to the Executive Engineers?—It would be creating a needless amount of correspondence and work to give small sums to the Collectors, because a Collector now is required to make up a list of works proposed for his district. These works are arranged in the order of urgency, and it is not only for one kind of work that he makes his recommendation, but for all the buildings in the district. Then the report of the Collector goes to the Commissioner, and the Commissioner and the Superintending Engineer consider the various works and make up a list for the whole division. In the case of these small works of under Rs. 500, it is no use telling the Collector that he can sanction small sums, because first of all a letter would have to come from the Executive Engineer to the Collector asking for sanction; then the Collector would have to write to the Executive Engineer giving the sanction, and he might also have to write to the Examiner of Accounts saying that the sanction had been given; or at all events if he does not have to write he has to enter it in a statement which goes to the Examiner of Accounts. All that unnecessary trouble might be saved if the Commissioner lumps up all these small petty works and says to the Executive Engineer "I give you Rs. 5,000 for say 12 or 15 specified works," and he would carry the works out on that one sanction from the Commissioner, which the Examiner would take note of.

35089. The object of a discretionary allowance is to empower the Collector to provide for any unforeseen and yet important works which may come to his notice during his tour; for instance, it would be simply enough for him to write to the Executive Engineer giving his sanction for the necessary amount to be debited against his discretionary allowance, but your view supposes that the Executive Engineer takes the initiative?—No, the Executive Engineer is consulted by the Collector in preparing the list of works for the district.

35090. I am speaking of unforeseen works which come to the Collector's notice during the year?—It is not used in that sense in this Presidency; it is not necessarily unforeseen works; in fact if they were unforeseen they would not get through the amounts they have at their disposal.

35091. A discretionary allowance does not refer to money against which the annual budget is made?—No, a lump sum is given to the Commissioner; for instance, the Commissioner in Sind for this year has Rs. 66,000 to spend as he pleases—that is on all works costing Rs. 2,500 or under, and a proposal has been made to raise the power. Those works costing Rs. 2,500 and under are called minor works, and it has been suggested that the term "minor works" should include all works up to Rs. 5,000, but that does not mean that they represent unforeseen works at all. If the Commissioner on tour trusts only to what he sees he never would be able to spend anything like that Rs. 66,000.

35092. But is there not a distinction between a budget grant for a special purpose, and a discretionary grant for expenditure from time to time on such works as come to notice in small unforeseen sums?—Works costing more than Rs. 2,500 are entered in the budget. The discretionary grant is for works costing less than Rs. 2,500, whether foreseen or not.

35093. You would not approve of the Collector having a similar reserve?—I would not for a good many reasons. If you have sums of this kind left with a large number of officers the small savings which accrue from each one at the end of the year amount to a large sum for the whole division, and you have so much money locked up which might have been utilised on other works; whereas if they are left with a Commissioner what would be small sums to the Collectors may amount in all to considerable sums in the Commissioner's book.

35094. That no doubt is a disadvantage, but would that not be compensated for by the advantage of being able to give aid to a district offhand in regard to certain urgent and necessary things?—It would be very little more trouble for the Collector to write to the Commissioner and ask if he might have Rs. 500 for this or that work.

35095. The larger Public Works under the District Boards are now handed over to the Executive Engineer and for them Government charges a commission?—Yes, it makes an establishment charge of 12½ per cent.

35096. Is that the best arrangement possible?—I think so.

35097. Thirty or forty years ago some of the District Boards had Local Fund Engineers of their own; is the present system preferable to that?—It is cheaper for the Local Boards. I can give one instance in a district where I was. The Collector and the District Board thought that work ought to be done by the District Board themselves, and I was only too anxious that it should be done in that way. I gave every assistance in selecting a man to superintend it from a large number of applicants, and several works, which had been previously done by the Executive Engineer, were handed over to him. I left that district, and long afterwards I came back to the same division as Superintending Engineer, and one of the first things I saw was a recommendation of the President of the Local Board, the Collector, sending a resolution which had been passed unanimously by the Local Board asking that all works however trifling should be done by the Public Works Department; they wanted everything, even repairs of a few rupees, to be carried out by the Executive Engineer, and that merely in cases where he was not able to do the work it should be handed over to the Local Board.

35098. Does that represent the common view?—I cannot say, but I was very much struck by it.

35099. Does it not tend to take all work and all interest out of the hands of the District Board, and to hand it over to a Government Department which rather overshadows the District Board?—One would like to see Local Boards doing their work very much and taking an interest in it, but most of them are busy men and cannot afford the time to go about the district to see that the works are being done properly.

35100. (*Mr. Dutt.*) If a District Board in some particular district decided to try that experiment again, would you or the Public Works Department have any objection?—Certainly not. I am afraid it would be rather an expensive experiment. I would like first of all to see the members take a keener interest in their work; I would like to see them going on to the work and writing to the Executive Engineer, "I have inspected this work and find it is being done badly."

35101. So far as your department is concerned, you would not have any objection if they decided on that kind of thing?—Not at all; I should be very glad indeed.

25102. You say you have now seven temporary engineers appointed by the Secretary of State, the rates of pay varying from Rs. 400 to Rs. 600, and fourteen temporary engineers under yearly sanctions on rates of pay varying from Rs. 200 to Rs. 1,000. Are these last appointed by the Government of Bombay, or by the Government of India?—We make the selection, and the Government of India sanction the appointment of those on rates of pay exceeding Rs. 250.

35103. Are the men generally educated in this country?—One man is a Poona College man.

35104. The selection rests with you?—Practically.

35105. Is there any distinction made between the kind of work made over to the temporary men and the kind of work made over to the permanent men?—No, we have now four temporary engineers in charge of districts.

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35106. You do not, as a rule, employ the permanent engineers to take charge of large districts and give the light work to the temporary men?—No, one of the heaviest districts, Poona, is in charge of an officer on the temporary establishment.

35107. You have a distinction between the Imperial and Provincial Services in the Public Works Department?—Yes.

35108. What are the men in these Services called?—They are called Assistant Engineers or Executive Engineers. The men of the Upper Subordinate rank are not in the Provincial Service, but once every two years one man is appointed, or raised, to the Provincial Service from the subordinate branch, and one officer every year passes out of the College of Science at Poona and comes into the Provincial Service.

35109. How many belong to the Provincial Service?—In the lowest grade, the Assistant Engineers of the third grade, there are three in the Provincial Service and two apprentices; in the second grade there are five in the Provincial Service.

35110. You suggest that in arranging the finances for this province the heads of revenue and expenditure should be entirely imperial or entirely provincial, but supposing such a division was made would that prevent the Government of India from laying down general rules of policy with regard to those departments which were entirely provincial?—The Government of India should confine itself to laying down general lines of policy.

35111. And when the Government of India thought it necessary to introduce large reforms in those departments, would you allow them to do it?—They could communicate the nature of the proposed reforms to the Local Government, and it would be for the Local Government to assent or not.

35112. You would give the Local Government freedom to assent or not?—As far as their resources are concerned, certainly.

35113. Take, for instance, the Land Revenue Department; within the last few years the Government of India has laid down certain rules as to remission in times of scarcity and famine, rules which the Bombay Government did not have before and did not desire to have—in such cases would you permit the Government of India to enforce these rules upon all the provincial Governments?—No, I would not give them power to enforce any rules.

35114. Suppose the Government of India thought it was desirable and necessary to do so for the good of the people, what would you say?—I think the Local Government would be the very first to introduce any measure which was for the good of the people.

35115. In case there was a conflict of opinion, and the Government of India desired to have their rules, which are now considered by the people to be beneficial, adopted by all Local Governments, would you allow the Government of India to demand that the Local Governments should accept such large measures of reform?—No, I would not allow the Government of India to interfere.

35116. Are you aware that some of the large reforms have been introduced on the initiative of the Government of India, such, for instance, as the local self-government scheme?—Yes.

35117. In such cases, would you allow the Government of India to bring them forward?—That would be a matter of legislation; it is not a matter of rule or executive order.

35118. Would you lay down that provincial loans should be contracted only for limited periods, or for specific purposes, or that there should be general loans like loans incurred by the Government of India?—I would have them general loans; I do not think it would be practicable to have a loan for a certain definite work, or a certain definite purpose and utilise it only for that purpose. I am thinking now of what we call productive Public Works. You cannot have a loan for one particular canal; you may have other canals going on, and you cannot say that a loan is for a particular canal.

35119. If all the provincial Governments had the right to incur such loans permanently would it not add vastly to the indebtedness of India?—I do not think so.

35120. (*Mr. Hichens.*) You think certain of the Government of India regulations, such as those dealing with the housing of Government officials, are too rigid?—Much too rigid.

35121. Would you have certain model regulations drawn up by the Government of India for adoption by the Local Government with whatever amendments were thought necessary?—I would have general principles laid down and let the Local Governments arrange to carry them out in whatever way they thought best; and I would have the Local Governments go further, because it is the Local Governments only in the case of residences who know what kind of buildings are required in certain places. They have to take into consideration the amenities of a place, and the standing of the officer who is to occupy the building, and it is for that Government to say what the accommodation provided shall be. Having done that, then again the Government, taking into consideration what the place is, whether it is out in the wilds or whether bungalows are available or not, and so on, should be able to say what the rent should be.

35122. What would the general principle be which the Government should lay down?—Instead of having a ten per cent. rule they might charge the officers five per cent.

35123. Would that be a general principle?—Yes.

35124. Within those limits would you allow the provincial Government to frame their own regulations?—Certainly.

35125. Would you apply that to other matters, such as travelling allowances?—I would.

35126. And local allowances?—Yes.

35127. And, generally speaking, as to regulations of that nature, where it is possible, they should lay down a general principle?—Yes, that is my idea.

35128. Is the charge of the Superintending Engineer co-terminous with that of the division?—Not quite; for instance, in the Southern Division of this Presidency the area is not quite the same for the Commissioner as it is for the Superintending Engineer; the Superintending Engineer has one district in it which the Commissioner has not.

35129. Do the areas of Executive Engineers coincide with the districts?—They are practically the same, but not in Sind where they are entirely different; there are two Superintending Engineers of divisions in Sind to one Commissioner; one Superintending Engineer has the left bank of the river under him, and the other Superintending Engineer has the right bank of the river under him.

35130. Is the budget submitted to you by the Commissioner in respect of his division, or is it submitted to you by the Superintending Engineer in respect of his charge?—It comes up to Government from the Commissioner with regard to his division, that is, for major works.

35131. Then the budget for major works is prepared on the basis of divisions?—Yes.

35132. And minor works also?—The minor works are entirely by divisions. They do not come to Government at all; Government simply give a lump sum to the Commissioner to deal with as he pleases. Recurring charges would not come by divisions, but for the whole Presidency. The Examiner takes out for the whole Presidency what sum is debitable to provincial, and what is debitable to imperial.

35133. What is the case with regard to repairing roads?—The Superintending Engineers are given lump sums, and they give out to the Executive Engineers money from the lump sum grants which they have at their disposal.

35134. Then practically minor works are sanctioned by the Commissioner?—Yes, in consultation with Superintending Engineer.

35135. And major works are sanctioned by Government, and the repairs carried out either by the Executive Engineers or Superintending Engineers on their own responsibility?—They are carried out

by the Executive Engineers, the money being granted by the Superintending Engineers for small works; a Superintending Engineer places a lump sum to the credit of the Executive Engineer, and the Executive Engineer sets the repair estimates against the lump sums provided.

35136. A proposal has been made that the Public Works budgets should be prepared wholly by districts and placed under the Commissioner, and that the Commissioner should have a budget for his own division, including amongst other items, the Public Works budget, which would include major works, minor works and repairs and other recurring charges—is that a good suggestion?—No, I should not think so.

35137. Do you prefer the present powers?—Certainly. The Collector prepares a list of works required in his district; he takes all the various branches, Public Works, revenue, administration, hospitals, forests, and so on, and he arranges these in consultation in their relative order of urgency; they then go to the Commissioner and he makes his selection from the various districts; he rearranges them all in the order of urgency for the whole division and then submits his list of major works (that is, works beyond his sanctioning power) to Government, who provide in the provincial budget, as far as funds permit, for new works in the various divisions, in the Commissioner's order of urgency.

35138. At any rate there is nothing to be gained by any alteration?—No, on the contrary, there would be confusion. At present all the works are arranged in one budget. Everyone can look at it and see how much is sanctioned for any work.

31539. (*Mr. Meyer.*) Who takes the Public Works portfolio usually in the Bombay Government?—At present the Governor.

35140. Is that the usual practice?—It has been since I have been here.

35141. You say that the Commissioner submits his proposals in order of urgency?—Yes.

35142. Are there not a good many more proposals brought forward than you have funds for?—Yes.

35143. Who selects the works which are to be carried out?—When it comes to the Government a meeting is called of the Secretaries, and they consider what sum should be allotted to each division, and the works are taken in order of urgency for each division down to a certain number, the total of which makes up about the amount which may be given to that division.

35144. Therefore you do have a divisional allotment?—Yes, it comes to that.

35145. When your budget goes down to the division with these things sanctioned, has the Commissioner any say after that; or is it left to the Superintending Engineer to decide how and when he will take up a work?—He is required to do the work within the year; if he cannot spend the money which is put down in the budget he has to explain why the expenditure was not incurred.

35146. Does it not occasionally happen that a work which the Commissioner has put down first, or very near the top in the order of urgency, is not carried out, while other works to which he has not attached so much importance are?—It may happen that plans and estimates of that work might not have been prepared, or perhaps the site might not have been fixed, and correspondence may be going on for a long time as to where it is to be, and in that case it may be impossible to undertake the work.

35147. The point put to us in other provinces was that a Commissioner may put forward his projects; but after the budget is passed, he really does not know anything more about it, and that some road to which he has attached importance is not proceeded with, while some other road, which he did not want, the Executive Engineer makes. In fact that the Commissioner had nothing to do beyond once a year having to write down what particular projects he considered desirable; is that the case in this province?—No, certainly not; the Commissioner receives the budget and can see which are the major works that are entered in it.

35148. But can he see that the major work which he considers most important is carried out at once?—There would be no report sent to him about it.

35149. He is kept in the dark as to this?—I cannot say that he is kept in the dark.

35150. At any rate he does not know anything about it?—No, unless he asks.

35151. Can he give a definite order to the Superintending Engineer to commence a certain work and to carry it out to the best of his ability during the financial year, putting aside, if necessary, other work for the purpose?—I do not know that he can direct him to do that, because the budget itself is a direction.

35152. Can the Commissioner give a direct order or can he not?—No, he cannot give an order to change the budget.

35153. The suggestion put by Mr. Hichens was that, as now, each division should receive an allotment with a reserve at headquarters for big projects; but that the Commissioner should be able to say which works he wanted carried out first; is that undesirable, or is there any objection to the Commissioner being able to say that?—No, I can see no objection to his being able to say it.

35154. You have mentioned military works as part of your work, but is there not an entirely separate military establishment?—There is.

35155. What do you have to do with military works?—There are certain outlying parts which the Executive Engineer visits in the course of his tour where there is no military works official.

35156. Under imperial expenditure you entirely omit the army except as regards military works; do you not consider the army of some importance?—The army does not appear in the provincial budget.

35157. Therefore your proposal cannot profess to be a complete scheme of distribution?—It is merely a scheme for discussion.

35158. Would you not have to put the army in at some time, and provide funds?—Certainly.

35159. You say the budget should lay down general lines of policy in matters of internal administration, but that the Local Government should have power to reject or accept them at their discretion. It is an open secret, that at present there is a scheme under consideration for the improvement of the salaries of Public Works Engineers. Supposing that is settled and the Government of India sends down its scheme, and suppose the Local Government say, "We are rather hard up at present and we think the Engineers get quite enough, we will not increase their pay"; would you let them do it?—That is a matter which would be settled by the Secretary of State, and it would be one of the conditions under which men came into the Service.

35160. Men do not always come into the Service with their pay fixed in every capacity from the beginning to the end; and I am speaking of a case in which the Government of India think it desirable to raise the pay of Engineers. Supposing a Local Government does not want to spend any money in that way, is it to be allowed to say, "Our Engineers are sufficiently well paid, and we are not going to raise their salaries"?—If you are going to leave them entirely independent, if you are going to make the Local Government a Government *in toto*, if you are going to let the Local Government select its own establishment for its own Civil Service and other Departments, then certainly the Local Governments ought to be able to decide what the pay should be and under what rules the officials are to serve.

35161. But supposing you have, as at present, an Imperial Service scattered amongst the provinces and which is mainly at the disposal of the Local Governments, what would you do?—The conditions are not the same.

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35162. Then so long as you have Imperial Services there must be central control by the Government of India?—The Government of India does not settle salaries; the Secretary of State settles them.

35163. But on the proposals submitted by the Government of India?—Yes.

35164. The Government of India proposes and the Secretary of State sanctions, or perhaps does not sanction?—Yes.

35165. The point is, while you have Imperial Services, is the Government of India to have any say with regard to their organization?—Yes.

35166. And in regard to their recruitment?—Yes.

35167. You say that Local Governments should be given a free hand in matters of provincial Public Works, that their limit should be raised from 10 to 100 lakhs, and that they should go straight to the Secretary of State, the Government of India not being consulted. The object of the present restriction is twofold; first, to prevent the Local Government spending what is thought to be an excessive amount in proportion to its means, and, secondly, to get the engineering advice of the Government of India officials—is that not the case?—I do not know what the object of the rule is, but in the case I have mentioned, the plans which are in course of preparation for a new jail in Bombay, there is no particular engineering skill required in the design of any one of the buildings, although there is a very large amount of work in various ways to be done; the land is very valuable, there is a large amount of filling in to be done, and filling cannot be got in Bombay, so that the cost will exceed 20 lakhs, and this Government have not the power to sanction the work.

35168. You admit that in certain cases the Local Government might take outside experts into consultation?—Yes.

35169. What is the harm in such a case of going to the Government of India expert. One may take it that the Secretary to the Public Works Department in the Government of India is one of the ablest men in the profession out here?—I should think so.

35170. Is there no utility in letting him see the estimates and passing his opinion upon them?—In the case of a complicated design there would be no objection to his seeing the design, but the estimates can convey no information to him, and he does not know anything about local rates for labour and so on.

35171. But taking the whole thing, and the plans for the work, he might have a good deal to say as to the matter of design?—I have had some designs returned to me with criticisms.

35172. Were the criticisms unnecessary, or beneficial?—I thought that the criticisms were most unnecessary.

35173. You say that the Local Governments ought to have the same power of sanction in respect to imperial works as they have over provincial works: occasionally Public Works estimates are very considerably exceeded as a matter of fact?—They are at times.

35174. Who pays for that—not the engineer himself?—No.

35175. Is it paid for by the Government which is responsible for the construction of the work?—Yes.

35176. If it is a Local Government work, the Local Government pays and can come down upon its engineer if it thinks fit?—Yes.

35177. Supposing it is a Government of India work and the estimates have been largely exceeded, the Government of India has to pay?—At present, yes.

35178. In that case ought not the Government of India to have some say in the matter? Is it not an elementary precaution that the Government of India should say "We may have to pay for any excess, and we will have the estimates scrutinized by our own people"?—As to imperial work I should have no objection to sending estimates on to the Government of India if they wanted to see the estimates, but there ought to be no expression of opinion on the part of this Government. Let the Government of India decide.

35179. You think two Governments are no good, so to speak?—I would not have two Governments, one criticising the action of the other.

35180. Is not the real thing that one wants two engineers, you here and the Chief Engineer at Simla?—Then if I am not capable of dealing with an estimate, the other engineer can do it. Why should I waste my time and he waste his?

35181. In the same way is it unnecessary for a Superintending Engineer to send an estimate to you; it had better be prepared by you than him?—It is proposed to raise the powers of the Superintending Engineer to a lakh of rupees.

35182. But if it is above a lakh he ought not to prepare it at all, and it ought to be prepared by you at first; there is no reason why two of you should work over the same estimate?—That would not be any saving of time, and it would make my office an enormous office.

35183. (*Sir Steyning Edgerley.*) As regards the proposed 5 per cent. rent for houses, that of course must be independent of the cost of the house?—Yes.

35184. A question was asked you with regard to the 12½ per cent. charge made to Local Boards and you said that you thought it was cheaper for the Local Boards on the whole. Is it as cheap to them as Government can make it, or does the percentage more than cover the cost to the Government? Could Government reduce it without making it a contribution to the Local Boards?—No; at present it is a contribution to the Local Boards.

35185. It does not cover the cost to the Government?—No.

35186. What is the real cost to the Government?—It comes to something like 24 per cent.; in transactions between the Government of India and the Government of Bombay 23½ per cent. is charged.

35187. Is that based on the cost of the arrangements for doing the work?—Not for doing a particular work, but taking all the establishment of the Presidency.

35188. Anyhow you are perfectly certain the 12½ per cent. is less than the cost to the Government in carrying out the arrangements to enable them to do the work they now do for the Local Boards?—Certainly.

35189. You suggest that Local Governments might be allowed to sanction exceptions to code rules, simply reporting to the Government of India?—Yes.

35190. As regards the division of funds you suggest that all loans should be raised by the Government of India, and your plan is that the Government of India should be a sort of Banking Agency?—Yes, that is my view.

35191. That they should not actually say "You must not have this loan," but if they can raise it during the year they should raise it, so that a Local Government could obtain a loan just as a private person could go to a Bank, and get a loan?—That is my view.

35192. With regard to schemes of productive and protective works, you say that they amount to about 10 crores in Sind and about 15 crores in the Deccan; looked at from a Government point of view as to the welfare of the Presidency as a whole, which of these works would you consider to be most urgent?—The protective works.

35193. That is to say, you would not defer the protective works in order to carry out works in Sind which would bring you in 5 per cent. profit or more?—I would not.

35194. And that looking to the welfare of the people the Government ought to go first for the non-paying works?—That is my view; the saving of life and the welfare of the people are more a duty on the part of Government than the provision of works which, though they might add to

the wealth of the people considerably, and allow a larger area to be cultivated, are not so urgent.

35195. In fact there never is any famine in Sind?—Never.

35196. Also as to protective works in the Deccan, I suppose they might at any time save the Government from half a crore to a crore of rupees in the way of famine relief?—Yes. The Irrigation Commission suggested that from 0·3 to 0·5 of an acre should be protected for each head of population.

35197. When the budget is received and the works are sanctioned, is there not a direct Government order to the Superintending Engineer that he shall do all the works included in it in the order in which they are placed during the year that follows?—The works in the budget are not placed in order of urgency; they come under various classified heads, but all the works are to be done in the year.

35198. Then there would be some scope for a Commissioner's order, in that he might say "Begin this work at once"?—Certainly.

35199. Can he say not merely "Please do this," but "Do this"?—No, but at the same time, if the Commissioner did say to the Superintending Engineer "Do this," I cannot conceive any Superintending Engineer saying he would not do it unless for very strong reasons indeed, which he would have put before the Commissioner; they would be discussed and the very strong probability is that the Commissioner's wishes would be carried out.

35200. In 99 cases out of 100 would that be so?—Yes, certainly.

35201. If it were not so, the Superintending Engineer would probably have to take the orders of the Government?—If it were an important matter and the Superintending Engineer's actions did not meet the views of the Commissioner, I cannot imagine the Commissioner not reporting the matter to Government and asking for orders.

35202. (*Chairman.*) What is meant by the recommendation by Local Government that the Government of India should delegate to them power to write off a portion of the capital cost of a residential building?—That is, when buildings get old there is nothing taken off for depreciation.

35203. When the Local Government ask for this power does that mean that they should only do so after the building has been in existence for a certain number of years, or are they to begin to write off at once?—When any demand for it arose, a building would be revalued—that was the idea.

35204. In what circumstances would the Local Government write off the capital value on their own responsibility, and in what circumstances would they refer to the Government of India?—In all cases of buildings belonging to the Local Government constructed with provincial funds they should have entire control, and as to those constructed from imperial funds I do not want the Local Government to have any power at all; it is a matter for the Government which finds the money.

35205. Have you any power at the present moment as far as you know?—I think not.

35206. Have you no power at all to write off?—No, according to the best of my recollection.

35207. As far as any buildings constructed out of partly provincial funds are concerned you want complete power to write off?—Yes.

35208. And as far as any buildings constructed with imperial funds are concerned you ask for no power?—No.

35209. It was stated by a witness that there had been a great deal of difficulty with regard to the drainage works at Poona, and it was said that the Government had intervened somewhat unwisely; do you know anything about the facts of that case?—What happened was that estimates were prepared for a joint scheme for sewage and water-supply and the total estimated cost, including the interest to be charged to capital during construction, came to 44 lakhs. The Poona municipality considered the scheme, and submitted it to this Government, who sent the case on to the Government of India and asked that a loan should be granted. After it had been conditionally adopted by the municipality and forwarded by the Local Government for the sanction of the Government of India it was disallowed by the latter on the ground that it was unsafe to authorise the raising of so large a loan as 44 lakhs on the security, for the most part, of the produce of a sewage farm only. There was no question of this Government attempting to force any scheme on the Poona municipality. The Poona municipality, with perhaps one exception, are fully aware of the horrible condition of the City; there are drains there one hundred years old, and the Government has had scheme after scheme prepared. They made this recommendation to the Government of India, and the Government of India said practically that they could not sanction a scheme which depended for its finance on the profits of a sewage farm.

35210. Was that interference on the part of the Government of India well justified?—If they have to find the money they can demand whatever security they like, but it was not a case of this Government trying to force a scheme on the Poona municipality which was resisted by the Government of India. As a matter of fact one of the things the Poona municipality said was that the plague charges must be wiped off before the scheme could be undertaken; this Government wrote to the Government of India, saying that the total charges amounted to Rs. 5,69,000 and recommended that Rs. 3,69,000 should be given as a free gift and that the remaining 2 lakhs should be given for ten years without interest. The Government of India sanctioned 3 lakhs being given as a grant-in-aid, and directed that the remaining 2,69,000 should be given on a loan for 15 years at 4 per cent. interest. I mention that in order to show that this Government is not a hard-hearted, unsympathetic Government trying to force a scheme on a reluctant municipality, the municipality being saved by the intervention of the Government of India.

35211. Then were both the Government of India and the Government of Bombay justified in the course they took?—Yes, each probably from their own point of view.

35212. If a sanitary scheme costing a lakh of rupees is suggested in the first instance by the Chairman of the municipality, is it put into some sort of shape by the District Engineer or the Executive Engineer; then is it examined by the Sanitary Engineer; then considered by the Commissioner; examined administratively and technically by the Sanitary Board; examined financially by the Finance Department; examined administratively again by the Municipal Department; again technically by the Public Works Department, and only then can it be finally sanctioned by the Government of Bombay; is that an unjust description of the course which a sanitary scheme has to take?—It is not quite correct; at present the Sanitary Engineer himself prepares the scheme.

35213. Whom it is first of all suggested by?—By the municipality, or whatever the Board may be.

35214. Is it then considered at all by the District or Executive Engineer?—No, it is not considered by him.

35215. Is it put roughly into shape by him?—His assistance may be obtained instead of getting another man from outside.

35216. Then is it examined by the Sanitary Engineer?—Yes, he would give the orders to the Executive Engineer.

35217. Then is it looked at by the Commissioner from the administrative point of view?—Yes.

35218. Then he would see it?—I should imagine so.

35219. Then it is examined by the Sanitary Board?—Yes, but then the Sanitary Engineer has done the whole thing.

35220. Then it is examined financially by the Finance Department?—Yes, if a grant-in-aid or a loan is required.

35221. It is administratively examined in the Municipal Department?—Yes.

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35222. It is examined technically in the Public Works Department?—Yes.

35223. And then, and only then, can it be finally sanctioned by the Government of Bombay?—Yes.

35224. Then my description was not an unjust description of the course of a sanitary scheme?—No.

35225. You say that it rests entirely with the Government of India to decide what the irrigation expenditure upon minor works may be; if the Government of India give a grant and this Government is required to make an equivalent grant, are you certain that that is the principle on which the money is allotted for these minor works?—Yes, half and half, certainly.

35226. Is the Local Government not consulted as to the amount which it can afford to spend on minor works?—No.

35227. Is it required to pay rupee for rupee?—It pays rupee for rupee. I remember on one occasion the Government of India said they would give 15,94,000 for irrigation works and the Government set aside 15,94,000, but afterwards without any consultation and without any word, a telegram came saying that the Government of India grant would be cut down to 13,94,000, cutting 2 lakhs off, which meant that this Government had to cut off 2 lakhs as well. Eventually, after some more correspondence, the Government of India went back to the 15 lakhs.

35228. Is that a principle which you are quite certain is applied in respect to minor works?—Certainly.

35229. (*Mr. Meyer.*) Will you kindly produce the papers on that point. You know in ordinary divided groups such as forests or excise, the proportion is half and half—half expenditure and half revenue are imperial and provincial automatically?—Yes.

35230. Is irrigation in the same category?—Yes.

35231. That is to say, supposing you put down a budget of 30 lakhs for expenditure on minor irrigation works, 15 lakhs would go to imperial and 15 to provincial?—Yes.

35232. And if the actual expenditure came to 25 lakhs only, the division would be 12½ and 12½ lakhs?—Exactly.

35233. Then may I suggest that what happened in the case you put was this: Let me take your figure of 15,94,000, that would have come to 32 lakhs and the Government of India reduced the 32 to 30 simply in the interests of actual estimating?—They did not say so; they first of all accepted the Rs. 15,94,000, but afterwards said they were not able to give so much and it was cut down to Rs. 13,94,000. I know of no reason given at all.

35234. You do not say that they give a special contribution to minor irrigation works; it comes under the ordinary divided head principle?—Yes.

35235. (*Chairman.*) Without asking this Government how much they can spare for minor works, do the Government of India say, "We have 20 lakhs to spend on minor works in your province, and you must provide 20 lakhs too"?—No, they would not give more than we had asked for.

35236. They would allow you then to fix the amount you are to spend and they would add an equivalent amount?—That is the principle. A demand statement goes in first of all, and if that is accepted, then this Government puts in the amount which they had already stated they would be prepared to spend. That is for the budget purposes.

(*The witness withdrew.*)

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35237. (*Chairman.*) You are acting Secretary to the Government of Bombay in the Political, Judicial and Special Departments?—Yes, I was Secretary in the General Department before that. As Secretary in the Judicial Department I am in charge of the Police. The Special Department deals with various matters with regard to criminal investigation and political affairs.

Very much larger financial powers should be given to the Government of Bombay. The limits prescribed in Chapter 17, Civil Account Code, are very low and necessitate a large number of references to the Government of India, which could, and, I think, should be avoided. Some of the prohibitions in Civil Account Code, 283, should be removed and power to grant allowances of all kinds should be given to the Local Government subject to general rules laid down by the Government of India.

I do not think that any more complete separation could usefully be effected between imperial and provincial finance. It would not be advantageous, if indeed it were possible, to assign separate heads of account, and with them exclusive control of receipt and expenditure, entirely to either provincial or imperial, and short of this I see no use in altering the general lines of the present system.

I should not be prepared to give Local Governments borrowing powers. Charges so heavy as to involve borrowing would have to be sanctioned by the Government of India, and this being so the loan should be obtained by that Government. Local borrowing would only complicate the general financial situation, and would probably be more expensive.

The Local Government should have the fullest power in applying to local conditions the general lines of policy laid down by the Government of India or otherwise. The function of the Government of India should be regarded as discharged when it has laid down the general lines and that within those lines there should be no interference. It would be difficult to deal with this aspect of the matter by hard and fast rules. The Supreme Government should recognize not only that the Local Government is responsible for the due execution of the policy laid down, but also that it is capable of adequately discharging that responsibility and may and should be trusted to do so.

In the Judicial Department the following relaxations of the law or rule would be advantageous:—

- Additions to the strength of the Bombay City Police Force (section 4, Bombay Act IV. of 1902).
- Removals under the Criminal Tribes Act (section 15, Act XXVII. of 1871).
- Extension of portions of the Dekkhan Agriculturists' Relief Act to other parts of the Presidency (section 1, Act XVII. of 1879).
- Alterations in High Court rules regarding fees for processes and regarding destruction of records (section 20, Act VII. of 1870, and section 5, Act III. of 1879).
- Extension of section 7 (1) of Indian Securities Act (No. XIII. of 1886).
- Exemptions under the Arms Act (section 27, Act XI. of 1878).
- Changes in the number of Subordinate Civil Courts (section 21, Act XIV. of 1869).
- Extension of Acts to Sind (sections 5, 5A, Act XIV. of 1874).

All these matters can best be dealt with by specific amending legislation. There is no one of them in respect of which there seems to be any real advantage gained by submitting for the sanction of the Government of India.

There is certainly a strong tendency towards rigidity and uniformity in the influence of the departments of the Government of India. In the Judicial Department the tendency referred to has been most conspicuous in connection with the reorganization of the police. Certain proposals of the Bombay Government have been criticized and rejected because they are not in conformity with the methods and practices current in other provinces where the conditions may be quite different; certain others have been condemned because to the Government of India they do not seem suitable, although in some instances the points at issue are matters of opinion merely. I can suggest no

specific measure of reform. The whole question is one of attitude. If the Government of India in dealing with the Local Government were to act on the presumption that the proposals submitted to them were to be approved unless these proposals could be shown to be manifestly unsound, and if the policy and practice of the Government of India were to interfere in details only when necessary, all minute criticism would be avoided and the views of the Local Government would be accepted, save in so far as they might clash with general rules or principles which the Government of India desire to enforce. The result would be the saving of much delay in the introduction of measures of reform.

Although I have known some instances in which departmental considerations have perhaps been allowed too much weight, I am not prepared to say from my own experience that on the whole the tendency of the Imperial Secretariat is to consider matters too much from a purely departmental standpoint.

It is difficult to see how the Imperial Secretariat can be otherwise than impersonal in their relations with men and matters with which they have no acquaintance save on paper. They are a degree—and a long degree—further from the people than are the Local Government, and for this latter even it is not in all cases practicable to cultivate the personal aspect of administration.

The only Director-General with whom I have any concern is the Director of Criminal Intelligence. I think he should be regarded as the Head of a Criminal News Agency, and that so far as his relations with Local Governments are concerned, his duties should be confined to receiving and imparting information relative to crime and criminals.

The initiative in administrative reforms which have been effected in recent years has been largely due to the provincial Government, but some of the most important have owed their inception to the Government of India.

Provincial Governments should be allowed to develop their administration on their own lines, and it should be left to their discretion whether they should, or should not, adopt measures introduced in other provinces. This would not preclude the Government of India from making suggestions nor from introducing reforms in departments which are from their nature of imperial concern. Unnecessary unification of administration is much to be deprecated, and the provincial Governments should be left entirely free to work on the lines which to them seem best suited to local conditions and requirements.

The general rule as to appeals in administrative matters should be that only one appeal should be allowed as a matter of right. A second appeal should be permitted only when the first appellate authority certifies that reasonable grounds of appeal exist. On this principle there would be no right of appeal to the Government of India except in cases in which the original order appealed against is that of the Local Government, and in those in which the Local Government certify that reasonable grounds of appeal exist. When the original order is that of the Local Government I would allow an appeal to the Government of India without any certificate.

The general principle regarding the right of appeal by officers of Government against orders affecting them personally should be the same, but I would make it the rule also that no officer whose pay is less than Rs. 250 should be allowed to appeal beyond the Local Government, whether the order of the Local Government was passed on appeal or was original.

In the Judicial Department there has not been an increase of recent years in the demands for returns and information from the Local Governments. A few fresh returns have been called for by the Secretary of State in the Political Department, and in the Judicial Department there have been some calls by Government of India for information regarding unusual occurrences, but on the whole I believe the demand in question has been reduced rather than increased.

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In the Judicial Department there are several matters in regard to which the powers of the Local Government might be delegated to Commissioners of divisions. These are mostly connected with the grant of magisterial powers under special Acts (such as the Reformatory Schools Act and the Opium Act); powers under the District Police Act and powers under the Criminal Procedure Code.

There are also matters connected with judicial administration in regard to which the powers now vested in Government by law or otherwise might advantageously be delegated to the High Court and Judicial Commissioner of Sind. These relate to the promotions, transfer and deputation of Subordinate Judges, grant of Small Causes Court powers to Subordinate Judges and appellate powers to Assistant Judges, circulars and rules for Subordinate Criminal Courts, etc.

The natural tendency of any central authority must be towards both rigidity and uniformity, and to keep this in check the exercise of some counteracting influence is necessary. Questions which come up to Government are in the first instance dealt with by a Secretariat Office well versed in rules and precedents, but, generally speaking, entirely lacking in any first-hand knowledge of the subjects with which they have to deal or of the local conditions and circumstances. It is the work of the office to point to precedents and to invite attention to the rules and orders bearing on the question before them, and it is scarcely possible to expect them to be otherwise than biassed in favour of both rigidity and uniformity. It rests with the Under-Secretary and the Secretary to present the case for submission to Government in such a shape that any undue bias in the above directions may be removed, and adequate allowance made for special features and for local or personal conditions. Much will of course depend on the general mental attitude of the Secretariat Officers, and still more on that of the member or members of Government to whom a case is submitted. The influence of the provincial Government does not result on the whole in excessive rigidity or uniformity, but there is and must be a certain tendency in that direction which requires to be constantly checked by the conscious efforts of the authorities with whom rest the final stages of the decision. It is of importance therefore that the superior officers in the Secretariat should be men who have had considerable and recent experience of administration at first-hand, and who have not been too long removed from actual contact with the people and with the Executive Officials.

I do not consider that the tendency of the provincial Secretariat is to regard matters too much from a purely departmental standpoint. The interests of the people concerned are given due weight as well as those of the department. I do not think the provincial Government are more impersonal than is inevitable in the case of a central and composite authority dealing through various channels with a large mass of affairs, most of their information regarding which is contained in written reports.

The Commissioner has adequate opportunities for exercising his influence in matters appertaining to the Judicial Department. Whether he actually exercises it, and, if so, how strong it is, are matters which depend on the individual Commissioner.

The Commissioner exercises a general control over the District Magistrates in whom is vested the administration of the police of their districts. He is the authority to decide between the District Magistrate and the District Superintendent of Police in matters of sufficient importance to be referred to him, and in any large question of police administration he would undoubtedly be consulted by Government. I do not see how he could be given any greater influence except by the delegation to him of powers now vested in the Local Government. Government are always disposed to give adequate weight to the views of a capable Commissioner.

I am not prepared to say that Executive Officers have not considerable opportunities for

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personal contact with the people, but there is very little doubt that these opportunities are often not sufficient, and it is unquestionable that the enormous increase of office work of late years has had the result of keeping the District Officer much more closely to his desk and reducing the time and opportunities available for personal contact. At the same time it is almost always practicable for an officer to be accessible to persons who wish to see him and to petitioners, and to this extent at any rate he can maintain personal relations with the people. He has not, however, the same time as before to spend in visiting villages and places with which his work is connected, and this is much to be regretted. I know of no obstacle except lack of time, due to pressure of office work.

Executive Officers possess a sufficient knowledge of the vernaculars to enable them to get through their work, but I should like to see officers encouraged, if not compelled, to attain to a higher standard than at present enforced. Many officers can speak and make themselves understood quite sufficiently well for the purposes of their work, but their vocabulary is limited to the words which they require for that purpose, and a conversation in the vernacular on general subjects with an educated Indian would be quite beyond their powers. This should not be so. They should be encouraged to continue their study of a language beyond the stage at which they can pass an examination designed to secure their possession of the minimum of knowledge requisite for their work, and to obtain an acquaintance with it which would enable them to feel at home in conversing with any native of the country whatever his class might be. There is force in the suggestion recently made in the Native press that the endeavours now made to encourage the study by officers of the classical languages, Sanskrit, Persian and Arabic, would be better directed if their purpose were the encouragement of higher proficiency in the vernaculars.

The grant of larger powers to Commissioners, Collectors and other local authorities will involve greater care in their selection, less regard being had to seniority. The rule should be the selection of *fit* men in the order of their seniority, men who are unfit being passed over unhesitatingly. The rigid application of this system would probably necessitate provision being made for the resignation or premature retirement of officers on pensions proportionate to their length of service, and possibly to the quality of the services they had rendered. For appointments outside the ordinary line selection should be absolute, as also for the appointments of Commissioners and Heads of Departments, for which it is advisable to select only the very best.

Transfers of officers are not unnecessarily frequent. They are of course more so than is desirable, but it is difficult to see how this can be avoided. The exigencies of leave, sickness, promotion, &c., necessitate moves which would be otherwise uncalled for. Transfers in the individual interest of the officers concerned are now rarer than they used to be. I cannot suggest any method by which transfers can be reduced.

I should, as an experiment, try District Advisory Councils in one or two selected districts. They should consist of men, usually non-officials, nominated by the Collector, the city municipality, the town municipality and the District Local Board, in such numbers and proportions as might be fixed on consideration of the local circumstances in each case, the object aimed at being to have the Council as small as possible, due regard being had to the representation of all important local interests. It would be for the Collector to take their advice in any matter regarding which he desired to have it, and it should be open to any member of the Council to bring to the notice of the Collector any matter regarding which he was desirous of obtaining information or suggesting that action should be taken. It might perhaps be found necessary to limit the subjects of which the Council should be allowed to take cognizance, but unless the necessity becomes apparent it would be well to place no restrictions. The discussions would be informal, there would be no voting, and it would always be open to the Collector to refuse for good reasons to enter upon any subject which in the public interest he thought unfitted for consideration by the Council. The responsibility of the Council would be limited to giving advice. On the Collector would rest the responsibility of neglecting or acting in opposition to it.

I have never had any experience of a "village community." The *patel* already controls the village police and I do not know that there are any further powers which can be given him in this respect. He also in some places exercises certain criminal powers under the Police Act. It might be possible in selected villages to create something of the nature of a "panchayat" to deal with petty civil and criminal cases, but I am not sanguine as to the result. Education and public spirit are at present lacking.

35238. Is the rule under which an Under-Secretary is restricted to service for three years in the Secretariat, a good arrangement?—On the whole the best arrangement would be that nobody should stay in the Secretariat for perhaps more than three or four years at a time, but I would not tie the hands of a Local Government in the matter of prescribing a particular period; it might be useful to go slightly over or under.

35239. Is it the practice in this Secretariat to send a man back after he has held a Secretariat appointment for a considerable time to district administration?—No, on the whole, it has not been the practice.

35240. Ought it to be?—I think so.

35241. Is there considerable danger unless you have a somewhat perhaps over-rigid rule in that matter, that officers go on from one Secretariat appointment to another with very short intervals between?—It has happened in this Presidency undoubtedly, but that was possibly before the necessity was recognised, so much as it is now, of the advisability of an officer not remaining too long in the Secretariat.

35242. When was that recognised first?—It is being recognised now.

35243. It has only just begun to be recognised perhaps?—I cannot speak for the Bombay Government in that respect.

35244. You were Secretary in the General Department seven years ago?—Yes, but I have been out of the Secretariat for four years of that time; I was only actually serving three years.

35245. You were apparently in the Secretariat in 1905. Was the practice or the tendency in existence in 1905?—As a matter of fact I had only one year in the Secretariat before.

35246. Was there any tendency in 1905 to make any new departure?—No, I do not know that there was.

35247. Unless there was some rule laid down, would it not entirely depend upon the particular views of the Governor in Council for the time being?—Yes.

35248. With regard to the Commissioner has he sufficiently large powers, generally speaking?—I think he has.

35249. Some representation was made to us yesterday as to the advisability of substituting the Board of Revenue for the present system of Commissioners—would you agree with that suggestion?—I do not think I should on the whole.

35250. Have you any doubts on the matter?—Yes, I have some doubts, certainly. I do not know that I am prepared to explain exactly, because it is not a point which has come at all before me, and I have not thought much about the details of it.

35251. (*Sir Steyning Edgerley.*) Do you agree that the Bombay Government have practically, whether willingly or unwillingly, accepted the principles of the Police Commission and that the differences of opinion which we heard of yesterday are chiefly as to the numbers in the lower grades?—There are differences on other points of detail too, but mainly the scheme has been accepted.

35252. And the difference really is as to strength?—Mainly.

35253. Will you put in the letter of the Government of India of December, 1907, and the answer of the Bombay Government of 1908, as to the last proposals with regard to the district police?—Yes.

35254. Will you also put in the demi-official letter of January, 1906, in which the deputation of the Director of Criminal Intelligence to the Presidency was suggested?—Yes.

35255. When that suggestion was made was not the object stated by the Government of India to be that the Director "would then be in a position to advise the Government of India upon points of detail with full knowledge of the grounds on which the Local Governments based their proposals," that is to say, that he was sent down with an intimation that the Government of India intended to settle the details of the case finally in consultation with him after he had heard what the Local Government had to say?—Yes.

35256. He was not sent down to help the Local Government to revise its opinions?—No, apparently not.

35257. And that led eventually to the letters which I have asked you to put in?—That was the final result.

35258. Do you consider it is too strong a thing to say that the Government of India have all the appearance of endeavouring to administer the reorganization direct from Simla with the aid of a Director of Criminal Intelligence to the supersession of the Local Government?—That certainly appears to be the case.

35259. Would you say it is a sound method of procedure first of all to fix *à priori* a maximum cost for reform, then to regard it as unalterable, then to order the sequence of reforms from a distant centre, and then, when the needs of the rank and file are reached, to say the money is exhausted?—Of course it is quite impracticable if we are to introduce a scheme in full on the lines as laid down by the Commission.

35260. One alternative would be to realise that the original estimate has to be raised?—I should think so, certainly.

35261. Another alternative would probably be to say: "This is all we can afford to give you in the way of help; if you press for what you say is necessary you must try and find the balance from provincial revenues"?—Yes, that would be a practical alternative.

35262. But that might be a little difficult in view of recent surpluses of the Government of India?—It would be difficult to work.

35263. There was another change forced upon this Government against their will in the matter of the adoption of daily rates of travelling allowance for District Superintendents of Police?—Yes.

35264. Are you acquainted with the feeling of the members of the Service with regard to that?—I have only discussed it with the Inspector-General himself, but I gather that the other system of permanent allowance was very much more popular.

35265. The Government of India said that the daily rates would give much better control over the officers travelling?—Yes.

35266. Did you hear Mr. Kennedy say that that was not his experience?—Yes.

35267. The Bombay Government were also told that they were unable to prove that the change would increase the work; have you examined that point?—I have seen some of the figures which have been prepared by the Accountant-General in the matter.

35268. As a matter of fact, in the first year of working the new scheme, was there an increase of 432 letters on petty points of audit, none of which would have been necessary under the old system?—I have forgotten the exact number.

35269. That will no doubt decrease slightly, but must there not always be appreciable audit correspondence under a system of daily travelling expenses?—Obviously.

35270. With regard to the fees drawn by Medical Officers, have you much experience with regard to Medical Officers going from Bombay to places beyond Ahmedabad or similar long journeys?—Yes.

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35271. Are you acquainted with any case which both an Indian practitioner and a European Indian Medical Service Officer have gone to attend at some such distance?—Yes.

35272. Do you know what fees were drawn?—I know in the case of the Indian Medical Service Officer the fee was Rs. 500 a day during his absence from Bombay, and in the case of the Indian practitioner the figure was Rs. 400.

35273. Do you happen to know what the qualifications of the two gentlemen were?—The Indian gentleman was an L.M.S. of the Bombay University, and the Indian Medical Service Officer was a Bachelor of Medicine of London.

35274. Was he also one of the picked professors of the local Medical College?—Yes.

35275. What is the constitution of the Bombay Presidency Association which was represented before us on Saturday?—It is composed mainly of gentlemen who belong to what is now the moderate branch of the Congress; it has been always associated with the Congress, and it is an influential body in Bombay as regards the views held by that section.

35276. It is a body which is always treated with respect?—Yes.

35277. Do you happen to know the All-Indian Moslem League?—I have heard of it; it was started two years ago at Dacca, and is mainly composed of the gentlemen who took the memorial to His Excellency the Viceroy; it has about 71 members all over India, very few of whom are in the Bombay Presidency.

35278. Is it a living exponent of public opinion?—Not in the Bombay Presidency; I cannot speak for outside.

35279. (*Mr. Meyer.*) With reference to the questions put to you by Sir Steyning Edgerley, will you kindly, in producing the letters he called for, produce also the replies from the Government of India?—Certainly.

35280. The proposals of the Police Commission were of a detailed character?—They were.

35281. Before the Government of India accepted them were they referred for consideration to all the Local Governments?—They were.

35282. Were they referred to the Government of Bombay?—Yes.

35283. Did the Government of Bombay generally accept them?—The acceptance was general but the schemes were referred to in separate letters, so that it is impossible to say there was a general concurrence. Certain objections were taken at the time, and differences of opinion were pointed out by the Government of Bombay. It was a general concurrence, but not in all matters of detail.

35284. The Government of Bombay did not say in 1904, "We think this scheme inapplicable to us because it does not give us enough men, and because it spoils the prospects of our head constables"?—They did not.

35285. Was it not quite fair for the Government of India to assume that silence meant consent on these matters?—The Bombay Government were not themselves called upon to examine into all the details of the scheme, and it was quite likely they regarded the proposals as being in a sense general and that they were not bound by all the details put forward as regards numbers and so on.

35286. Are not numbers, and the position of head constables, important points in any scheme of police reform?—Undoubtedly.

35287. You cannot say that the Government took up a scheme and thought the numbers and position of head constables were not worth talking about?—It is hardly a question of not worth talking about.

35288. I put it to you that the objections which the Bombay Government have been making as to numbers and so forth might have been made in

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1904 and were not so made?—As regards the prospects of head constables, perhaps that is so.

35289. The Government of India had to find out what money they could allot to the various provinces on the basis of the recommendations made by the Police Commission?—I presume so.

35290. If the Government of Bombay altered that scheme to their advantage it would mean one of three things—first, that the difference ought to be paid for from provincial funds; secondly, that the total 150 lakhs remaining the same, the other provinces would have less; or thirdly, that any increased demand from the Bombay Government should form a first charge on any subsequent imperial surplus; which of the three do you think best?—I think the mistake was in fixing a maximum without being fully convinced that that maximum would admit of all the expenditure necessary under the details of the scheme.

35291. Did the Bombay Government ever say in their letters, "We attach importance to this, and if you will allow us to go beyond the scheme originally laid down and accepted, we will pay the balance from provincial funds"?—Not that I am aware of.

35292. On the contrary they were rather pressing for extra grants from imperial funds?—Yes.

35293. Do you think that the Bombay Government should have full liberty with regard to police re-organization or anything else, and that their demand should be a first claim on the imperial surplus?—No, I would not say it should be a first claim, or a claim at all beyond what the Government of India may choose to admit.

35294. There is a reference in the Bombay case to the question of provincial legislation, and it is said that the Local Government should have full power in regard to legislation, subject merely to the veto of the Governor-General; you know that under present circumstances it is not only the Government of India, but the Secretary of State who has a say in matters of provincial legislation?—Yes.

35295. Every provincial project or legislation that is not a mere routine matter has to be sanctioned by the Secretary of State?—Yes.

35296. Do you propose to abolish the control of the Secretary of State?—The proposal is that of Government; I do not know that it is a personal proposal of my own.

35297. Do the Government desire to abolish the control of the Secretary of State in these matters?—I am not in charge of the Legal Department, and I am afraid I cannot say.

35298. Then I will ask you what do you think personally?—I should not go quite so far as that.

35299. You think the sanction of the Secretary of State is required?—It ought to be required. There possibly might be a line drawn somewhere; I should not have any objection to it in bigger matters.

35300. Is not legislation really an important thing?—Undoubtedly.

35301. And it is possible that legislation might provoke political complications?—Certainly.

35302. Is it not better that that risk should be obviated by a project being interfered with *ab initio*, rather than it should be publicly vetoed as the Local Government suggests?—It might have an effect the other way; the legislation might be so altered as to make it against the wishes of the people; it acts both ways.

35303. In the event of the Secretary of State or the Government of India not agreeing with the Local Government the prestige of the Local Government would suffer more from a public veto than from a private initial forbiddal?—Yes, it probably would, but on the other hand the veto would not be put on so often perhaps as if it were done at the beginning.

35304. In the schedule of the Bombay Government attached to their letter of 1906 to the Government of India there are a variety of matters regarding the investment of special magisterial powers under the Criminal Procedure Code?—Yes.

35305. Is there anything about investment of ordinary powers—third class, second class, and first class?—I am afraid I cannot say; I was not in this appointment when the schedule was drawn up, and I do not know what the principles were upon which it was framed.

35306. Do you think Commissioners might have power to give a man third class powers, then second class powers, and, it may be, first class powers, subject to conditions of fitness laid down by the Local Government?—I should have no objection to the giving of second and third class powers at all events, but possibly first class powers might be open to argument.

35307. You say that only one appeal should be allowed in ordinary cases, and a second appeal only when the first appellate authority certifies that special cause exists. Taking the case of Government Officers it has been suggested that the ordinary principle should be one appeal in any case, but a second appeal when it becomes such a serious matter as dismissal from the Public Service; would you hold with that?—Yes, I should not object to that.

35308. Then you say that an officer whose pay is less than Rs. 250 per month should not be allowed to appeal against an order of the Local Government; but supposing he is a superior clerk in the Secretariat, or in some position in which the Local Government might exercise the right of dismissal in the first instance, is such a man not to have an appeal?—There are very few cases in which the Government would issue an order; it would be done by the Secretary, and the Local Government would seldom make the original order.

35309. But supposing there was a case in which the Local Government itself made the original order, would you then allow an appeal?—Yes, I should not object in the case of a Government servant where the order absolutely originated from Government.

35310. The point is that a Government servant should have one chance as against the immediate authority dealing with him?—Yes.

35311. (*Mr. Hichens.*) Am I right in supposing that the main point in dispute in regard to police matters is the question of numbers?—There are several questions in dispute; one is a question of numbers, and there is a question as to the proportion of head constables and the strength of relief guards.

35312. Are the additional numbers to be paid for by the Government of India?—The Government of India are supposed to be financing the whole scheme.

35313. If they have to pay, are they not entitled to scrutinize pretty closely?—It is unnecessary that they should scrutinize in very small detail; they are entitled to lay down general principles on which the reorganization should be conducted, but whether they are entitled to or not, it seems hardly expedient to examine into local details which they cannot possibly know about so well as the Local Government.

35314. If the negotiations have assumed the form that the Government of India are asked for a certain sum of money for a certain purpose, it is not unnatural that they should want to know what that purpose is?—Of course.

35315. And it has assumed that position to some extent?—I think there has been a certain amount of misunderstanding; I do not know that it has been grasped that there is an absolute limit fixed. According to the proposals of the Police Commission it was a maximum of 150 lakhs for the whole of India, and, on a rough estimate, Bombay required 14 lakhs, but I do not know that it has ever been recognised that that amount was not to be increased. We were supposed to carry out the detailed recommendations of the Commission, and the question of finding the money would be afterwards dealt with by the Government of India.

35316. Is this system of doles somewhat to blame in the matter?—I think it is in a way, because it prevents your knowing exactly where you stand; one year you get one sum and another year you get another sum.

35317. It might be considered rather a good instance of what is likely to happen, if the Government of India interfere in matters of detail?—Certainly, unless it is settled that the money is eventually to be given.

35318. If the Government of India has a certain sum of money to spend on police reform, could they distribute it amongst the various provinces, leaving it to them to make the best use of it?—Yes, that would be the best way and would make it clear that the allowance was not to be exceeded.

35319. How would the Government of India arrive at the amount to be given to each province?—It was worked out by the Commission, more or less roughly on the schemes submitted by the various Governments, and that is how they arrived at the figure they put in the appendix to their report.

35320. But the trouble would have still arisen to some extent that, in comparing the claims of Bombay with Bengal, and in allocating the lump sum, the Gvernment of India would necessarily have to scrutinise the requirements of the two provinces very closely?—Yes, they would naturally scrutinise them.

35321. How could they allocate the lump sum as between one province and another without going into details?—Of course they would have to go into details; it must be entirely based on detail.

35322. If they went into details would they not bicker over the amounts?—They went into details at the time, but not to the same extent, as it was necessary to go into them finally. No one would claim that the schemes then framed were absolutely final; they were not the last word on the subject of numbers and the distribution between groups and so on; it was merely a rough estimate of what the reorganization would cost.

35323. In arriving at the allocation between the different provinces would they not necessarily go into details?—Quite so, as submitted to them—that was before the Commission sat; they were provided with figures before the Commission sat at all.

35324. And on the basis of that they might have made their allocation?—That is what they have done.

35325. Have you received any of this additional money from the Government of India yet?—Yes.

35326. Do you have to submit separate accounts for it?—No, they are not separate, they are all dealt with in the police budget. I am not sure whether we have not submitted separate reports, but no separate account is kept.

35327. Do you have to advise the Government of India as to how much of it you are likely to require in the next few years. Every year we put a certain amount into the budget which goes up to the Government of India.

35328. And you do not consider that unreasonable?—No.

35329. (*Mr. Dutt.*) You have told us that the provincial Governments should be allowed to develop their administration on their own lines, but that the Government of India might make suggestions or introduce reforms in departments which are from their nature of imperial concern. Do you mean that in other departments which are not of imperial concern the Government of India should not have any power to introduce reforms?—No, I would not go so far as that.

35330. Would you allow the Government of India to introduce necessary reforms of a general character in all departments of the administration?—Yes, after consulting the Local Government.

35331. And if they did not agree with the Local Government would they have power to force those reforms on the Local Government when necessary?—In some cases they certainly ought to have that power.

35332. You have said that the only Director-General with whom you have any concern is the Director-General of Criminal Intelligence; in what way has the Director been of use to you in the administration of this province?—So far as my own experience goes during the last 18 months, I have scarcely come into contact with the Director at all.

35333. So that you are not aware if he has been of any use to the provincial Government in administrative or other matters?—We get certain reports about people he is looking after and suspected persons, and asking us for information and sometimes giving us information, but otherwise I have had next to nothing to do with him.

35334. You said that you would invest Divisional Commissioners with power to confer upon officers second and third class criminal powers; what would you save by that arrangement?—Merely the reference to Government.

35335. Would it give Government more work if they invested these officers with such powers?—No; of course there are a good many references which come up, but each particular reference does not give much trouble.

35336. As a matter of fact, is the Divisional Commissioner more familiar with the revenue work of his subordinates than he is with their judicial work?—Probably.

35337. And it is conceivable that a Divisional Commissioner from year's end to year's end does not examine the records of any particular criminal case?—Quite so.

35338. In that case would not either the District Judge or the Judicial Department of the Local Government be the more proper authority to invest officers with judicial powers?—Of course the Judicial Department of a Local Government never examine the records of a case, and the Commissioner would be in as good a position to get information as a Magistrate in his own division

35339. You adhere to the opinion that the Divisional Commissioner should be invested with power to give these officials second and third class power?—I should think so, merely as a matter of decentralization; the matter is not an important one.

35340. You say that the Commissioner exercises general control over the District Magistrates in whom is vested the administration of the police of their districts, but generally speaking, has a Commissioner or a District Magistrate the same power over the police as he had before the new rules were issued, and the same degree of control over their work?—No, I fancy he has not.

35341. Is that a move in the right direction?—It is, as regards the particular branch of work which has gone over to the Inspector-General. It is easy to draw a broad line between the sphere of influence of the Commissioner and the Inspector-General of Police.

35342. Would not some degree of power vested in the Commissioner and in the District Officer with regard to the promotion of sub-inspectors and officers of that class be good for general administration?—In rare cases it affects the question of general administration, but generally it is a departmental matter.

35343. Does not the control of the Head of the district over the police affect the welfare of the people generally?—I do not know that it does very seriously.

35344. If the District Officer had more control over promotions in the police or the same control he had before, would not police work be done more efficiently?—I do not know why it should be.

35345. You recommend Advisory Councils as an experiment in one or two selected districts. What are your reasons?—I should be disposed to recommend them as an experiment rather than as a final measure.

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35346. If the experiment succeeded, the Councils would be of some use for the purposes of general administration?—Yes, it might be. It would give the Collector an idea of what the general opinion in the district about certain measures was, or how they would affect people, and so on.

35347. You think in those ways the Collector would have larger opportunities than the has now of ascertaining local feeling?—He has the opportunity now of consulting these people.

35348. Would he consult them more freely and regularly if there were Advisory Councils constituted?—That is, of course, more an individual question, and I cannot give an opinion on the subject.

35349. (*Sir Frederic Lely.*) As to the allocation of the money at the disposal of the Government of India for police purposes, could they not have done it roughly, and, on the whole, justly, by considering the area and population, and the other known conditions of each province?—I should have said that the factors concerned are rather too numerous to be able to work the thing out generally.

35350. On the whole, they could have done it as satisfactorily as by entering into details as to travelling allowance and wages to be given to each constable, and so on?—That was entirely unnecessary detail of course.

35351. Would it not have been better on the whole if they had made a rough allocation of the money amongst the various provinces and then sent to each province the report of the Police Commission with their views on general points involved, and left each province to work out the scheme in accordance therewith?—Speaking generally, that would have been the better plan.

35352. Without entering into the details of the correspondence, when the Government of India claimed to decide such a question as how many police should be kept at a particular station, did it not tend to confuse the responsibility and weaken the administration?—I should say so, certainly.

35353. You are rather in favour of Advisory Councils?—I should not object to trying the experiment.

35354. You say that the Collector may take their advice, but that any discussions should be informal, that there should be no voting, and that the Collector might refuse, if he liked, to follow their advice. At present has not a Collector advisers who occupy very much that position?—Yes, most Collectors have.

35355. People to whom they refer on every occasion of doubt?—Yes.

35356. What is the difference between the present system and your suggestion; is not the only difference that you formalise the advice, and take away from the spontaneity of it?—Yes.

35357. Would that not be rather a retrograde step?—The advantage of it would be that perhaps a Collector would be more often inclined to take advice if he had a formal Council waiting to be asked; I am speaking of a Collector who would not perhaps consult the people so much as others.

35358. You do not mean that the average Collector would not consult them?—No.

35359. The average Collector is quite ready to receive advice, and, in fact, makes efforts to obtain the advice of those persons who, he thinks, are best able to advise him?—Yes.

35360. Would people care to belong to a Council of that sort?—Some of the people would, but whether they would be the right people is another matter.

35361. It would be more or less a talking assembly?—Yes.

35362. When the people saw that the Collector generally followed his own opinions, would they not get tired of it, and look upon it all as rather unnecessary?—Undoubtedly, if that was always the result.

35363. Would a man who thinks for himself, and gets advice from all quarters, surrender his opinion at the bidding of a Council of that description?—No.

35364. He would get advice from every quarter and frame his communications to Government accordingly?—He might or might not; he would naturally follow his own opinion, but he would have taken the opinions of others.

35365. When that state of things became recognised among the people would they still care for membership of such a Council?—His opinion might be modified, and he might not hold exactly the same opinion that he had before consulting them.

35366. By establishing a Council like that, would you not be sacrificing a certain personal bond between the Collector and the people and getting nothing in return?—I do not know that I should put it in that way.

(*The witness withdrew.*)

Mr. R. E. Enthoven, I.C.S., was called and examined.

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35367. (*Chairman.*) You are Acting Secretary to the Government in the General Department?—Yes. The Department includes Educational, Medical, Local Boards, Municipalities and Marine, and things that do not belong to other departments. I agree generally with the proposals for decentralization contained in the case issued by the Bombay Government. I would draw attention to certain special points in which the administration, adequately decentralized, might be improved.

These are—

(1) The recruitment and training of Civilians—

I would suggest reducing the age of recruitment, forbidding marriage within five years of landing, and more attention in the departmental examinations to the history and ethnology of the Presidency.

(2) Their transfers—

I would aim at retaining officers at least three years as Collectors of districts, giving preference to a junior officer over a senior, if necessary to secure this.

(3) Their pension service—

I would facilitate the selection of Collectors and District Judges by allowing a small pension to those unfit for promotion beyond the post of Assistant.

(4) The limitation of Secretariat employment—

I would limit Secretariat employment to three years' consecutive and five years total service. I would make it illegal for an officer to become Member of Council or Chief Secretary who had not spent 10 years in executive service and five in actual district work.

(5) The reduction of annual reports and reviews.

I would limit reviews and reports to triennial or quinquennial periods, and save the production of a vast quantity of uninteresting matter, burdensome to District Officers, and to Secretariats.

(6) The provision of personal assistants to Collectors in heavily worked districts—

I would give a Covenanted Civilian personal assistant to all the heavy districts of the Presidency, increasing recruitment, if necessary. This would relieve Collectors further, and would provide officers fully qualified, with local knowledge, to succeed a Collector taking leave.

35368. You wish to state something with regard to the training of Civilians?—I think it might produce useful results if the attention of young Civilians both at home and in their examinations here was directed a little more to the history and ethnology of the Presidency. For instance, in an examination at home 400 marks are allotted for Indian history, which is not a very large number, and the standard is not a very high one in that respect. When a young officer comes out to this country no trouble is taken to interest him by examination in the country, but he is immediately

put on to study duties and rules, and his promotion is made dependent on his knowledge of them, whereas it would be a good thing to include in the studies he makes in India some further development on the same lines.

35369. Are the first two years' service of the Civilian probationary?—It is not in this country.

35370. But promotions depend upon it?—A Civilian's promotion takes effect from the date of his passing his examination out here.

35371. What is he promoted from?—He is promoted in grade, which carries increased pay.

35372. As a matter of fact is any Civilian stopped at the probationary point; is he ever "ploughed"?—Certainly they are ploughed.

35373. Is the examination in languages of a sufficiently stiff character and also of a satisfactory character?—Yes, I think so. The grounding as far as language is concerned is sufficient, and the rest must come entirely from experience in districts; you cannot learn a language properly from books.

35374. A great deal of evidence has been given us to the effect that Civilians are not well versed in the vernacular; would you agree with that?—I should say it was possible for them to learn more if they had more time for intercourse with the people; the great trouble is that they have not the opportunity to learn much, because they are moved about from one place to another; the standard of examination is high enough, and the rest must come by practice.

35375. Do you agree that the knowledge of the vernacular is insufficient?—I should think that certainly it is.

35376. Might the selection of officers be advantageously carried further?—In making promotions to the higher grades, I should certainly make selection at the time a Civilian gets charge of a district, and by the time he becomes a Collector I should begin to weed out.

35377. That is to say, before he is appointed permanently as a Collector, he would be liable to rejection and to removal from the Service?—Yes.

35378. Is there any process of selection at the present moment?—The orders are that there shall be selection, but it depends entirely upon the discretion of Government, and, in the course of the last 20 years there has been very little selection —there have been very few rejections.

35379. What are your views with regard to the limitation of Secretariat employment?—I think it is a pity that the orders of 1889 were repealed. The orders of 1889 applied to Secretaries to Government and a limitation of their tenure, and they were cancelled in 1890, but I would not leave the matter to executive orders at all. These things can really only be efficiently done by making it to the interest of the officer not to serve too long in the Secretariat, and there should be a burden put upon him to seek district work.

35380. What were the orders of 1889?—They limited the term of appointment of Secretaries to five years, and Under-Secretaries to three years; the order with regard to the latter stands, but the order applying to Secretaries was cancelled in 1890.

35381. Whom were the orders issued by?—By the Bombay Government.

35382. Whom were they repealed by?—By the Governor in Council next year.

35383. Was it a different Governor and a different Council?—I cannot say.

35384. Unless there were some orders from the Central Government or from the Secretary of State, the mere passing of orders by the Local Government or the Governor, which would be liable to repeal by his successor, would have little effect?—Yes.

35385. Was not some limitation in regard to annual reports made some four or five years ago?—Yes; about the year 1901 the matter was gone into and a good many suggestions were made and certain alterations were effected, but reports have grown very considerably since, and I am told that the last state of affairs in many cases is worse than the first.

35386. Is that partly on account of the requirements of the Secretariat, local or imperial, or is it on account of the tendency of officers to spread themselves in writing?—It is the fault of our whole system. The inference is that if a man does not write he does not know much, and therefore the tendency is for him to write a good deal more than he need.

35387. In all the departments with which you are acquainted are you bound under the orders of Government to ask for a large number of reports?—Reports come in in a great mass; they gradually accumulate before they are laid before Government, and by the time they reach the Secretariat they form a very considerable volume.

35388. Is a Collector bound to report on every subject which he controls separately?—Most of the departments have their annual reports; as far as I am concerned, Collectors have to report on all the municipalities and Local Boards and so on to the Commissioners, who send up their reports.

35389. As far as you are concerned, would it be perfectly sufficient if a Collector made one administrative report upon all the things for the whole of his district to the Commissioner, from which the Commissioner might send to you a paragraph referable to the departments with which you deal?—I do not want annual reports at all. If you put everything into one report you would get one very big report instead of a number of reports, and all that is wanted is perhaps a quinquennial review. If a Collector has anything worth saying he ought to be able to send it in at any time without having to sit down once a year and write up a report upon everything—it is an appalling system.

35390. From your knowledge of the work in the Presidency generally, could you sufficiently trust to the present Collectors and Commissioners to permit them only to report their proceedings formally to Government, say every third year?—Certainly.

35391. Are the administration reports from municipalities and District Boards necessary?—I do not think they are necessary at all. I would have certain records kept, and the necessary statistics for the purposes of a triennial review, copies of which could be issued in the ordinary way with a note with regard to anything extraordinary, but I would have no report at all, because it is not of the least use.

35392. Whom is the administration report drawn up by, the Chairman of the municipality or the Collector?—The ordinary procedure with regard to a municipality is that the Vice-President draws up the report, and the President sends it in; it goes to the Collector who makes his remarks; he sends it to the Commissioner who makes his remarks, and then it comes up to Government.

35393. Do they all make remarks?—Very considerable remarks.

35394. Are the reports sent back?—No, they are not returned; a report on them is sent to the Government of India.

35395. Then a municipality with a population of 8,000 or 10,000 people has its proceedings criticised each year at about five or six stages, ending finally at the Home Department of the Government of India?—Yes.

35396. Do the Government of India, having digested all this mass of matter, return the same with remarks?—They do not bring out an annual report.

35397. They do not come back to the Local Government?—No.

35398. (*Mr. Hichens.*) Speaking generally, do Collectors pay sufficient attention to the training of junior officers?—The selection of Collectors ought to be made rather carefully, and it is very desirable to have Collectors of the right sort to train young Civilians.

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35399. Are they selected carefully enough?—The selection is made more according to the nature of the district in my experience.

35400. Is that a point to which some attention might be paid?—Yes.

35401. Is the training sufficiently varied?—Yes.

35402. Do they learn the ordinary district work?—Yes.

35403. What sort of work do they do after a year?—They are put on to try cases almost at once.

35404. Is that a good way of beginning?—There is not much else they can do; you cannot put anything of importance in the hands of a man who has only just joined the Service.

35405. Instead of sitting down doing case work, would it not be better if young officers had a slightly more varied training?—But they do not sit down, they go out on tour with a District Officer and try cases with him, and see what he is doing.

35406. Instead of doing case work, would it be desirable, for example, that young officers should have to pass an examination in book-keeping; would that be of any use to them, or would it be a waste of time?—It would be an absolute waste of time; they have to pass examinations in too many books and accounts already.

35407. Then you think that book-keeping is of no use?—If you mean the keeping of revenue accounts, that is now a subject for them, and there is too much of that already, if anything.

35408. Would it be desirable that they should be sent for a year or for a short time to another province?—No, certainly not, with regard to Bombay. I think Bombay is such a peculiar province, where there are so many different kinds of people and so many languages spoken, that they have all the variety that they can possibly want here, and if you were to introduce another province it would make it worse still; it is inconceivable to me how it would make them any more useful.

35409. With regard to the remuneration of Government officers who may be appointed to perform special work, should the Local Government be allowed to decide in every case what the remuneration in respect to special work should be, without reference to the Government of India at all?—That depends upon what view is taken of the functions of a Local Government. If you assume that it is a post office, which is to send things on, I should say send everything to the Government of India, but if you consider it is a Government, then let it decide almost everything you can trust to it; you must lay down the principle first that it is either going to, or is not going to, forward things on.

35410. But what is your opinion with regard to this particular point?—I say it must go on the question of principle, and on the question of principle I would trust the Local Government with a great many powers, and this would be one of them.

35411. Would you say the same with regard to the other portions of the schedule?—Undoubtedly.

35412. Might there not be an objection in having octroi duties on articles which are liable to high customs duties?—I see no objection.

35413. Would you say that the Local Government should frame their own Government Servants' Conduct Rules?—We have the rules already, and they ought to be worked by the Local Government. Starting afresh, they might be drawn up by the Local Government, but as we have them I would work them by the Local Government, that is to say whether a case fell under the rule, or whether there was an exception, should be a matter only for the Local Government.

35414. Supposing the rules were drawn up by the Government of India, would it be possible for a Local Government to alter them without the consent of the Government of India?—You have to decide whether a particular matter falls within the rule or not, and that is a matter which the Local Government can decide, but at present they are not allowed to.

35415. And if it does not come within the rule, the Local Government should make the exception?—Yes.

35416. From the point of view of expediency, it might be better to alter the rule altogether?—I do not know; these rules have been accepted.

35417. Is it not conceivable that the Government Servants' Conduct Rules may require alteration from time to time?—Not in the working. I do not see the point you have in view.

35418. Would it be better that the rules should be general for the whole of India, as settled by the Government of India, or that there should be model rules adopted with whatever modifications were thought necessary by the Local Government?—It does not much matter, the only difference lies in the application of the rules, and seeing whether a case falls within them or not; that is the only difficulty we find; the principle is agreed upon, and there is no difference of opinion as far as I know.

35419. In regard, say to travelling allowance rules, you think that they should be made by the Local Government?—Yes; I would leave them entirely to the Local Governments.

35420. Can you tell me the basis of the Government contributions to the District Boards?—They give a special grant now, amounting to one-quarter of their receipts, to encourage works. They give educational grants, too.

35421. Is the one-quarter grant given *pro rata* to the cess collected in each district, or is it distributed at the discretion of the Local Government?—This large grant, which was initiated in 1905, has gone through various vicissitudes; the end of it now is that it is distributed rateably.

35422. Does the District Board have to make a fixed contribution of a certain percentage of the cess towards primary education, the balance, whatever it is, being made up by the provincial Government, plus fees?—I do not know that that is quite right; the Boards have to spend one-third of their one anna; then Government come along and make another large contribution, and they vary their policy from time to time according to the funds.

35423. What do the Government contribute?—The Government contribute half now; it was one-third until the end of February, but it varies from time to time according to the funds.

35424. The District Board make up the balance?—The District Board spend the one-third of their one anna; they do not make up the balance; they give one-half or more according to the necessities of the case.

35425. (*Mr. Dutt.*) We have had some evidence that practically the education work of the Local Boards is managed by the Education Department; is that so?—Yes.

35426. Is that according to the clauses of the Act itself, or according to some orders of the Government, or according to the choice of the Local Boards themselves?—The rules lay down that the *taluka* Board manages the primary schools. The practice works out rather differently; they rely on the education inspector, and, as a rule, anything that he suggests is done, but the Government rules say that the *taluka* Boards shall manage the schools; they have considerable powers, but they do not use them.

35427. Under the Government rules could the *taluka* Boards entirely take over the management of the primary schools if they thought necessary?—No; their power is strictly limited; they can decide where the schools can be and so on, but on technical matters they go to the inspector, and, as a matter of fact, they leave everything to him as a rule.

35428. With regard to reporting on the schools and so on, have they liberty to employ their own agency?—No, they have not.

35429. Would it be desirable to give them that freedom?—There, again, you have to lay down your principles. If you are aiming at the highest efficiency that you can secure from a departmental point of view, you would have the inspection done

by the Education Department. If you want a lower standard of efficiency, simply in order to leave scope for the local body, then you would give it to the local bodies.

35430. Would it be more in conformity with the local self-government scheme to give them power to manage their schools by their own agency?—I cannot say what the idea of the Local Self-Government Act was.

35431. Would it be likely to interest them more in their work and associate them more in the work of education if this power were left to them under the Government rules?—Speaking as a District Officer, I should think it was unlikely.

35432. We have also had evidence that practically all the road work of the District Boards was left to the Public Works Department; is that under the Government rules or according to the choice of the Local Boards?—They are bound by the Act; they have to leave things to the Executive Engineer; the Public Works Department has to prepare plans in some cases and to carry out the work; the Local Boards are very tied up.

35433. Should they have discretion to use their own agency if they thought it proper to do so?—If you want the roads at their best, leave them to the Public Works Department; if you are satisfied with a worse type of road, leave it to the Local Board. You must lay down your general policy; if you prefer less efficiency and greater self-government, then leave it to the Local Boards; if you desire greater efficiency at the expense even of self-government, then leave it to the Public Works Department.

35434. In your opinion should the Government lay down the rule that all roads should be made by Public Works Department, or would you give Local Boards their choice?—I would not mind leaving those things to the Local Boards.

35435. We had evidence before us with regard to some municipalities that the annual budget is not sent up at all, either for examination or for the sanction of any higher authority; is that so?—The municipalities, both city and town, sanction their own budgets and alter them from time to time as circumstances may render desirable. The accounts are communicated to Government in the form of statements appended to the annual administration report on municipalities. We divide them into city and town municipalities; there are certain powers reserved to Government in the case of the city municipalities which are left to the Commissioner in the case of town municipalities.

35436. Has the Divisional Commissioner sufficient power of control over city municipalities?—Quite ample.

35437. And, generally speaking, with that control, are the municipalities doing their work fairly well under the present organization?—That is a question for the officer on the spot. I do not see the working of municipal government in the Secretariat; I only see reports.

35438. (*Sir Frederic Lely.*) Has Government given any encouragement to a young Civilian to study the ethnography of his district?—They present him with a very good Gazetteer; that is the extent of it.

35439. Unless some chance friend interests him in the work, there is nothing done on the part of Government to attract him to it or encourage him to study it?—There is no Government action involved, so far as I know.

35440. We have been told that there is no record in the Secretariat as to a man's proficiency in the vernacular; is there no record kept, either, of his interest in other directions, for instance in the ethnography of his district?—The Secretariat does not deal with records of officers' performances at all; that is a matter for the Private Secretary.

35441. You speak of retaining officers at least three years as Collectors of districts; would you go so far as to take an undertaking from a man when appointed as Collector of a district that he shall stay in it three years, barring unforeseen circumstances?—Yes.

35442. Suppose a Collectorate fell vacant, and the next man on the list for the vacancy was known to be going home in three or four months' time; would you pass him over and put in the next man to him who was likely to remain?—Certainly I should ask him to take his leave as soon as convenient, but unless he would remain for three years I should not promote him.

35443. Would that be unpopular?—I dare say it would be.

35444. But would it be accepted by the general sense of the Service as reasonable?—Yes, I think it would.

35445. On the whole would it not work all round pretty fairly? If a man suffered by it once, he would stand to gain by it on another occasion?—You have to consider the interests of the administration first. If an officer will only take a district for three months until he gets a better one, you should not allow him to do it.

35446. You would not see anything unjust in laying down a general rule to that effect?—Certainly not.

35447. If a Collector goes on leave for three months, is it the rule in this Presidency to put in the man on the spot to act for him, if he is fairly competent?—I do not think there is any rule; it would depend upon the seniority of the assistant, or whether there was a personal assistant of senior standing, and so on; it is according to the merits of the case.

35448. As a general rule, if the man on the spot is fairly competent by virtue of seniority and experience and so on, will he be put in?—It would depend how much junior he was; if he was very much junior to the man who would naturally get in, I do not think he would be put in.

35449. Would it not be a sound practice to do that without reference to the claims of anyone else?—Certainly.

35450. Would you extend that from three months to six months?—I do not think it would be necessary, because officers either go for three months or have a long spell.

35451. The rule would not often apply, but suppose a man did go for six months?—I have not thought over that at all.

35452. Is it the rule in this Presidency that if an Acting Collector on the list—a man who has not a permanent appointment as Collector, but is only Acting Collector—returns from leave, he can eject a man who is also acting, and who may be junior?—I do not know the practice.

35453. Take the case of a man who is First Assistant Collector, but senior enough to be acting; suppose he returns from leave; would you give him the right to eject another Acting Collector who happened to be junior to him and who was acting in a district?—If their seniority was very much the same, it would be advisable to keep on the acting man.

35454. And let the man who has come from leave wait for his turn?—Provided you gave him accurate information so that he should return in time to get an appointment; that would generally be possible.

35455. That is a matter of arrangement which is generally attended to?—I think so.

35456. As to providing smaller pensions for men who are unfit, to encourage them to go; would it not be rather a severe stigma on a man to tell him he must go, after ten years' service, on a reduced pension; would not that tend against the popularity of the Service?—I do not see why it should. I would compare it with the Army; if they find an officer is not fit to take charge of his regiment, he has to go.

35457. But it inflicts a very serious stigma on a man for the rest of his life?—Being unfit is always unpleasant.

35458. Woud it not be sufficient to have a scale of reduced pensions, and in case a man is pronounced unfit, to give him the option of going or not?—I certainly would not give him the option.

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35459. You would not give him the option of, say, staying on as First Assistant Collector?—No.

35460. But he might be fit to be First Assistant Collector?—He will not be fit, if you pass him over.

35461. If you pass him over as Collector, he might still be fit to be First Assistant Collector?—No, because having been passed over he will not be fit in any capacity.

35462. The power and responsibility are very different in the two cases?—Quite so, but if he is passed over he will not do good work in any capacity; you had better get rid of him.

35463. Suppose a man was willing to go on as First Assistant Collector, would you not allow him to stay on in that capacity?—No.

35464. Although you admit that he might be useful?—No, I say he would not be. My experience of officers who have been passed over is that they will not put any heart into their work; they have nothing to gain.

35465. If he has no heart in his work he will probably go, but if he wished to remain that would be proof that he really had heart in his work?—No; it might be that for certain reasons quite unconnected with his work he preferred to remain.

35466. Taking as an example some of the municipal reports, is it not a fact that they are often not merely tedious but reiterative?—I think they contain a mass of unimportant matter.

35467. Very often the information is the same year after year?—I should not be surprised if it is reproduced.

35468. Has the system been introduced of confining these reports to yearly statements of variations only? For instance, a municipal report begins with a statement of the members and the meetings; there is a special form every year showing the number of meetings; that might be left out altogether, unless it so happened that the municipality had held no meetings, or had held only one or two; then the fact should be mentioned, otherwise no reference need be made to the subject at all. Would it be desirable to have a yearly statement on that basis sent in, instead of the long rigmarole that now goes in?—No. I think that would be equally objectionable because, unfortunately, the idea of what is important in this country is so exaggerated.

35469. Could not the Municipal Secretary be trusted to appreciate the difference between unimportant variations and important variations?—Certainly not, in my experience.

35470. Not with some hints to guide him?—No. I have read a great number of reports, and they seem to me to have no sense of proportion at all; the man may be writing for a quite unimportant municipality, yet if the municipality spends two annas on killing a snake it is to him all-important. I would have a triennial statement drawn up by an officer who could go into it carefully.

35471. You would not have a statement sent in year by year to the Government?—No; I would have a statistical report every three years. Of course, any large variation would naturally call for inquiry, but that would be dealt with on a statistical table, quite a short thing; I would not have any of the written matter.

35472. You would boil down the statistics greatly?—Yes; very little would be required for material for the triennial or quinquennial review.

35473. Is there a tendency to throw too great a burden of responsibility on the District Board—too much roads, too much veterinary work, too much dispensary work, and so on?—I think their funds are very inadequate for what they ought to be able to perform, and therefore, when you press them to do what they should do, they have not got the money.

35474. How would you propose to remedy that?—I should like to see them given much larger funds.

35475. Is all the work that is imposed upon them now appropriate?—Yes, certainly; I would like to see them doing more work.

35476. Do you think that veterinary work, for instance, is appropriate work for a District Board?—Their veterinary work is very simple; they have a joint committee, but they get technical advice.

35477. There is the expense of it?—Government contribute considerably; they give half and Rs. 400; it is not at all an unfair burden.

35478. (*Sir Steyning Edgerley.*) Is not Appendix V. of the Government case simply a complete list of every proposal that you have received from a Collector and a Commissioner?—From all branches of the Service.

35479. The inclusion of an item in this list is not the expression of any *primâ facie* opinion on the part of the Bombay Government as to its suitability for delegation or not?—I think it is expressly stated that it is merely advanced to show that there is scope for delegation, but there has been no time to scrutinize the items.

35480. Is there any expression by the Bombay Government, by inclusion of an item in this list, of a *primâ facie* opinion that this or that power is suitable for delegation?—No, not as I understand it.

35481. It is merely a complete list of what has been received?—Exactly.

35482. Have the rules as to medical fees deterred gentlemen of position from seeking the services of Government officers?—Yes; that is the great complaint. A senior officer in the Indian Medical Service came to me the other day and sand that he had been unable recently to attend any gentlemen of standing in his part of the Presidency, because they objected to the details of their cases being reported, and therefore did not call him in; it made a very great difference.

35483. Besides the personal view of the Indian Medical Service, it precludes natives whom it affects in the districts from getting the particular aid they would otherwise wish to have?—It certainly had that effect in this case.

35484. (*Mr. Meyer.*) You say that Appendix V. of the Government case is practically non-committal so far as the Government of Bombay is concerned?—I understand that it is merely a collection of proposals received, which will be examined on certain principles when time is available.

35485. Have the Government of Bombay formed no ideas as to these matters?—As far as I know these particular proposals have never been submitted formally to Government.

35486. There are many things in your Land Records Act; among others is the abrogation by Government of its present power to dismiss hereditary *watandars*. That came up in 1902, and the Government of the day negatived it; anyhow, it has been discussed before. Have the Government of this day no special views on the subject?—I do not know whether it is up before Government now; but so far as it is included in that appendix it merely means that it is there.

35487. In other provinces the Local Government has sent up schedules to the Commission, showing the matters which, in the opinion of the Local Government, either the Local Government itself or the subordinate officers of the Local Government, ought to form the subject of delegation of larger powers. In some cases too they have discriminated, speaking of subordinate officers, as between cases where the Local Government is bound by no Act or rule of the Government of India, and those in which the Local Government is tied up by some Act or rule having the force of law or by some Imperial Code. Does Bombay not intend to help us in that way at all?—As I understand, the Bombay case puts forward a certain position of affairs which would render any such preparation of proposals unnecessary.

35488. These are all cases not as between you and the Government of India—at least for the most part——but as between you and your subordinate officers? Occasionally you are bound by a Government of India Code, such as the Civil Service Regulations, but the bulk of the appendix relates to Local Acts and rules and orders?—Yes; but the matter is intended to be dealt with on a much broader line than the mere suggestion of cases in which delegation should take place; it is an actual difference of principle.

35489. The Bombay Government has told us that in its opinion the sound method is to give power as far down as possible. That is a very pretty principle, but one has to test it. In each case you have to consider what is the lowest degree to which you can delegate. Will that not involve a great deal of work?—I do not know.

35490. In 1896 the Government of India asked for certain schedules as to the powers to be delegated, and in 1906 the Bombay Government sent the thing up with about eight pages scheduled. May I put to you a little sum in proportion? If they took ten years to do that, how much time are they likely to take to sift about 180 pages of appendices?—I do not think that is a fair way of putting it, because the whole matter is on a different footing now. It is recognized that there must be decentralization, and therefore it will be gone into quite freely. At that time it was held that the Government of India would not think of it. It is only a question of having a special officer for a certain number of months. It has been done before to a certain extent by the Committee of 1901; so that we have on record a great deal of what we shall want. I do not think it will take very long.

35491. Are you likely to be able to send the Commission any information?—I can only suggest that the Commission should address the Government on that point.

35492. In Appendix 6 there is an order signed by yourself as General Secretary, which, roughly speaking, empowers Commissioners and Heads of Departments to incur any expenditure up to Rs. 500 in any one case, recurring or non-recurring, in which the sanction of the Government is not positively required by law and in which they think that Government would be likely to agree?—That is so.

35493. Is it not rather a wide delegation to make?—I think it is a very small delegation to make.

35494. A man might appoint a *mamlatdar*?—A man might take a passage to Europe, but he is not likely to do it.

35495. In financial matters you have to look at what might be done?—Within certain bounds. I do not think you can go on the principle that a man is always going to mis-spend any money entrusted to him; certainly not in this country.

35496. You do not think that this delegation is practically *ultra vires*?—It is open to objection by the Accountant-General, as almost everything this Government does is.

35497. Is this Government specially open to objection from the audit point of view?—I think all Governments are open to objection from the audit point of view.

35498. The Bombay Government is not a larger sinner than other Local Governments?—I should say not.

35499. You do not know whether the Accountant-General has taken exception to it?—Yes, I happen to know that he wrote in and discussed the orders.

35500. The matter is still under consideration?—The matter will, of course, have to go to the Government of India.

35501. The scheme in the case of your Government refers to the creation of temporary appointments only. Do you hold that a Commissioner should be allowed to appoint clerks up to Rs. 15, or any limit you like to put?—I would like to see them have some powers to make permanent appointments, but that is a financial question. I have not served in the Financial Department.

35502. As regards these city municipalities, do you not see their budgets at all?—No.

35503. Or their administration reports?—I see their administration reports but not their budgets.

35504. Does the Commissioner see the budgets?—I do not think so.

35505. Most municipalities, all over India, have to get their budget passed by some superior authority outside. That is the case with your ordinary budgets—the Commissioner of the division passes the budget?—I am not sure.

35506. But in regard to these city municipalities the Commissioner does not, and the Government does not, pass the budget; is the municipality entirely free?—That is a point which I cannot answer offhand.

35507. As regards the municipal reports you perhaps did not mean to imply that your Government reviews the report of every municipality: you have a globular report on the municipalities of the province?—I mean that the Government have all the reports before them; there is the consolidated Local Self-Government review, one for municipalities and one for Local Boards.

35508. The Government of India do not review that again unless there is anything upon which they want to ask for special information?—No, I do not think they write about it.

35509. Your idea is that all annual reports should be abolished?—If possible; in certain exceptional cases, customs and trade matters, and so on, the reports are very valuable.

35510. Take matters which excite some amount of interest at home—excise, education or local self-government, would you do away with the annual reports there?—I think so; the country is too poor to pay for them on the scale that is demanded.

35511. How is Parliament, or the Secretary of State, or the Government of India, or the Bombay Government for that matter, to find out what is being done?—They must wait for the triennial report; they will have a report every three years.

35512. If a Member of Parliament asks a question in the House, he is to be asked to wait until the issue of the next triennial report?—Or given the last one.

35513. Would that be likely to satisfy him?—That I do not know.

35514. Is the Government of India also to wait for the triennial report?—Certainly, if it can.

35515. You express general concurrence in the Bombay proposals for decentralization, which are not merely criticism of details, but contemplate a rather revolutionary change; it is suggested that Local Governments should be made as completely autonomous as it is possible to make them?—By degrees, yes.

35516. Would you be surprised to learn that all the other Local Governments are generally satisfied with the existing conditions although, of course, they want some modification here and there?—I should not be surprised to learn it, because they are nearly all Lieutenant-Governors, and in my experience Lieutenant-Governors seldom seem to ask for anything but what the Government of India wants. I do not think you can put Lieutenant-Governor provinces on a par with the Presidency Governments.

35517. What is the population of the Bombay Presidency?—25 millions, including Native States. Without Native States 18 millions.

35518. Do you seriously think that you can give power to a Government ruling 18 millions which you can refuse to a Government ruling over 50 millions, as in Bengal and the United Provinces?—I should be very strongly inclined to spread the system of Presidency Governments as against Lieutenant-Governorships. I do not consider the population test at all a good one.

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35519. Also the bulk of non-official opinion we have had here is against this decentralization under present circumstances; they say: "As long as the Government is bureaucratic, as at present, we prefer the Government of India to the Local Government, or, at any rate, we prefer a certain amount of control over the Local Government"—what have you to say to that?—I think Mr. Gokhale was saying what he would like to get for his friends, rather than what he thought would be best, and he thought that if he made it a condition of decentralization that more power should be given to his friends, that would lead to the results he aims at.

35520. Still, anybody who has to come to a decision will have to take non-official opinion upon the matter into consideration?—I suppose so, for what it is worth.

35521. Then as to these appendices in the first volume of the case. I do not want to go into them in detail, but they seem, so far as I can see, to involve a double line of argument. If the proposals sent up have been generally approved by the Government of India, it is said, "It is not necessary to refer to such cases"; if, on the other hand, they have not been accepted, it is said that the Government of India are obviously wrong and such a case should not have to be referred. That double line of argument would do away with all necessity for any reference at all?—That is what we want to do.

35522. You want to be as independent as possible?—Yes.

35523. And you desire to give your Commissioners equal independence as far as possible?—Yes, as far as possible.

35524. In time past there has been a great deal of interference with Commissioners on the part of the Local Government; have not the Commissioners been over-ruled in what the Commissioners have considered relatively petty matters?—May I ask if it is desirable to go into that; it involves a great deal of explanation about the Governments in the past.

35525. I ask you whether the Bombay Government in the past have not interfered minutely in district administration instead of leaving the Commissioners with broad powers? I do not want you to go into a mass of instances?—I should say that Commissioners have been interfered with in the past, certainly.

35526. The case against the Government of India is also made up from the past. The criticisms in the Government Case are full of instances drawn from the past years?—A certain number, yes.

35527. The Local Government, among their proposals, say that they desire to give powers to District Boards and municipalities to levy a railway cess. How would a municipality levy a railway cess?—I do not see any difficulty in the municipality raising special taxation for a tramway or railway, but the railway would not come up to the municipality.

35528. Suppose you had latitude here, and some municipality wanted power to enhance its revenues in order to guarantee a tramway or a light railway in which it was interested, what sort of tax would you contemplate its raising?—I do not think it would be necessary at all, but if there was a necessity of providing further funds they would have to increase their taxes rateably for the purpose.

35529. The District Board, speaking generally, is a one-tax body; it has other sources of income, but its main source is the Land Cess. In Madras where they have this system they have raised their Railway Cess by increasing their Land Cess. Is that your intention in Bombay too—to increase the Land Cess?—Yes.

35530. In the municipalities you have a variety of taxes, octroi, house-tax and so forth—which tax would you contemplate increasing, or would you start a new tax altogether?—That is a matter of detail; if you find you want a certain sum, you will find out how best to increase your taxation to provide it, where you can do so within your legal powers; it is a matter of detail.

(*The witness withdrew.*)

The Hon. Mr. A. C. Logan, I.C.S., was called and examined.

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35531. (*Chairman.*) You are the Commissioner for the Central Division?—Not now; I am Commissioner of Abkari and Customs; I left the Central Division three months ago. I was Commissioner of the Central Division for one year, then there was an interval while I went to Calcutta, and again for another six months.

Local Governments do not enjoy any financial independence. The Government of India regards itself as the master of all the revenue raised in India and holds itself responsible for all the expenditure. For the purposes of the provincial settlement with the Government of Bombay the revenues raised within the Presidency are divided into imperial and provincial in the following proportions:—

	Imperial.	Provincial.
	—	—
Salt, Customs, Opium, Tributes, Mint	The whole	—
Land Revenue	Half	Half.
Stamps		
Excise		
Income Tax		
Forest Revenue		
Irrigation Revenue ...		
Registration	—	The whole.
Law Courts and other minor sources		
In money, taking estimate for 1907-8	8¼ crores	6¾ crores.

But the authority which the Government of Bombay enjoys in respect of its 6¾ crores of provincial revenue is merely, as the Government of India are careful to point out, a delegated authority; and it is exercised under a mass of restrictions which will be found in the Civil Service Regulations and Civil Account Code *passim*, and under a minute general supervision. Each major head of the provincial budget is a grant by the Supreme Government for that head, and whatever powers the Local Government enjoys as regards the distribution of it they enjoy as agents. Any large expenditure from balances must receive the previous sanction of the Government of India before it can be entered in the budget. The budget itself has to be submitted to the Government of India for previous sanction and incorporation with the Government of India's budget, and the progress of revenue and expenditure under it is communicated in monthly returns to the Comptroller-General at Calcutta. The Accountant-General has strict orders to watch collection and expenditure, and to *warn* the Local Government at the first appearance of anything abnormal in one or the other, and every October he has to make a report to the Government of India reviewing the expenditure of the past year, and forwarding explanations of every variation and of his own conduct if he has failed to exercise any check. Thus both in the preparation and execution of its budget the Local Government is subject to the control of the Financial Department of the Government of India, and cannot be said to enjoy any real independence. The stringency of the control, while it effectually prevents extravagance or any other species of financial disorder, precludes the development of statesmanship in the Local Governments. The multifarious restrictions by which the Secretary of State attempts to prevent the Government of India from going wrong should be swept away or greatly reduced. In its direct responsibility for the security and good government of the country the Government of India has some reason for the incessant control it exercises over the Local Government; but there is nothing but political pedantry to justify the interference of the Government in England in such trifles as the creation of an appointment of over Rs. 250 a

month or the expenditure of Rs. 25,000 on a re-organization.

The question of restoring some degree of real independence to the Local Governments is one of much greater difficulty. No delegation of larger powers will do this: the thing is to get rid of delegation as far as possible, and give genuine authority subject only to control on results. I do not think that this can be attained by a self-denying ordinance by the Government of India while retaining the present system of divided heads; the transactions of the Government of India and the Local Government are continually interlacing, and this necessarily involves incessant interference. Divided revenue involves divided expenditure, and involves an extraordinary number of contributions and adjustments between the Imperial and the Local Government. The number of small provincial matters, such as lines for the Governor's band, research laboratory, temporary plague charges, municipal sewage schemes and some 50 more, for which the Government of India has from time to time to make contributions varying from Rs. 2,000 upwards, illustrates how completely the Government of India has its finger in every pie. As regards the remedy, I can only speak with extreme diffidence, having no expert qualifications. There might be a complete separation of finance between the two Governments by the allotment of certain sources of revenue wholly to the Local Government, and the exclusion of these heads from the general budget of the Government of India. To be of any real consequence the sources to be wholly transferred to provincial should include Land Revenue, income tax and forest. Stamps and excise might be made wholly imperial in addition to opium, salt and customs.

If such a separation were introduced the imperial and provincial collections would be kept separate in the district and other treasuries, and the Civil Account Code, except so far as the Local Government adopted its provisions in a Code of their own, would apply only to the imperial accounts. There would be a separate provincial Accountant-General appointed by the Local Government and a separate provincial budget prepared by him and not subject to previous sanction by the Government of India. I would leave irrigation on the imperial side, because in this era of vast schemes not designed to pay, it would be impossible for the Local Government to take over that head (though apparently a suitable one for provincial finance) without getting borrowing powers; and the acquisition of such powers would inevitably draw close superior control in its train.

Under the present system there is not any occasion to give the Government of Bombay borrowing powers; and the acquisition of such powers would not tend to liberty but the contrary. Borrowing powers are liable to much misuse, and no Local Government could hope to exercise them except under far-reaching restrictions.

The Local Government might be permitted to sanction residential quarters for officials up to Rs. 5,000 as with provincial departments, instead of only Rs. 2,500. The Salt and Excise Departments contain a very large number of European inspectors for whom quarters must be built at a cost of about Rs. 5,000 each.

The Head of the Department (*e.g.*, the Commissioner in the case of Salt, Customs, etc.) might be empowered to call for plans and estimates for non-residential works up to Rs. 5,000, and to sanction them up to Rs. 2,500 as with the Commissioners of divisions; and when it has been decided by Government that a particular class of subordinates are to be provided with residential buildings not exceeding Rs. 5,000 each, the Commissioner might be empowered to have the buildings carried out within that cost without reference to Government. This should apply to the Excise Department also. At present the Commissioner cannot sanction any residential building at all, nor any non-residential work exceeding Rs. 500.

The Commissioner might also be authorized to sanction additions and alterations to existing residences up to Rs. 750, instead of Rs. 200 as now.

When budget provision exists the Local Government might be permitted to sanction revisions of establishment up to Rs. 6,000 per annum for all Imperial Departments and up to Rs. 100 a month in the case of individual salaries, instead of Rs. 3,000 and Rs. 50 as now. The Commissioner might be authorised to make similar revisions up to Rs. 1,000 and Rs. 50.

The Local Governments ought to have complete liberty to manage or mismanage, the Government of India having no means except the annual administration reports and special reports which they might call for on a popular commotion or other grave occasion, of knowing what the Local Governments were doing. Check should be exercised by censure or, if necessary, enforced resignations, and not by daily restriction. In matters under local control the Government of India would rarely have the means of laying down policy, for they would be deprived of the incessant reports on which, after incubation and collaboration, announcements of policy are now made. Occasions would only arise when some grave mismanagement called the attention of the Government of India to a particular question. On such occasions the policy which occurred to the Government of India as correct should be communicated to the various Local Governments; but they should of course be fully empowered to contest it if it appeared unsuitable to their own circumstances. The Imperial Departments would continue under the same control as now. But to save harassing correspondences the Government of Bombay might be given power to grant privilege leave and fill the acting vacancy, as in the case of Customs Officers of the new Imperial Service.

As a general rule it should not be considered absolutely necessary that a Local Government making rules under a Government of India Act should obtain the previous sanction of the latter. There are numbers of cases where the Government of India having for convenience passed an Act for all India might leave the Local Governments perfectly free from legislative restriction in respect of its administration.

There is an undoubted tendency towards uniformity in the Government of India Secretariat, and this is an inevitable result of its having power to control every department of local administration. It is naturally disagreeable to the Secretary and Member of a Government of India department to have to study and deal with half a dozen different ways of managing the same branch of administration; and therefore they naturally aim at reducing all types to one. No more conspicuous instance of this could be quoted than the recent orders regarding excise, where the determination to enforce uniformity throughout the empire, and to replace personal control by automatic mechanism, seems to have prevailed over all other considerations in dealing with a peculiarly complex problem. The true reform is what I have proposed above: to separate the imperial and provincial departments, both of revenue and administration, and curtail extensively the powers of the Supreme Government to interfere with the latter. But if this cannot be effected, then there is an alternative method of so remodelling the constitution of the Government of India as to replace the present departments by departments for the various local areas each with its own Secretary and Member: thus there would be a Department of Bombay with Secretary and Member appointed from that Presidency dealing with all Bombay questions and the like for the other Presidencies and Lieutenant-Governorships. Thus each province would govern itself from Calcutta under the supervision of the Governor-General.

The Government of India, while incessantly engaged in introducing changes in the details of administration, have never done anything effective either to prevent or to cure the various errors urged on this country from England or coming in as the result of home influences, for which we are now paying the penalty. I refer especially to such matters as the grant of free trade in land to a peasant proprietary totally unfit to enjoy it; the establishment of Civil Courts almost wholly in the

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hands of a single class of natives with powers of evil which the appeal system only slightly mitigates; the establishment of a native Bar with immense powers and little guarantee of good conduct; the destruction of executive power by the total abolition of the old native prerogative, while at the same time the Criminal Courts of the districts which were to take its place are vested with little more than the power of expressing a first opinion, subject to two revisions before it can be enforced; pedantic restrictions on the police in dealing with crime that aggravate the evils they were devised to prevent; an educational system so little under wholesome control that it is becoming an instrument for the wholesale corruption of youth; a free press which fills the land with the clamour of folly and falsehood; an election system for municipalities, Local Boards and the Legislative Councils which practically confines representation to men of the literary castes and consequently gives one selfish interest absolute predominance everywhere; and summing up the source of a multitude of evils, direct and indirect, a tendency to turn all administration into a machine and the officers of Government into wheels, little, medium and big, all turning mechanically in the prescribed direction under the motion communicated by the prime mover.

All imperial Directors and Inspectors-General are instruments of centralization; and whether they are given directory or merely advisory powers matters little in the long run, for if their advice is not taken they can get the Government of India to enforce it. They should therefore only exist where centralization is desirable as an end in itself. On this principle the new Inspector-General of Excise should be abolished forthwith, and with him the Director-General of Forests, and perhaps the Directors-General of Education and Medical Services and the Inspectors-General of Agriculture and the Veterinary Department. If, however, in any of these cases the functions of the Director or Inspector are substantially those of an ally and do not involve much interference with local control, he may be retained with advantage, and I do not see why in purely technical matters, involving no questions of policy or expense, he should not give instructions to the local Head of the Department even without the sanction of the Local Government. It is impossible without pedantry to lay down any precise rule for all cases; a jurisdiction, which might be quite safe with regard to details of medicine and mining operations, might be mischievous with regard to education or forests, and therefore each case must be dealt with on its own merits. The Director of Criminal Intelligence should be kept strictly to his own functions and not allowed to develope into a Director-General of Police. Over-centralization of the police is fraught with possibilities of calamity when times of trouble come.

Considering that almost everything is discussed for years, sometimes decades, before action is taken, it is extremely difficult without the study of innumerable files to discover who first started an idea which takes shape; but this is certain, that the Government of India, having no local establishments of its own, necessarily formulates all its measures on the reports of Local Governments. The initiative therefore in presenting matters on which the Government of India takes action either by ordering a Commission and taking action thereafter, or by immediate Resolutions, must always be with the Local Governments. And, with more independence, Local Governments would probably often take early action on matters which incubate with the Government of India for years. As between the Government of Bombay and the Government of India, this Government would claim the chief credit for the initiation and progress of the Agricultural and Land Records Departments, and perhaps for the Police Commission and Education Committee; while the Government of India would probably claim that, but for it, the Government of Bombay would never have introduced a record-of-rights, a Court of Wards, or a liberal remission system. But the fewer suggestions of reform made from outside the better. This Presidency has a sufficiently intelligent staff to discover the need for reforms as it arises, and change in itself is a greater evil in India than anywhere else.

The cases in which an appeal to the Government of India in administrative matters is allowed by law or rules having the force of law are not so many as to require notice, and in practice appeals are not presented to an extent which is embarrassing, except those against capital and other sentences of a Criminal Court. This last kind of appeal should be expressly disallowed, and the petitions should not be forwarded to the Government of India except perhaps in a half-yearly return if that Government so desired. For the others I would impose no further check than a stamp of Rs. 10.

As regards officers of Government I would raise the limit of pay up to which the Government of Bombay has the right to withhold petitions from Rs. 100 to Rs. 250, and would expressly disallow any right of officers of that salary or less to appeal to the Government of India against any punishment less than dismissal or permanent reduction.

The Divisional Commissioners have been made the Courts of Wards for their divisions under Act I. of 1905, and under section 19 of that Act they can delegate all or any of their powers to Collectors and Assistant or Deputy Collectors. The Act has not been in force long enough to enable an opinion to be formed whether the powers of the Court are sufficient in practice or need extension.

The rules regarding expenditure by Commissioners and Collectors have been framed in the narrowest financial spirit and require much enlargement. Apart from many minor delegations enumerated in the statement in question my general plan is—

> Each Divisional Commissioner should have about Rs. 50,000 always at his disposal for discretionary minor works costing up to Rs. 2,500. Of this he would distribute half or more to Collectors and District Judges for their uncontrolled expenditure on works costing up to Rs. 1,000; the rest he would keep for disposal by himself on works of higher cost.
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> The acceptance by Government of budget provision for new establishments is no authority for the employment of the establishment; specific sanction must be obtained in each case. When provision has been made, showing that Government regard the proposals as *primâ facie* proper, the Commissioner should be given power to sanction employment in each case where the expenditure involved does not exceed Rs. 2,500 per annum, or up to twice that sum if the establishment is to be temporary, *i.e.*, for not more than twelve months.
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> The restrictions of the Civil Account Code on the purchase of what are called special contingencies, such as dictionaries, legal commentaries and other appurtenances of offices should be diminished. If Collectors cannot be trusted to buy these things without previous permission, the power to give permission should at least be transferred from Government to the Commissioner.
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> The discretionary grants to Commissioners intended to relieve Government from petty applications, and now fixed at the absurd sum of Rs. 1,400 each, should be increased to Rs. 10,000 each, and the Commissioner of Customs should have a similar grant. The furnishing of offices should be a charge against this grant, and for this purpose the grant for the three divisions should be doubled during the first two years. The shabby and sometimes disreputable state of the offices in which most of the Collectors and their Assistants and Deputies have to sit is one of the causes contributing to the general disrespect into which authority is falling. The Commissioner should also have power to sanction from his grant urgent temporary establishments for not more than six months and costing not more than Rs. 100 per mensem for which no budget provision exists.
>
> The power of sanctioning non-recurring grants by local bodies to one another should

be given to the Commissioners up to a limit of Rs. 5,000 in each case. The difficulty is not to restrain Boards from making grants, but to induce them to make them in proper cases.

The general law of appeal from administrative orders by Revenue Officers, as embodied in sections 203, 204 of the Bombay Land Revenue Code, is that there shall be a second appeal to Government in every case. This is distinctly wrong; the utmost that should be conferred by law should be a first appeal from the decision of a Commissioner or other Head of Department, when such an officer passes an original order. But it is a question whether in a country like this, where appeals, whether in administration, litigation or criminal justice, are habitually made merely because they are allowed, though the case may admit of no doubt, it is desirable that any appeal to Government should be conferred by law. The Government has an inherent right to accept any application it chooses; and it should be under no obligation to accept an obviously idle petition because the law allows an appeal, or to reject an apparently sound one because the law allows no appeal; but to check idle applications every appeal to Government against an administrative order should bear a stamp of Rs. 4, *i.e.*, double the stamp required on an appeal to a Commissioner.

By implication under section 35, Land Revenue Code, an appeal lies to Government against any order dismissing a subordinate whose pay is over Rs. 35, and against orders punishing in any other way subordinates whose pay is Rs. 100 or over. The right of appeal against dismissal should not be curtailed, and in the other cases appeals to Government are seldom made; but, in the interests of discipline, Government should as regards these other cases give the Commissioners power to withhold any appeal to itself from an officer drawing Rs. 250 or less, except where the punishment is permanent reduction. In the case of superior officers no change of practice is necessary.

No appeal lies from any order of a Collector punishing even with dismissal a subordinate on Rs. 35 or less and this is sufficiently strict. I do not think that the right of appeal to the Commissioner in other cases needs alteration.

Apart from the influence of the Government of India the natural tendency of Secretariats is to impose uniformity for their own convenience and to discountenance the personal element in administration. Release from the overpowering control of the Government of India will operate to mitigate this feature of Government, and an ordinance that at least five years' service as a Collector, and two as a Commissioner, should be necessary qualifications for the posts of Chief Secretary or Member of Council would do something more. The proposal which is sometimes mooted to make Members of Council tour would do much more harm than good by further diminishing the small awe of Government which still exists in the *mufassal*, and by obliterating the authority of the Commissioners, add an immense loss of time.

Departments must be departmental and impersonal, and it is not wholly evil that they should be. The tendency can hardly be corrected in the Secretariat itself; the proper remedy against excess of it is to give the Commissioners large authority and thus stimulate a powerful individualism to combat excesses of departmentalism. Any proposal to replace the individual Commissioners by a Board of Revenue would be retrograde: a Board has many of the features of a Secretariat. in that it represses individual force and initiative in its own members. It has the same motives for uniformity as a Secretariat, it has the same tendency to stand on its dignity against individualism from below, and it is bound to lack in at least some degree the opportunities of personal investigation and conference with Collectors which individual Commissioners enjoy. The Collectors would lose greatly by the change. The Commissioner is now their ally and sympathiser: in a Board they would have a body deprived as Government is by its corporate capacity of human feeling, and with much more inclination to enforce the will of Government with rigour than to help the Collectors to influence that will.

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The Commissioner has very little influence outside the Revenue Department. The Public Works Department is practically autocratic, partly owing to the Government of India Code and partly to its very favourable position in the Secretariat. However, it consults the Commissioner pretty freely. As regards Education the control is either with Local Boards and municipalities or (in the case of higher education) with the Director of Public Instruction. The Commissioner has little opportunity of exerting influence, and his advice is not voluntarily sought, either by Government or the Department. It is much the same with Medical, but here there is no great scope for the Commissioner's interference. In the Judicial Department he has no recognized place at all; though considering that the Magistrates are the ultimate enforcers of all laws, the Commissioner, as the chief of the executive under Government, ought to have a large authority in their appointment, removal and general control, apart from the hearing of appeals from judicial sentences. Where the Magistrate sits as an Executive Officer for preventing crime as distinct from punishing it, the final revision should be with the Commissioner, not the High Court. In the case of police the Commissioner has lost much of his authority by the appointment of an Inspector-General, but this latter measure was necessary both that work which the Commissioner could not attend to might be more efficiently supervised, and that the police might be strengthened by having an efficient Head of their own. If the District Magistrate's authority is scrupulously maintained the change should prove highly advantageous. In Registration authority has passed to the Inspector-General, and this is also advantageous. In Forests the Commissioner has as much voice as is necessary. On the whole, if the views of the Commissioner could be secured adequate consideration in the Public Works Department by an arrangement that the Revenue Member of Council should see the papers as second Member where there was a conflict of opinions; if the Educational Department were re-organized and the Commissioner given a potent voice in its administration; if the Commissioner were given magisterial authority and the power suggested in the Judicial Department, and if in the legislation on the Government of India's anvil he retains certain powers and a general supremacy over the police, the Commissioner would have as much power outside the Revenue Department as he needs or could use. The Commissioner of Excise enjoyed a large and beneficial influence in that department till recently; but the inundation from Simla which is sweeping away our local systems in that department will deprive him of much of it.

District Officers possess the most ample opportunities, though their time for general converse with non-officials is limited by the claims of the office table. There is no short remedy for this. All officers do not have a fluent acquaintance with the vernaculars, because every superior clerk in an office now speaks English, and the vernaculars have no literature to tempt an officer to read them after his last examination is passed. I would make the Higher Standard Departmental Examination almost wholly a matter of language and very stiff, and every officer below a Commissioner transferred, at no matter what length of service, to a new language area should be obliged to pass in that language within a year on the usual penalties.

Since Khandesh has been divided no reduction in the size of any district is now necessary. Some increase is necessary in the strength of Assistant and Deputy Collectors and seemingly of Collectors also, seeing that last month eight Collectorates out of nineteen in the Presidency proper were in the charge of Assistant Collectors, of whom one was a 3rd, and four 2nd Assistants. Satara and perhaps some other districts of the Central Division ought to have more sub-divisions than at present; but even now there is constant complaint of a scarcity of officers to fill the charges.

Transfers are undesirably frequent. It is extremely difficult with very liberal leave rules to avoid constant changes. Except for leave or urgent cause there should be no transfers of officers after less than three years' continuous service in

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one place; as there are no bad districts in this Presidency this would inflict no hardship. An officer taking leave from an unpopular district within three years should ordinarily return to it and do at least as much time in it as he had escaped.

Taking extension of powers in this question as equivalent to removal of restraints, the principal restraints on municipalities and Local Boards are that without the sanction of higher authority they cannot—(1) raise loans; (2) impose, abolish or decrease taxes or make rules; (3) permanently alienate property; (4) increase establishment; or (5) vote money for any but the purposes described in the governing laws. None of these restrictions should be entirely removed; but development should be in the direction of freeing municipalities from a portion of their restraints under item (2) and both bodies from some of those under (3) and (4). Local Boards which are now treated precisely like a Government Department so far as the Accountant-General's control over their expenditure is concerned, might be put on the same footing as municipalities.

The power to construct tramways and railways (with the previous sanction of Government) should be conferred on District Boards, and a number of Boards should be empowered to combine for that purpose. As it is very desirable to get rid of tolls, District Boards should be given power to levy a wheel-tax or the cess should be increased in place of them. The only "village union" of this Presidency is the occasional Sanitary Committee or Board. It should have the power of raising revenue by light house-tax or other cess without any such restriction as now exists with regard to the amount to be raised. It could then replace the unpopular and expensive municipalities in towns of under 10,000, whereas now it can hardly be made to serve any purpose.

The functions of municipalities and Local Boards are already far more than they can efficiently perform, partly for want of money and partly for want of capacity. If Sanitary Boards are given such powers of taxation as would enable them to supersede municipalities in small towns they should be given powers of lighting streets and perhaps powers in a few other small matters acceptable to the people.

If an Administrative Council means that a number of non-officials with an authoritative voice in the determination of questions are to be associated with Collectors and Sub-Divisional Officers in the administration of their charges, then the measure is one that would produce anarchy within ten years. As regards district Advisory Councils I should like to point out that there is no room for extraneous advice in the enforcement of the law, which constitutes nine-tenths of the duty of Executive Officers under our system. Under our reign of law, Collectors and District Magistrates have no personal authority to make ordinances or rules. So far as Government have handed over legislative power to inferior bodies with which the Collector is connected (*i.e.*, Local Boards and municipalities) he already has his advisers in these bodies. The question is—what other matters remain on which the Collector and District Magistrate may be supposed to need advice? His principal duties are:—First and foremost, to secure life and property by the enforcement of the criminal law. Secondly, to collect the revenue in its various branches and disburse it according to his budget grants. Thirdly, to perform the duties laid on him by about 200 other laws imperial or provincial. Fourthly, to supervise the working of the police. Fifthly, to preserve discipline, industry and integrity in all the establishments under his control. In none of these cases would the intrusion of non-official advice be anything but mischievous.

Though the Collector has no power outside the laws he has a certain discretion within some of them (*e.g.*, the Land Revenue Code and Rules) and there are certain matters (*e.g.*, caste and religious disputes, strikes, loans to agriculturists, encouragement of commercially or socially depressed castes, promotion of social intercourse between Europeans and Natives and between Natives and Natives) in which there is a certain room for policy, as to which he might need advice. Though he makes no laws he is the ultimate adviser of Government on all, and it may be said that he might reap advantage from an Advisory Council when a bill is sent down to him for opinion before introduction in Council.

It is, however, the very nature of Englishmen to seek advice in matters where they feel a deficiency of knowledge, and that such advice is habitually taken in proper cases either from trusted subordinates or trusted non-officials, or by conference with the crowd in the market place. Consequently a formal and permanent Advisory Council can be only expedient as a political panacea for the prevailing unrest. But to produce even a temporary illusion of success as a panacea, the Council must be constituted chiefly from the local agitators, that is to say the lawyers, money-lenders, newspaper editors and schoolmasters, the last men whom a Collector would ever dream of consulting. If on the other hand the nomination was left entirely to the Collector, and he only nominated the kind of men he would consult without a formal council, then three evils would still result without any counterbalancing advantage: his Councillors being publicly proclaimed would be exposed to all the obloquy and persecution from the agitators which now attend any openly loyal adherence to Government; the same publicity would expose them to a constant solicitation and offer of bribes from interested parties; and thirdly, the existence of formal and permanent bodies would tend to some weakening in officers where above all things it is necessary to encourage firmness and independence. I am therefore not in favour of any District Councils. But there ought to be a wide extension of the *Darbar* system: every Collector and Assistant or Deputy Collector should have a *Darbar* allowance and hold a meeting of leading men, liberally interpreted at each town where a halt was made, and the Commissioner should hold a *Darbar* at each district headquarters annually visited. A short speech in vernacular on local topics, followed by an hour's general conversation, would do much good socially and adminstratively, and the Collectors would often thus come in touch with shrewd men, now hidden in the crowd who would be worth calling home for further conversations.

The District Boards could exercise no more control than the Collector does now over the municipalities, unless they financed them and except on that condition the measure would not be popular with the latter. But it would be very undesirable to divert the local cess largely to municipalities. If the smaller municipalities could be put under Sanitary Boards with enlarged powers, those Boards might properly be placed under the District Board.

All Police *patels* have petty powers to punish assault and abuse under section 14, Village Police Act, 1867, and the Commissioner can give larger powers to them under sections 15 and 16. These latter powers should belong to every *patel*, unless the District Magistrate withheld them in particular instances. In civil matters enough has already been done by the institution of conciliators and village munsiffs in districts under the Deccan Agriculturists' Relief Act. There is no room for any delegation of other powers to the village community, which is losing all coherence and is neither willing nor able to do any public business; least of all any that involves individual or general expense. The old panchayats of whom much is talked were very dilatory and corrupt committees empannelled to settle petty civil disputes, and they cannot be revived.

35532. As Commissioner of Abkari and Salt and so forth, you administer those departments partly for the Government of India?—Salt and customs and opium are imperial; the rest is provincial.

35533. Is there any difficulty in administering as a provincial officer an Imperial Department?—No; no particular inconvenience arises; the administration is practically under the provincial Government except in certain matters of expenditure which have to be referred to the Government of India.

35534. Have you any hesitation, as a provincial officer, in spending funds which eventually come

from imperial sources?—Everything has been laid down by rule; I have no discretion.

35535. Do you frame your own budget?—I frame budgets according to estimates of requirements, but it does not make any difference in the estimates that it is a provincial department; there is no more difficulty about framing the salt budget than framing the excise budget.

35536. You are just as careful in regard to imperial expenditure, although the result is to benefit the imperial revenue?—There is no difference whatever.

35537. What is the area of the Central Division?—There are 7 districts, with a population of about 6 millions; the length is about 350 square miles from north to south and about 150 miles broad.

35538. How long does it take you to get round the division?—About five months. I spend a fortnight or more at the headquarters of each Collectorate if I want to.

35539. You saw every Collector?—Yes, one has to be at the headquarters station, and I did as a matter of fact meet every Collector.

35540. And most of the Sub-Divisional Officers?—Not unless I camped in their sub-divisions; I did not as a rule call them in.

35541. Did you hold any conferences of your District or Sub-Divisional Officers?—No; no occasion arose for that.

35542. Has that been the practice in this province so far as you know?—Conferences might be held occasionally. For instance, at the time of famine and plague they have been held; the Commissioner has come down and called in all of the Sub-Divisional Officers and consulted with the Collectors.

35543. It is not done as a matter of general practice?—No, it is not done ordinarily.

35544. Would it not be easy to get the ideas of the Collectors as to the wants of a division if, instead of their sending in a series of reports, they had a talk, say, twice a year, when each Collector would be free to express his opinions and to say what he thought was necessary and compare notes with his fellow officers?—I do not know that it would be altogether expedient to have the Sub-Divisional Officers in a conference with their Collectors, and I do not think verbal conferences with the Commissioner would enable him to dispense with written reports to any large extent.

35545. It would not enable the officers to check their experience by that of their neighbours?—Most Collectors are transferred from district to district; every Collector has experience of several districts, and there is no absolute necessity for Collectors to consult one another.

35546. Are there Commissioners' conferences?—Yes, in the monsoon. They are usually held at Poona.

35547. Are they of value?—Yes, they are very important; they are held under the orders of the Government; Government refer certain things to be disposed of or considered by the conference of Commissioners; those matters are considered, and that work is very useful.

35548. Who presides at the conference?—The senior Commissioner, whoever he is.

35549. You find the discussion of subjects and the interchange of views very useful?—Yes, it enables matters to be settled sooner than by correspondence.

35550. And it enables the Commissioners to compare their experience, and perhaps to modify their proposals to Government?—The proposals go up under the joint signature of the three Commissioners when there is a conference; they have to make a joint report.

35551. But does the discussion of events and possibilities affect the proposals which the Commissioners subsequently make to Government as to carrying out the scheme in their divisions?—Yes, it sometimes does happen that conversation takes place upon subjects outside our immediate department, but not to a very great extent, because the meetings are very brief.

35552. Have you any power in Bombay to post your Collectors to the districts which they occupy?—No, that is done by Government.

35553. Is it a power which ought to be vested in the Commissioners?—No, I think not.

35554. (*Mr. Meyer.*) Who attends these Commissioners' conferences?—The three Divisional Commissioners and the Settlement Commissioner.

35555. Not the Secretaries to Government and other Heads of Departments?—No.

35556. In Bengal they have an annual conference of a larger character; there are present the Commissioners of divisions and the Heads of Departments and the Secretaries. They meet for about a fortnight and pass in review all important matters pending in the province; you do not do that in Bombay?—No.

35557. What do you discuss at your conferences?—There are a certain number of subjects that Government do not care to dispose of on the report of a single Commissioner or on a separate report of Commissioners; these are sent back to us to be made the subject of a joint report.

35558. Would it be advisable to adopt the system that they have in Bengal and to make it more a general conference—which in Bengal is also attended by non-officials, members of the Legislative Council and the like?—That, of course, is quite a different thing.

35559. Would you stick to your present practice, or would you try the larger experiment?—I would sooner keep the Secretaries in the Secretariat to attend to the Commissioners' reports, and let the Commissioners meet by themselves.

35560. It has been suggested that the Commissioners should have larger powers in the matter of Public Works—that the provincial Public Works budget should be split up; the Local Government would, of course, have to keep a certain amount in reserve and to meet the biggest works, but otherwise each Commissioner should have a certain amount; and he should have the power of sanctioning projects against that amount; would you be in favour of that?—You mean something beyond the proposal to allow Rs. 50,000, which is my own proposal.

35561. I mean, giving the Commissioner several lakhs to deal with?—I certainly think it would be an admirable thing if such large powers could be delegated to Commissioners. I am in favour of Commissioners receiving sums for the purpose of Public Works—relating of course to departments under the Commissioners.

35562. Public Works may be divided into the category of irrigation works, and buildings (which are mainly departmental), and the larger provincial roads. Would you consider irrigation as part of the Commissioner's department—minor works only—tank works?—I do not think it would be quite safe to let the Commissioner be the disposing officer there; he has no expert assistance in his office; it would be better probably if irrigation went to the Government.

35563. And as regards the provincial roads?—He might have that, and of course all land revenue buildings.

35564. There are certain buildings that are occupied by Judges and so forth, people outside his own departments; would you give him the sanctioning power there?—I should think he had better not have it.

35565. You do not think he could do it satisfactorily?—The Judicial Department would not like it.

35566. As regards your present spending powers, you submit proposals to Government, but you have really no power to spend money except as Government desires?—That is so.

35567. You cannot create an appointment, for instance?—I can spend nothing except from my discretionary allowance.

35568. Which is relatively small?—Quite small.

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35569. Every additional permanent appointment that you make has to be sanctioned by Government?—It had until this small delegation of powers made a month ago.

35570. Similarly, supposing you managed to save on your abkari establishment, you could not go and spend the money on an extra launch for salt, or on buildings, without the sanction of Government?—No.

35571. On the other hand, when it comes to the Local Government, if they sanction additional expenditure for salt or for opium, they do not meet the cost; it merely means that there will be a smaller surplus to go to the Government of India?—If they spend money there will be less surplus.

35572. Whereas under excise, which is a divided head, if they increase the establishment and increase the expenditure there is a diminished surplus, but part of it falls on their own heads?—Yes.

35573. The Government is always being urged by officers to sanction additional establishment?—Yes, when necessary.

35574. Can a Government help being a little more careful about matters in which the cost falls upon itself than about matters the cost of which falls on the imperial authority and does not affect provincial resources?—There may be a little difference, but I do not know that there really would be much difference. There would be a tendency that way.

35575. Take a man in your own position; if in one source of revenue he was administering he got a direct advantage and he could apply it as he thought best, and there was another source where he got no advantage, is it not natural that he should put his back into the first rather than into the second?—Yes, all these things are natural; at the same time officers are not probably influenced by these considerations.

35576. They do not mean to be, but there is at least a slight weight in the scale?—Everybody can judge whether there is likely to be or not.

35577. You desire as a preliminary to decentralization that "The Government of India should have absolute financial and administrative liberty, subject to general control over results, with the penalty of recall or impeachment if power is grievously misused." Do you think the Secretary of State or Parliament would ever assent to a wholesale delegation of that fashion?—I really do not know.

35578. We have got to deal with practical politics. As a man of the world and an officer of large experience, do you think the Secretary of State would ever assent to a wholesale delegation of that kind?—I think he might very well yield up some of his control.

35579. Then again you say, "Local Governments should have complete liberty to manage or mismanage, the Government of India having no means, except the annual administration reports and special reports which they might call for on a popular commotion or other grave occasion, of knowing what the Local Governments were doing. Check should be exercised by censure, or if necessary by enforced resignations; and not by daily restriction." The Government of India's control would be entirely *ex post facto*, practically confined to cases in which some grave mismanagement had called their attention to some particular question. Again, do you think that His Majesty's Government and Parliament would allow that?—I really do not see why they should not.

35580. Apart from that, is it not better, if interference is required, to interfere before mischief is done rather than after it is done?—Unless you give a man the power of going wrong you will not get the best out of him. A man who is constantly in leading strings will never do the best work possible.

35581. It is a question of degree; you might relax control in a variety of minor matters, and yet keep control in essentials?—Yes, that is so.

35582. Then again you say that the initiative in representing matters on which the Government of India takes action must always be with the Local Governments, and that therefore, apparently, there is no necessity for the Government of India to intervene. Does not that ignore the fact that some provinces are more progressive than others; it may be that in one department one province is progressive, and in another department it is another province that is progressive, but in every department there are cases in which some provinces go ahead faster than others?—"Faster" and "better" are not always identical in India.

35583. Then I will say "better"?—I do not know; I have no experience of other provinces.

35584. You admit yourself that but for the pressure of the Government of India, Bombay would not have introduced the record of rights, or Court of Wards, or the liberal remissions system?—I said that the Government of India would probably claim that. I am not quite certain of the previous history of these questions, and cannot say whether they were forced on by the Government of India or not; they may have been.

35585. There is a case, then, in which the experience of one province has been applied to the advantage of another province through the medium of the Central Government?—That is so. I cannot say that we would not have taken up these things and solved them in a different way if we had been left alone.

35586. You desire that the income tax should be handed over to the Local Governments; do you mean that they are to be at liberty to repeal or alter the income tax?—No.

35587. It has been suggested that there is no reason why the income tax should be uniform all over India; that it might be levied at 5 pies in the rupee and at 10 pies in Calcutta, and so forth; do you agree with that?—No, I think not. I have never heard of the suggestion before, but it does not seem to me desirable that there should be different rates of income tax in different parts of India.

35588. There is too much trade communication perhaps; you have got firms, for instance, who carry on business all over India in the different provinces; would the commercial public stand an Income Tax Act that was differently administered in the different provinces?—I should think not.

35589. You say that, failing your other scheme, you would remodel the constitution of the Government of India so as to replace the present departments by departments for the various local areas. You would have one department for Madras, another department for Bombay, and so forth. How would you deal with general matters; take finance for instance?—I do not put that forward as a practicable scheme.

35590. Do you think it is a practicable scheme?—No, I do not think it is; it is a possible scheme, but not one that need be discussed, because there is not the smallest chance of its being taken up.

35591. Apart from the difficulty as to dealing with general questions, would not your Bombay Department promptly absorb the powers of the Government of Bombay?—Yes, it would be a case of Bombay governing itself from Simla; the provincial Government would be in quite as humble a position as it is now, and more so. One advantage would be of course that we should have our own men with more local knowledge over-ruling the men here.

35592. But your own Government would sink very considerably, and the real Government of Bombay would be the member of the department in charge of Bombay in the Government of India?—Practically, but the control is very great now also; the one advantage we should get from that scheme would be that of being governed by men who know us well.

35593. (*Sir Frederic Lely.*) In the divisional budget that is suggested to be compiled by the Commissioner you say you would not include minor irrigation works. Who decides now what is to be

spent on minor irrigation in a division?—If by minor irrigation, you mean the small paths, tanks and channels in the Northern Division, which is the only place where I have had any particular experience of it, the Public Works Department used to regulate all the tank expenditure by fixed rules laid down.

35594. Is the Public Works Department better fitted for that work than the Commissioner?—Not for that minor branch.

35595. You think it might be included in the Commissioner's budget?—Yes, tanks and small channels, not canals.

35596. You say that, for instance, the Judicial Department would not like any option being given to the Commissioner as to their buildings; suppose a question arises between spending money on District Courts or on revenue buildings, with whom does the decision lie?—With Government at present; the Public Works Department issues the order, but it is sent in to the Judicial and Financial Departments.

35597. The Public Works Department draws up the budget to begin with and sends it on to Government to be sanctioned; it never in fact goes out of the hands of the Public Works Department until it reaches the very highest authority?—That is so.

35598. Is that a sound system; is not the Commissioner much better fitted to decide upon a question like that than the Public Works Department?—The Judicial Department would never be satisfied with the decision of the Revenue Officer on that matter.

35599. Would you consider the Commissioner as purely an officer of the Revenue Department?—The Judicial Department resent—some of the Judges resent—my having the present control of the discretionary allotment.

35600. But what would you say yourself; do you think that there would be any danger of injustice; would there not rather be considerable security for all interests by giving a more potential voice to the Commissioner?—Of course I should like to see the Commissioner's powers enlarged, but if it is a case of bringing him into conflict with other departments, then it would be better that they were not enlarged in that particular direction.

35601. You would object to it simply because you think that objection would be raised, reasonably or unreasonably, by certain departments?—There is another point. The Commissioner has no Public Works establishment in his own office, and if you increase his power in that department very largely you would have to increase his staff.

35602. It is not proposed to give him any power or duty of examining estimates or projects of any kind; it is simply arranging the budget according to what he knows to be the wants of his division between the various departments?—But it would remain with the Government to give sanction.

35603. The Government would sanction an allotment for the whole division, to be budgeted against by the Commissioner?—I do not see any objection to the whole question being submitted to the Commissioner in that way for his views.

35604. Would it not be an advantage to consolidate the administration in that way?—The Commissioner would be simply an advising officer; he would decide nothing.

35605. The proposal is to give him authority to make his budget; would it be feasible to give him authority to make a divisional budget?—That is a question I have not thought about.

35606. As a matter of fact is not the controlling voice in the appropriation of public money with the Public Works?—It is practically.

35607. Is that right?—The Commissioner ought to have more voice, but I do not know whether there are not disadvantages connected with framing of divisional budgets which would be passed as divisional budgets in Council.

35608. The Commissioner would frame his budget and send it up against the grant made by Government?—The proposal might be subject to extreme criticism in the Financial Department as being very inconvenient.

35609. It would only be a question of mechanism?—I cannot say that it would not have advantages, but I have never thought about it.

35610. Would you not advocate change of spirit in the administration, in the shape of making the Commissioner more a co-ordinating authority over the various departments?—The Commissioner is only one man and can only do a certain amount of work. If he were given more power in the departments at present under him he would have as much as he could do; he cannot do everything; as it is, the Commissioner of the Central Division is overworked.

35611. Are you not inclined to think that rather too much stress is laid upon touring in the Bombay Presidency? I mean touring for all officers, who have to demand carriage and provisions from the people?—There is a great deal too much travelling about by subordinate officers, but I do not think there is too much touring by Collectors and Assistant Collectors.

35612. Is it a fact that every year, in the month of November, there is a very large swarm of subordinates and others spread over a district?—Yes, from circle inspectors upwards.

35613. And that is not all to the gain of the raiyat?—No, it is very much to his disadvantage.

35614. Is it necessary than an Assistant Collector should be obliged to tour for seven months in the year?—I should say that he should tour for five months.

35615. Provided that he covered his charge fairly well, you would not insist on his roaming about in the month of May merely for the sake of travelling?—No.

35616. (*Mr. Dutt.*) As Divisional Commissioner do you frequently have occasions to examine the magisterial work of your subordinates?—No, practically not at all.

35617. You do not have any occasion to send for their records of cases and look into them?—Never, except incidentally in judging the conduct of some Government servant who is implicated in the case.

35618. Government now has the power to vest different officers with first, second, or third class powers. A proposal has been made that the power might be transferred to the Divisional Commissioner; what is your opinion with regard to that proposal?—I would give the Commissioner the power of appointing all magistrates except First Class Magistrates.

35619. What is the present system of recruiting *mamlatdars*; are they generally taken from the Ministerial Service, or are they appointed direct?—They are almost all taken from graduates, or non-graduates. who have passed the departmental examination; that is, Government servants.

35620. They have some official experience before they are appointed *mamlatdars*?—Yes.

35621. How long generally do they work as ministerial officers before they are appointed *mamlatdars*?—It differs in different divisions; perhaps five or ten years in the Northern Division.

35622. On what pay do they serve before they become *mamlatdars*?—They may begin on Rs. 30.

35623. We have had evidence before us in another province that it is not a desirable thing for these men to work as ministerial officers on small pay before they became *mamlatdars*, and that it would be more desirable to appoint them direct?—I entirely differ from that.

35624. You think it is a good training for them to begin as ministerial officers?—It is essential.

35625. You do not think that that is likely to expose them to temptation?—Certainly not; a man who knows that he is going to be *mamlatdar* in a short time is not going to take bribes.

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35626. Do they all know that they are going to be *mamlatdars*?—They all hope to be, and it is pretty certain that most will be sooner or later.

35627. (*Mr. Hichens.*) Would you be prepared to relax the control of the Commissioner with regard to the funds of District Boards?—The Commissioner has very little control over District Board funds.

35628. In matters of appointments, for instance, can the District Board make appointments off its own bat?—Yes, they appoint their engineers, their surveyors, and so on themselves.

35629. Suppose they wanted to increase their staff above the existing *cadre*, could they do that without getting sanction?—They have to get sanction for that.

35630. Or if they wanted to increase the scale of pay could they do that?—Not without sanction.

35631. They could not even take on an additional peon?—It is so with municipalities: I forget about the Local Boards.

35632. Would you be prepared to give them wider discretionary powers?—Yes. I think the tendency ought to be in the direction of giving both municipalities and Local Boards larger powers of appointment.

35633. Have you any definite proposals to make?—I would give them power of appointment as regards the menial establishment: perhaps a pay of Rs. 20 might be fixed as a beginning.

35634. Would you adopt much the same lines as are adopted with regard to provincial Governments, that is to say, allow them to re-organise their establishments within a certain limit of expenditure?—Yes, that might be done.

35635. And in the same way you would allow them to make fresh appointments up to a certain scale of pay?—Yes.

35636. It has been stated by several witnesses that the position of the District Boards, and to some extent of the municipalities also, was that there were a great many services where they contributed substantially towards the cost, but had a comparatively small control; such services as vaccination, for example. Is it desirable to give them more control?—I do not know that they want it.

35637. In the case of Public Works, certain witnesses have told us that the District Boards find it a substantial convenience that that course should be carried out by Government and likewise it is found to be more economical. For those reasons, is it desirable to continue the present policy, or would it be your view that even though it might cost more in the way of efficiency and in the way of actual outlay, it would be desirable to give them further power in order to develope their sense of responsibility?—No, I do not think so.

35638. In the abstract, it is desirable to endeavour to develope their spirit of responsibility and their skill in local self-government?—I am against artificial things that are inexpedient in themselves: I do not think that self-government ought to be fostered in that way: let it grow if it can; if it cannot, leave it alone.

35639. It might be said (with or without truth) that if local bodies had sufficient funds the thing might grow, but that you cannot expect the plant to grow unless you give it water and manure; would there be anything in that argument?—Unless you trusted them with the funds without control from above, you could not tell what would grow, and I think it would be very dangerous to try the experiment.

35640. You must put in a few plants before you can tell whether they will grow or not; is it not worth while making the experiment?—I almost think not, because in all these years the plants have shown very little natural strength or power of spontaneous growth.

35641. According to the evidence of some witnesses, the plant has been a little starved?—Certainly starved from want of funds, but that is in the nature of the case; money has not been withheld from them, but the source of their supplies does not yield enough.

35642. The alternative would be to give them adequate funds to carry out a certain amount of work and allow them full, or comparatively full, discretion within those limits; would that be a step in the right direction?—They have all works of a certain nature now under them.

35643. Let me put this concrete instance; instead of giving them both education and Public Works and making them contribute something to the Government in respect of both, and having very little executive work, it might be possible to take away, say for the moment, education or vaccination, and allow them to have more money for Public Works and to do them themselves?—That I should approve of, especially taking away education.

35644. But, as a policy, would you think it sound that whatever works they have to pay for, that is to say, whatever works they were financially responsible for, they should be at the same time executively responsible for?—Yes, that is quite sound.

35645. The police of making them pay contributions without giving them at the same time executive and administrative responsibility is not a sound general policy in administration?—As regards roads, the fact is that the roads are better repaired and made by the Public Works Department with contribution from the Local Boards; so far the present system should remain.

35646. If it is desirable that the Government should do the work, might it not be desirable that the Government should pay, and conversely if it is desirable that the local authority should pay, might it not be desirable that the local authority should do the work?—But then the local authority has the choice of the work to be done; that is where its privilege comes in.

35647. It is only a question whether it is desirable to aim at combining executive and administrative responsibility with financial responsibility or not?—I quite agree to the principle.

35648. In the *mufassal* municipalities, with possibly one or two exceptions, there are no non-official Chairmen?—That is so.

35649. Would it be desirable to extend the principle of appointing non-official Chairmen?—It is very desirable when you can get a really good man, but it is a very difficult thing to get.

35650. Would you extend the principle which is practised in Bombay of having a paid Secretary or Commissioner, with definite powers, to the *mufassal* municipalities?—They all have a paid Secretary; you mean a paid Executive Officer; it is possible only in the large municipalities on the ground of expense.

35651. Therefore, with the exception of one or two cases, it could not be applied?—No.

35652. Would the same objection apply to suggesting such a course with regard to the District Board?—Yes.

35653. Would you be prepared to give the *taluka* Boards further powers than they have to-day, especially in regard to independent finances?—I would not. The thing is there is extremely little money to go round, and funds being as they are, the District Boards had better keep most of the money in their hands, and carry out works of general importance, rather than divide it up among the *taluka* Boards to be spent upon small things. Besides, the intelligence on the District Boards is greater than on the *taluka* Boards.

35654. In regard to roads which are not built by the Public Works Department, do you think that they are better done when they are done by the District Board directly or when they are done by the *taluka* Board?—The probability is that they will be better done when done by the District Board by its establishment.

35655. Is the District Board likely to give more direct supervision than members of the *taluka*

Board could cover?—No, but then the *taluka* Board are asked by the District Board to exercise supervision, and they do it very often.

35656. Your opinion is that things being as they are and the funds being as limited as they are, it is desirable that all the money should be centralized in the District Board?—That the present system should continue. I would like to see the cess doubled; the Local Fund Cess ought to be doubled.

35657. Is that practical politics?—Yes, I do not see why it should not be. Our land taxation is exceedingly light, and an extra anna in the rupee would not be a heavy burden.

35658. It would not conflict with the terms of your 30 years' settlement?—It would have to be done by legislation, but my impression is that the Act which imposes the cess renders it possible to increase it at any time. If there was a legal difficulty, it would have to be put off until revisions occur; revisions are occurring every year in different districts.

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35659. Would you favour a system of contributions by the Government in proportion to the amount collected locally?—If the cess was increased there would be no necessity for doing that. Government ought to contribute towards roads which are of more than local importance, but it does that as a matter of fact. I do not know that in other matters it can be said that Local Boards have a claim on provincial revenues.

35660. On the whole if it is found necessary to increase the funds of the Local Boards, it is better to do it by increasing the cess than by making a call on the limited funds at the disposal of the Government?—I think so.

(*The witness withdrew.*)

Adjourned.

FIFTY-SEVENTH DAY.

BOMBAY, *Thursday*, 12*th March*, 1908.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

The Hon. Mr. J. L. JENKINS, I.C.S., was called and examined.

35661. (*Chairman.*) You are a member of the Bombay Government?—A temporary member. My permanent appointment is that of a First grade Commissioner. The appointment I last held was that of Commissioner of Customs, Salt, and Excise.

35662. As member of the Council have you certain portfolios?—Yes, each member takes certain departments of Government. Mine are Judicial, Education, Local Self-Government—Municipalities and Local bodies including the Bombay Improvement Trust—and a certain number of political cases which come up from the Native States.

35663. How does the Council conduct its work; is it by notes passing between the members?—Yes, the circulation of notes and minutes, and also by sitting in Council.

35664. How often do Council meetings take place?—It has varied from time to time; now it is about once a week on the average.

35665. As a member of the Government have you an office in the Secretariat?—I come down to the Secretariat every day; I have a room here in which I do my work.

35666. And you attend every day?—Every day practically.

35667. Does attendance at the Secretariat conduce to the speedy despatch of business?—Certainly; I should say it makes a difference on the average of from about a day and a half to two days in each case.

35668. Has this system been long prevalent in Bombay?—It has been always left to the discretion of individual Members. I think it has not been a general practice.

35669. Do the Members of the Council tour?—Not regularly, but a Member of Council who is particularly interested in anything that is going on in any part of the province makes it convenient to visit the place if possible; there are no prescribed tours.

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35670. Is there any restriction upon tours?—None at all.

35671. Is there any financial provision for Members touring?—Yes, their travelling expenses are paid, whatever they may be.

35672. We had a statement the other day that it would be desirable to get rid of the system of territorial Commissioners and to substitute for them a Board of Revenue; what is your opinion?—I think that would be a change very much for the worse.

35673. You have yourself been a Commissioner?—Only a Commissioner of Customs.

35674. Not a territorial Commissioner?—The Commissioner of Customs goes all over the Presidency; it is a special appointment.

35675. Have you ever been present at the Commissioners' conferences at Poona?—No.

35676. Do you know whether they are useful generally and do good work?—Yes, I have constantly heard them discuss their proceedings, and when there is any particular question affecting the whole Presidency which requires consideration the meetings are very good things. They ordinarily take place annually, but they are called at other times if necessity should arise.

35677. Would it be advantageous in this Presidency to extend the system to conferences of Collectors in each division?—I think not as a rule;

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of course, cases might arise in which districts were jointly interested, cases of roads passing through more than one district and so forth, but as a rule a Collector's duties are pretty well confined to the limits of his own district, and he need not look beyond.

35678. Would there not be questions of what you might call general administrative policy, in which it would be well that each Collector should know what his fellow Collectors were doing?—The intercourse between officers in this Presidency is so very close that they are quite sufficiently acquainted with what each is doing without anything formal of that kind; they are constantly meeting and discussing business.

35679. Is not the size of the Collector's district large?—It varies; Khandesh in Bombay was very big until it was divided the other day, and one of the districts in Sind is still a very large district.

35680. Notwithstanding the size of the districts, the Collectors are in close touch with each other?—They are constantly meeting and seeing each other; I should say that amongst the men of the Service in Bombay, certainly amongst the first half of the Service, every man is known to every other; when they meet together the conversation is principally "shop."

35681. With regard to the residences of Sub-Divisional Officers, are you satisfied with the present system?—I have had experience of both. Up in Sind, when I first went there, the charges were very large and the communications were very bad, and it was a matter of actual necessity that the Sub-Divisional Officers should live in their sub-divisions; they did live in their sub-divisions, and it was extremely good because it was necessary, but when the districts are small and the communications are easy, really the Assistant Collector, the Sub-Divisional Officer, is as close to any part of his charge when he is living at headquarters as he would be at any spot within his charge, because the communications—railways and so on—very often converge on the headquarters.

35682. Does your view refer not only to the convenience of the officers but to the convenience of the population?—The convenience of the population in getting at the officers; they can very often more easily meet the officer at headquarters than at any place he could select. In Bombay officers are for seven months in the year in their charges, and as far as regards getting to know the people and getting to know their charges, that is sufficient.

35683. It has been suggested that perhaps the touring system in Bombay is rather overdone?—It is a difficult thing to overdo; the opinions of officers vary a good deal with regard to that, but it is important that a District Officer should see what is going on in his district if possible at all times of the year. For instance, in the hot weather preparations have been made for cultivation, which he could never see at any other time, and he could learn things which, if he were not in the district then, he would never know. In the same way in the rains, there are some crops grown which are reaped before the cold weather begins, and I have known cases in which officers were ignorant that such crops were grown in their charges at all.

35684. Yet these matters affect the revenue assessments and collections?—Exactly; I knew a case of a Commissioner who had been 30 years in Gujarat, and who never knew that rice was grown as a catch-crop in the cotton fields.

35685. Is there any system of selection of officers now considered?—Spasmodic attempts have been made to introduce selection, but on the whole, generally speaking, promotion has not been by selection.

35686. What have you to tell us on that point? I think the orders of the Secretary of State in 1879 after the Famine Commission should have been carried out and observed. There orders were that a man should not be appointed Collector unless he was fit for the place, and that the fittest man should be chosen for Commissioner.

35687. Those orders have been deliberately neglected, or shall we say overlooked?—I should say they have been on the whole overlooked; there have been gross cases in which a man has been passed over for a Collectorship.

35688. That is to say, not gross cases of non-observance of the order but gross cases of incompetence?—Yes, men who have been grossly incompetent have been passed over.

35689. Would you go lower down than a Collector?—I think not.

35690. Did the orders of the Secretary of State apply to India or only to the Presidency of Bombay?—I think they applied to the whole of India.

35691. And they have never been repealed?—I think not; if they have been touched at all, they have been reiterated.

35692. You would not have a period of, as it were, probationary service in this country?—No, I would not favour that.

35693. But when it comes to appointing a man as Collector, then would you say the fittest man should be appointed, or would you merely reject the unfit?—I would reject the unfit. I would go down the list and taken them in order of seniority, provided they were fit, and pass over any man who was unfit.

35694. In selecting an officer for such an appointment, upon what would you lay the greatest stress?—I think it is almost impossible to say; I should say general competence.

35695. Would that be office competence or knowledge of the language?—I should take them together. In some cases, I would allow particular excellence in one branch to counteract any deficiency in another.

35696. As no selection is made, I suppose no stress is now laid upon any particular quality, except knowledge of the officer?—That is so.

35697. (*Sir Frederic Lely.*) What is your general opinion of the system of Directors-General?—I think generally they are bad; they have a bad effect upon the local administration. They come to a province with insufficient knowledge or with preconceived ideas of what they have seen done perhaps in another province, and which they are very anxious to apply everywhere, and in consequence their advice is not likely to be of much value, while on the other hand as coming between the Local Government and their officers they are likely to undermine the authority of the Local Government.

35698. Have you any instances, or many instances, occurring in this Presidency to your knowledge where their intervention has been of actual benefit?—I think not; the system has not been in force for very long on this extended scale.

35699. Is not their position as general advisers rather difficult to maintain; the natural result would be that they become either nullities or nuisances?—I consider that to be the exact position.

35700. Would you subscribe to the statement that one of the chief defects in the present administration is in the character and efficiency of the subordinates—the clerks in the *mamlatdars'* offices and the village officers; would you say that generally they are underpaid and inefficient?—I should say not; I should say that they are extraordinarily efficient, considering the work they have to do and their pay; it is perfectly wonderful the amount of work that is got out of them.

35701. Are they generally free from corruption?—That is another thing.

35702. It is a very important factor?—It is an important factor, but one not so important as many people consider it to be. Within the old limits of *dasturi*—tips paid for services—it is really not looked upon by the people at large as a moral offence, and I do not think myself that it is very harmful to the administration, either as to efficiency or as to character. There are cases, no doubt, in which men go beyond that, and in such cases if they go beyond to any great extent you will find that sooner or later the people complain.

35703. But would you say that the present scale of pay in many instances is such as to make that system of *dasturi* necessary for their livelihood?—I should hardly say necessary, but the lowness of the pay certainly contributes to it, and the custom is so firmly fixed in the country that even if you raised the pay of the officers it would probably continue, at any rate, for a very long time.

35704. But it would be an essential first step to raise the pay?—Yes.

35705. The clerks in a *mamlatdar's* office, the lower paid amongst them, do not get more than Rs. 10 or Rs. 15 a month?—I think that is so.

35706. In these days is that not a living wage?—No, the standard of comfort has risen very much among people of that class, and they cannot live on that wage.

35707. And the village officers in the Deccan?—They are very inadequately paid, but of course, being hereditary officers, the pay is not the only thing; there is the position and so forth.

35708. Have you any change to suggest for the appointment of village officers in the Deccan?—I would do what I did in the Salt Department with hereditary officers; I gave them notice that after a certain date I would not appoint, to officiate, a man who had not reached a certain standard of qualification. I started it with the Third Class Public Service Certificate and I got them; after a certain lapse of time I said, "Now I am not going to appoint anybody who has not got the Second Class Certificate," and I got them.

35709. Was that under the existing law?—It was doubtful with regard to the hereditary officers in the Deccan.

35710. What is your general view of the position of the Commissioner?—The Commissioner, generally speaking, has not sufficient powers; he should be made very much more the Head of his division and the controlling authority in his division; in fact he should be placed very much in the position of the Commissioner in Sind.

35711. You would be satisfied if he was placed in the position of the Commissioner in Sind?—Quite.

35712. Has not the number of officers, who tour immensely increased, and are not the people less willing now than they were to afford them assistance in the way of carriage and provisions, and so on?—I have come across no instances of that kind myself.

35713. You do not think that it is felt as a burden by the people generally?—My touring has been all over Gujarat, and I have not come across any instances; I daresay about 10 years ago there were some instances, but of late years officers are very much more alive to the necessity of seeing that people are promptly and properly paid. My impression is that there is very much less to complain of in that direction than there was 10 or even five years ago. Formerly if the people were underpaid you went away from your camp and you heard nothing more about it; now if a man is underpaid, either for his carts or for his supplies, by the smallest amount, you get a complaint immediately.

35714. Are you aware that the better class of cultivators in a Gujarat village absolutely refuse to supply their carts at all; the burden of carrying the District Officer's kit falls on the more docile people in each village?—I think that is so; it is the same all through.

35715. You have already said that so much touring is not a necessity in these days of railways as it formerly was?—If a man wants to get to know his charge he must live in it during the time he is on tour, not for the whole year; mere raids by railway out to a certain place to see a certain thing and back again count for very little; the man sees the thing he went out to see, but he does not see the people.

35716. Would you go so far as to say that touring is no longer essential for mere case work?—It is very much less essential for mere case work than it was; case work is perhaps the worst part of a District Officer's work—in his case work he sees the worst side of native character, and in his district work he sees the best.

35717. But surely actual contact with the people, on which you justly lay so much value, is done mostly in the cold weather, November to March?—Yes.

35718. If a man has covered his charge fairly and brought himself within accessible distance of all parts of his charge, would you insist upon his roaming about in the height of the hot weather simply for the sake of travelling?—I do not think it is simply for the sake of travelling; one sees things in the hot weather that one does not see at other times.

35719. You would not modify the present rule?—No, I would let them have their seven months.

35720. (*Mr. Dutt.*) There is a proposal made in the Local Government Code to divide the sources of revenue, making so ne entirely provincial and others entirely imperial. Would that necessarily lead to a greater degree of autonomy and independence in respect of those departments of administration which may be made provincial?—Certainly.

35721. In these departments of administration would you then allow the Government of India to lay down general lines of policy for the provincial Governments to follow?—Yes.

35722. And also to introduce such large reforms as the Government of India think necessary from time to time?—No, I would demur to the use of the word "reforms." Sometimes there are things called reforms which are not reforms at all. I should leave the question of change or alteration to the Local Government.

35723. When the Government of India thought that a certain reform was urgently required, would you give the Government of India liberty to require the Local Government to introduce such reforms?—Not against the will of the Local Government. In the case of disagreement upon a subject in which, in my opinion, the Local Government would be the best judge, it should go to the Secretary of State.

35724. You would not allow the Government of India to over-rule the Local Government?—No, not in matters of provincial concern.

35725. Would it not vastly add to the work of the Secretary of State if he had to decide all these questions between the Government of India and the Local Government?—They would not occur.

35726. Take the instance of the recent rules laid down by the Government of India about the remission of land revenue in time of famine and scarcity?—These were accepted by the Bombay Government.

35727. After some degree of hesitation?—Yes.

35728. If cases like that were referred to the Secretary of State would it not very largely add to his work?—I do not believe myself that a single case would be referred to him—possibly there might be a case in five or ten years—once it was known that a reference would have to be made to the Secretary of State. In these matters of differences of opinion the Local Government have got a very strong case, and there is at least an equal chance of the Secretary of State taking the view of the Local Government; the tendency would be for the Government of India to refrain from interference with the provincial Government, while, on the other hand, the provincial Government would refrain from opposing any proposals of the Government of India which they thought legitimate and proper. I do not think, therefore, that the Secretary of State would be called in at all.

35729. Supposing some question arose about inadequate education in Bombay or some such matter, would it do for the Secretary of State to answer in the House of Commons:—"The matter seems to be a little defective, but really the Government of India has not got any power to interfere with the Bombay Government"?—But the

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Secretary of State would have power to interfere with the Bombay Government.

35730. You would withdraw the power from the Government of India altogether?—Yes.

35731. You say that very often changes are brought forward under the name of reforms which are really not reforms at all. Would that not necessarily lead to the inference that in legislative matters the Local Government ought to be under some check and some control in respect of bills brought forward?—There is a very strict check and control.

35732. I am referring to this passage in the Bombay Case: "Prior sanction or consent should only be required in cases where the proposed legislation will affect some branch of the administration, *e.g.*, defence or foreign relations, which falls among the functions allocated to the Central Government." That means that in these departments which are allocated to the provincial Government no previous sanction would be necessary?—That is, not the previous sanction of the Government of India. I do not suppose anybody would propose to do away with the sanction of the Secretary of State to any proposed legislation. The principle must be sanctioned by the Secretary of State before the bill is introduced.

35733. You would take away that power from the Government of India and leave it with the Secretary of State?—Yes.

35734. Would not the Secretary of State necessarily consult the Government of India in those matters?—He might, but I do not see why he should.

35735. Because the Government of India is better acquainted with the local circumstances than the Secretary of State in London?—I doubt it.

35736. Anyhow, if the Secretary of State consulted the Government of India in those matters it comes to the same thing?—It means that the Secretary of State might not accept the proposition; that is what it comes to.

35737. If you withdraw that check, would not there be a tendency on the part of Local Governments to bring in too many changes under the guise of reforms?—I should think not. The tendency varies from time to time, but it has been for some time setting in very strongly against legislation, that is to say, if you can carry on with things as they are, do not let us have legislation.

35738. Is not your experience that sometimes the Local Governments do bring in too many changes, and that what the country wants is a little rest?—That was the case at one time, not only with the Local Governments, but with the Government of India; I am not sure that the energy of the Government of India was not much greater than that of the Local Governments.

35739. So far as the Local Government is concerned, you do not think it requires a check in the way of the previous sanction of the Imperial Government?—I think not; the sanction of the Secretary of State to the principle of any proposed legislation ought to be sufficient.

35740. In Appendix 4 of this Government case it is said that the Government favoured general delegation in the same manner and to the same extent as under Act V. of 1868. We have had some evidence before us that such devolution should be preferably made by amending Acts rather than by a general Act of devolution. If that were the public feeling, would you in deference to popular opinion make such devolution by amending Acts rather than by a general Act?—It would depend altogether upon the strength of the opinion; I am not aware myself that there is any such strength of opinion as would warrant our taking the more inconvenient course. If it were a fact that there was very strong popular opinion against proceeding by general delegation I would take the more inconvenient course.

35741. I understand that the Bombay Government is disposed to allow a second appeal in every case, but not to allow a further appeal?—That is so.

35742. It is suggested that the Local Boards should be allowed to impose a cess for the purpose of guaranteeing the interest on light railways and works of that nature; would those light railways be for the general good of all classes of the people?—If they were well devised.

35743. And the cess would practically fall on the cultivators only?—The present cess falls on the cultivators only, but as to the special cess nothing is said as to the way in which it should be imposed, and it is possible that a non-agricultural cess might be devised. This is a mere general statement of policy.

35744. The cess which is proposed here is a cess of say one pice added to the one anna cess?—It was not considered at all; it is a mere general statement of policy.

35745. On principles of justice a cess such as this ought to fall on all classes of the people and not on the cultivators alone?—That is so; of course, the cultivators are the principal people who benefit from the railways, but undoubtedly other people benefit also.

35746. We have had evidence that Local Boards do not do their education work themselves, but that they hand over the money practically to the Education Department and the whole work is done by the Education Department; similarly, they hand over all the big road work to the Public Works Department. Is it advisable to encourage the Local Boards to take more interest in their own work and to do it themselves as far as practicable?—Most certainly as far as possible—with that limitation.

35747. If they did find it possible to employ their own Engineers the Government would have no objection?—The Government would have no objection, but it is a very distant prospect, because in the district you have a highly competent well-paid Engineer who is able to carry out the works; if you employed a separate District Board Engineer you would have two men covering the same ground; there would be an unnecessary increase in expense, and I very much doubt whether the Local Boards could afford to employ a man as competent as the Executive Engineer.

35748. Perhaps you are aware that the other system has been adopted in Bengal?—Yes.

35749. Anyhow, if it was found practicable there would not be any objection?—There would be no objection on the part of Government.

35750. (*Mr. Hichens.*) Would it be possible to do anything to increase the financial responsibility of District Boards?—It would be most inadvisable to impose extra taxation.

35751. But it might conceivably be done without that?—It might; the only other way in which it could be done would be by a grant from Government.

35752. The bulk or their funds comes from the cess, which is a definite amount and which is collected by the Government on their behalf and handed over to them. They have no power to make it either less or more. Would it be possible to have some arrangement whereby they could either reduce it or increase it slightly so as to induce some sense of financial responsibility on the basis of a municipal house-tax, or an assessment rate?—I think it would be one of the most unpopular measures you could have in the country. The first duty of our Government here is to govern as far as possible in accordance with the wishes of the people and not to introduce unpopular measures. You could do nothing more unpopular than that.

35753. At the present time at any rate it is not desirable to give them discretion?—I should say certainly not.

35754. The alternative would be to give them a larger contribution from the Government?—Yes.

35755. Would you agree that their circumstances are straitened?—Yes, their means are not large, and most of their income is already earmarked for necessary expenditure; it is only a

small surplus which they have to devote to works at their own discretion.

35756. Their funds are not large enough to enable them to carry out the works themselves?—Sometimes, for instance, if they want to build a big bridge, they decide amongst themselves which bridge is necessary, and arrange for a certain number of years to provide the funds; a very great deal of works of that kind has been done.

35757. Would you be prepared to allow the *taluka* Boards to have a source of income on which they could rely, instead of being dependent on the charity of the District Local Board?—The income of the whole district is very small; if you split it up among the different *talukas* the tendency would be to fritter the money away on small works which might not be of a permanent nature, and would do no general good to the district. If you want to have satisfactory works in a district, the more you keep the money together the better. The tendency in *taluka* Boards, even with their present means, is decidedly to fritter the money away in small sums here and there.

35758. Are the *taluka* Boards worth keeping and developing from the point of view of local self-government?—Yes, I think they are; they are useful; if they do nothing else, they press upon the District Boards the claims of the *talukas* themselves. All parts of the district are more likely to receive recognition at the hands of the District Board if the *taluka* Board is there to say, "We want this or that done."

35759. If it were found possible to increase the resources of the District Local Board, possibly then it might be found advisable to give them a definite income?—I think so. It all depends on the amount available, and on what their liabilities are for fixed establishment and so on.

35760. But your objection would be the old one, that their resources are so straitened?—Their resources would be so small that really they would not amount to anything at all—a few hundred rupees a month.

35761. It was stated to us the other day that more stress was laid in the posting of newly arrived officers on the quality of the district than on the character of the Collector; is that a fair statement?—No; as far as my knowledge goes (and I have known a great deal about it from time to time) Government consider the matter very carefully; the first thing they consider is, is so and so a good Collectorate to put a youngster into; there are certain Collectors who have the reputation of being good men to train young officers.

35762. Would you favour occasionally transferring a junior officer from one province to another in order to widen his experience?—I think it would only make confusion worse confounded. We have already sufficient varieties to be found here in Bombay; I would not add another element. We have four languages here, and an infinite variety of circumstances and conditions, from the highest civilisation to almost barbarism.

35763. He has sufficient opportunities for gaining experience here without going elsewhere?—I think so certainly.

35764. (*Mr. Meyer.*) Roughly speaking, has not each of your four divisions its own vernacular?—They are mixed in all the divisions, except the Central Division. The Northern Division has Gujarati, merging in the north on one side into Marwari, and on another side into Sindi, while in the south it has Marathi; the Southern Division has Marathi and Kanarese, not to speak of bastard Konkani and other dialects.

35765. Speaking generally, you might say that you have Gujarati in the north, Marathi in the Deccan, and Kanarese in the South?—Those are the prominent languages, but there is a good deal of Marathi in the Northern Division and in the Southern Division.

35766. Are transfers from one division to another frequent?—Yes, very frequent.

35767. Would it be desirable to keep officers more in the same division?—I think it would, at any rate during the early years of their service.

35768. Would you post an Assistant Collector to a particular division, and let the Commissioner post him then as he thought fit?—That is what I should do.

35769. You say that the general position of the Commissioner should be that of the Commissioner in Sind. Is not the Commissioner in Sind rather tied up in land revenue matters?—He is bound, like the ordinary Divisional Commissioners, by the Land Revenue Code; has he any powers over and above what the ordinary Commissioner possesses?—I should say he has a great deal more power in land revenue matters.

35770. What do you think of the matter that has been suggested frequently, of breaking up the provincial Public Works budget to a large extent, and giving the Commissioner sanctioning power in regard to a good deal of it?—I am not in favour of that. The present system works very well. I have had a good deal to do with Public Works, and I have found the system work well.

35771. The present system means centralization at headquarters, a conflict between the various Commissioners, and possibly that the Commissioner who gets in first, or the Commissioner who wields a persuasive pen, gets more than others?—Yes, and very often he ought to get more. If you divide the money equally between the Commissioners, very often one Commissioner will not want so much, and another Commissioner may want a great deal more.

35772. Might you not make a rough distribution according to their needs, keeping a certain amount at headquarters, and then saying to the Commissioner, "With regard to this money you stand in the place of the Local Government; it is for you to say what works you like to sanction"?—The Commissioners, if they choose to use it, already have ample power to get works done; I never found any difficulty at all.

35773. I understood from previous witnesses that though the Commissioner has an original say with regard to the urgency of work, after the budget gets sanctioned, he has very little say in the matter; the Public Works Officers settle which works shall be dropped and which taken up at their own discretion; is that so?—That is to a certain degree the case, but you must always remember that the rules and the practice of which you hear are really tempered by personal communications; a Commissioner who wants a certain work done, although there may be nothing on record with regard to his intervention, is pretty certain to be able to get it done.

35774. It does sometimes happen that the Commissioner and the local Engineer are not on very good terms?—That rarely happens. I have had to do with one or two bad Engineers, but on the whole they are good men and will do everything they possibly can to meet the wishes of the Commissioner.

35775. Still, suppose that unfortunate state of things, the Commissioner would be rather handicapped?—In that unfortunate state of things no rules or regulations would be any remedy.

35776. Would you put in as Commissioner the man you considered absolutely the fittest, or would you put in the senior man so long as he was not unfit?—I would put in the absolutely fittest man.

35777. In Madras we have what are called *taluka* Boards, but they are really Sub-Divisional Boards, and their relations with the District Board are, on a small scale, something like those of the Local Governments with the Government of India; the *taluka* Boards take half the land cess, they deal with minor roads, primary education and so on. Suppose you could have that system in Bombay, might you not deal with matters more efficiently?—Sub-Divisional Boards would be better, but here we have not our sub-divisions as clearly defined as they have in Madras; here our sub-divisions

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are made up from time to time differently; they are composed of different *talukas*.

35778. Is that not rather confusing to the people; they suddenly find that instead of going to Mr. A, they have to go to Mr. B?—I can quite understand the situation in Madras, because we had very distinct sub-divisions in Sind; there, of course, it would have been a very great inconvenience to break them up; but where the system has never existed, I do not think there is any inconvenience.

35779. It has been said that the Madras system has, for one thing, tended to larger local decentralization. Mr. Curtis, who has been in Madras, told us that so far as he can judge, the Madras Collector is a much bigger man than the Bombay Collector?—I quite agree with that.

35780. From the decentralization point of view, you would be in favour of some arrangement which would give the Collector and Sub-Divisional Officer as large powers as possible?—I hope they will get large powers.

35781. There is only one municipality in the province, that of Poona, which has the right to select its own Chairman; on the other hand among the larger city municipalities non-officials are occasionally nominated; would you be prepared to extend the system of election?—Yes.

35782. Have the city municipalities no control over their budgets whatever?—It is a thing with which I have not been very closely concerned for some time. As far as I remember they have every control.

35783. The ordinary municipality has its budget passed by the Commissioner?—It comes up to the Commissioner, and, as far as I remember, it was very much a formal matter, unless there was something striking.

35784. We were told that Ahmedabad, neither the Commissioner nor Government interfered with the budget?—When I had to deal with them the budgets did come up to the Commissioner.

35785. Are you referring to the city municipalities as well as the others?—Yes, all the Sind budgets came up to the Commissioner.

35786. We may take it that the Commissioner does exercise some control over the budgets even of the city municipalities?—I should be sorry to answer that question definitely; it may be looked at from two points of view, whether he has the power to exercise control, and whether as a matter of fact he does exercise control.

35787. I was rather thinking of the power at present?—I would rather not answer that.

35788. There are at present eight major provinces in India, the Government of each province being subordinate to the Governor-General in Council?—That is so.

35789. As I understand, you would have eight more or less co-ordinate authorities under the Secretary of State, the Governor-General for imperial matters only, and each provincial Government for provincial matters?—Yes.

35790. Would that not add considerably to the work of the Secretary of State?—I believe not; the references would be very few.

35791. You would have appeals from the Local Government in certain matters; would they go to the Government of India or to the Secretary of State?—I do not think that has been considered.

35792. But what would be your personal view?—It would be necessary, if you came to a settlement, to divide them into two classes. In personal matters the appeal would probably go to the Government of India, but in any matters affecting policy and principle the appeal would go to the Secretary of State. At first sight that would be any idea.

35793. Certain matters, salt and customs and so forth, must remain imperial, but they may be managed through the agency of the Local Government. Suppose the Government of India is dissatisfied with the management by the Local Government, is it to have the power of setting aside the Local Government and saying, "We will now manage this by our own officers"?—That would be a question for settlement with the Home Government, as to whether they considered it proper for the Government of India to exercise complete authority of that kind within the territory of the Local Government; there would be nothing impossible about it.

35794. Logically, if the provincial Government is to be master in the provincial house, the Government of India ought to be master in the imperial house?—Yes, provided the imperial branches are properly chosen, so as not to clash with local affairs.

35795. (*Sir Steyning Edgerley.*) If you had your very strict system of selection, would you require any system of proportionate pensions?—Yes, it would be a good thing to allow a man to go, who had reached the end of his tether and was no further use to Government.

35796. Would you allow him to go, or would you give the Government the option of saying, "We think you must stay" to someone, and "You can stay and work out your pension" to another, and "You must go" in another case?—I would deal with each case individually; in some cases I would say, "You must go."

35797. In other cases would you allow the officer to claim a proportionate pension, or would you give the Government the option?—I would give Government the option.

35798. Would that affect recruitment?—I do not think it would; candidates know so uncommonly little about the conditions of the Service when they go up for examination, that I do not think it would have very much effect.

35799. If it did affect recruitment, or if there was any anticipated influence of that sort, could it be sufficiently counterbalanced by increasing the pensionary advantages for those who rise to the highest posts, like Lieutenant-Governors?—Yes; without regard to any other conditions, that ought to be done as a matter of justice. Of course, any improvement in the service is an inducement to recruitment.

35800. You said that where strong opposition developed you would not use a general delegation Act; for ordinary purposes what would you say?—For ordinary purposes by far the most convenient course is to adopt a general delegation Act.

35801. You served in Sind for 8 or 9 years?—10 or 11 years.

35802. Have you ever heard any complaint with regard to the operation of Act V. of 1868?—Absolutely none whatever.

35803. You think it has been most beneficial?—Most beneficial.

35804. And, properly safeguarded in modern form, do you see any reason why it should not work in this Presidency?—I see no reason whatever.

35805. Which do you consider the more convenient system of paying travelling expenses, by daily allowances or permanent allowances?—There is no comparison whatever between the two; I have had to deal with both very largely; the permanent allowance from every point of view is the most suitable way of covering travelling expenses for officers who are required to be constantly on tour.

35806. You have been a Controlling Officer. Did you find any greater difficulty in controlling the movements of officers under the system of permanent allowances?—None whatever.

35807. You are distinctly in favour of permanent allowances?—Distinctly.

35808. Is it a matter in which you think the Local Government ought to have full freedom of action to adopt whichever system they like?—I think so, certainly.

35809. As regards panchayats, the actual conclusion of Government is that they are willing to try them, but they are not very sanguine of success?—That is so.

35810. They think they ought to be tried because there is a demand for them?—I do not think so much that there is a demand for them, but if the experiment did succeed it would be such a very good thing that the experiment ought to be tried.

35811. A very important non-official witness in this Presidency was prepared to see the District Local Boards abolished and local self-government entrusted to *taluka* Boards and panchayats, with a sort of supervising District Council over all local self-government in the district, and possibly other matters; what would you say to a scheme of that sort?—I think the *taluka* Local Boards would be much too small to be of any great practical value; they are on too small a scale.

35812. You would not favour the removal of the District Board?—No; I think the district is the best unit.

35813. Assuming that, would you favour additional functions being given to the Local Board, so as to enable it to advise the Collector in matters say of legislation and things of that sort?—In matters of legislation, before they are undertaken by the Local Government.

35814. When projects of legislation come down to the Collector, he should discuss them with his District Board?—I see no reason why he should not do it.

35815. If anything is done in the direction of Advisory Councils, would you contemplate at all a separate Council as well as a District Board in a district?—I have never been able to make out what the Advisory Council is going to advise about; I have thought over the matter a good deal, and I cannot find out what functions they are going to perform.

35816. Then may I take it that you would not be prepared to set up an Advisory Council?—I see no use in forming an Advisory Council. *The Hon. Mr. J. L. Jenkins.* 12 *Mar.*, 1908.

35817. If anything was done, is it your view that the functions of the District Local Board would be more important than those of an Advisory Council?—As you have already the District Local Boards, it is better to make use of them. The danger is that if you have certain people formally constituted advisers of the Collector you shut out people who ought to be heard and who would very possibly have a great deal of influence, who will stand aloof because they are not members of the consultative body; whereas at present the Collector can consult, and does consult, every prominent man in the district. The Collector ought to consult a very much larger number of men than you could get together into a body like that.

35818. On the whole you are against it?—I am against it.

35819. (*Chairman.*) There is a system in Bombay apparently by which the Municipal Commissioner is the Executive Officer of the Corporation of Bombay; would it be possible to apply some such system as that to *mufassal* municipalities?—It would be possible in the case of the larger municipalities. In order to get a thoroughly competent Executive Officer, you must pay him a certain amount, and in the smaller municipalities they could not afford it; but in the large municipalities it would be a very good measure.

35820. Making the larger municipalities free deliberative bodies, without any official restraint but holding control over the financial result of their own determinations?—Yes.

(*The witness withdrew.*)

The Hon. Mr. J. W. P. Muir Mackenzie, C.S.I., I.C.S., was called and examined.

35821. (*Chairman.*) You are the Senior Member of the Executive Council of Bombay?—Yes. I joined the Council (I was not Senior Member) on the 5th August, 1905. Before that I had been Commissioner in Sind. *The Hon. Mr. J. W. P. Muir Mackenzie* 12 *Mar.*, 1908.

35822. Are appointments to the Secretariat determined by the Council?—By the Governor in Council.

35823. Is there any rule as to the tenure of office in Secretariat appointments?—There is a rule that the Under-Secretary's office shall not be held for more than three years; there is no rule as regards the Secretaries.

35824. Is there any practice?—There is no defined practice. What happens is that when a Secretary is found to be a very good and useful man there is a tendency to keep him, and there is very great temptation to keep him.

35825. Has there been any alteration of the practice recently with regard to appointments?—No intentional alteration; things have so happened that Secretaries have been changed about more between headquarters and the districts than they were, but I think it is an accident.

35826. Is that a happy accident?—I consider it a happy accident, decidedly.

35827. Which might be continued until it becomes a recognized practice?—My view is that the tenure of Secretariat appointments should not be longer than three years.

35828. Of all Secretariat appointments?—All Secretariat appointments, including Secretaryships; that there should be a power of extension by the Local Government for very exceptional reasons, and that there should be an interval of quite three years generally between two Secretariat appointments.

35829. When officers are required by the Government of India to hold Secretariat appointments, is a man taken as a rule straight from the Bombay Secretariat?—I was not taken myself by any means from the Secretariat; I should say that pretty frequently men are so taken; I could not give you a statement about that. The enquiry generally comes down to us, whether we have anybody to recommend, and we recommend the best man we can think of.

35830. They do not ask for particular officers?—They do sometimes. There is no general practice.

35831. It has been suggested that there should be a more or less fixed period of service by the District Officer in his appointment, which might be fixed at either three or five years; have you any particular view upon that point?—Certainly, a Collector ought if possible to be not less than three years, perhaps not less than five years, and also not more than five years in his district. How far that is practicable is another matter; exigencies of leave, men getting ill, and so on, sometimes render transfers inevitable; but no transfers for the officer's own satisfaction should be allowed to interfere with the prescribed length of tenure of his office.

35832. Has it been the practice to make transfers for the officer's own satisfaction?—There may have been a practice in the past, but it is certainly very much diminished of late years; I can hardly recall a single instance during my tenure of office in which a man has been transferred for his own satisfaction; he has very often been told pretty sharply that he cannot get what he wants.

35833. Suppose two appointments of equal position were open, and one of them had been occupied by the officer previously to his going on leave; would the officer be sent back to the same appointment?—Not unless it was considered expedient. That has arisen several times; a man has said, "Shall I get back again?" and the answer has always been "No sort of promise can be given, it will all depend on the exigencies of the Public Service at the time of your return."

35834. Is it the rule that the officer should go back to the same appointment?—If he has been a long time away he may be sent elsewhere.

35835. Do many officers take two years' leave?—The taking of long periods of leave, speaking very roughly, is increasing on account of the very salutary rule which the Government of India introduced some time ago of allowing us to add

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our privilege leave to our furlough; men consequently save up privilege leave and add it to furlough, and take a good slice together.

35836. Is two years too long a period for an officer to be away from his work, looking at it from the point of view of the work and the interests of the Service?—You cannot lay down any hard and fast line. Sometimes it is an excellent thing to have an officer go away for a couple of years, if he has been at work for a number of years and got rather stale. On the other hand it may be a good thing for him to go a little oftener. It must vary with individual cases; you cannot lay down any hard and fast line.

35837. Is the period of eight years too long a period for an officer to be out without furlough after his first appointment?—I think not.

35838. Subject to the taking of three months' privilege leave it is not too long for an officer to work continuously?—I think not. Perhaps I am not the best man to speak of my own experience because I have been very lucky in my districts; I did not have any real climatic strain; it depends pretty much on the climatic strain; a man can always obtain a medical certificate if he breaks down.

35839. In this Presidency can the Commissioner transfer his Sub-Divisional Officers?—No.

35840. He cannot post them, but can he not transfer them?—The Commissioner cannot move his Collectors.

35841. Would it be a wise delegation of power to give the Commissioner power to transfer his Collectors from Collectorate to Collectorate?—Perhaps it would be going too far to allow him to transfer from Collectorate to Collectorate.

35842. And in the same way, the Collector should not transfer subordinates?—I think the Collector should transfer subordinates within his district as freely as possible.

35843. Here you have a system of divisional recruitment of *mamlatdars*?—Divisional appointment of *mamlatdars*.

35844. Does that work satisfactorily?—I think it does.

35845. It is preferable to a provincial system?—Certainly.

35846. With regard to district Administration Reports, is the system under which a District Officer submits a series of reports upon each of the different branches of his administration, preferable to the system of one general Administration Report for the district?—I am on the whole in favour of the view stated in the Government case. I would have a general Administration Report, perhaps every three years, I would not have it every year; as regards special subjects, as to most of them I should be equally content to try a triennial review, and simple statistical abstracts for most years; but it would be necessary to send the statistics separately from the different departments or most of them. I have been confirmed in this view by a perusal of the quinquennial report in the Education Department and the Government Resolution upon it. Both contrasted remarkably in liveliness and interest with the old annual reports and resolutions. The progress made was evident and measurable. Annual reports would have shown fluctuations which would not have indicated the state of progress, but would have required tedious explanation merely to prevent misapprehension.

35847. Do I understand that on the whole the issue of orders without previous consultation has really been of any injury to the Presidency Government?—I think the system is wrong; some orders have been right and some perhaps wrong, but the system of issuing the orders without first of all obtaining our opinion and getting to know everything that is to be said from the local point of view brings in a risk of error, and it is also wrong in principle.

35848. But on the question of detail, you are not certain whether any practical injury has resulted?—I think myself that the Government of India orders as regards liquor shops and the auction of liquor shops are exceedingly wrong; whether they were right or wrong, it was altogether erroneous and the greatest possible mistake for the Government of India to have issued those orders contrary to the views of the Excise Committee without hearing what we had to say.

35849. The case quotes an instance of the Inspector-General of Salt and Excise advising the Collector of Salt Revenue; I was unable to obtain from the Chief Secretary to Government, in whose department apparently this case ought to have arisen, any definite information as to what was the nature of the advice tendered, whether it was so peremptory and couched in such definite language that he would be unable to resist it, or whether it was merely semi-conversational?—I have not seen the letter; I do not suppose there was anything peremptory, far less mandatory, about it.

35850. That would depend on the method in which the advice was conveyed?—I do not think it was merely saying to him jestingly, "Why don't you get rid of this boundary"; it was a little more serious than that.

35851. A case was quoted to us in which one of your officers was discovered to have had some correspondence with the Sanitary Commissioner of the Government of India without informing the Bombay Government?—That is mentioned; it is not closely within my own personal knowledge.

35852. Did the Local Government deal with this officer who had exceeded his instructions?—I cannot say; it is not in my department, and I have had nothing to do with it. The officer may have been dealt with by his own Honourable Member and the Government together, without my seeing anything about it; everything does not necessarily go to all three of us.

35853. Would not the remedy in a case of that sort be for the Local Government to deal with their own offending officer?—A remedy, certainly, when it came to their knowledge.

35854. And therefore, if any improper correspondence in the case of this Inspector-General of Excise had taken place, your remedy would be against your own officer?—I do not know that that is our only remedy by any means; when we catch the officer we may be able to sit upon him, but in a number of instances we may be unable to catch the officer.

35855. Would it not depend on the amount of severity with which the officer was treated?—It might to a certain extent, but it is very difficult to check that sort of thing. Much of it is done in perfect *bona fides*; I do not mean to say that it is all treasonable, but a keen officer who thinks he has a chance of getting through something that ought to be done for the benefit of his Service might correspond direct with an Inspector-General.

35856. The Local Government Case says, "The Government would continue the exercise of a certain control in the interests of the Imperial Department concerned, but as agent of the Central Government it requires considerably wider powers than are at present exercised"; that is with reference to these Imperial Departments which the Local Government administers. What is intended there; what considerably wider powers ought they to have?—I think the indication is given by the powers we suggest. I myself do not see why you should not go a good deal further, and why, as regards imperial heads, the Local Government should not be trusted with the same powers of sanction as they have with regard to wholly provincial heads.

35857. You have apparently complete powers, and it is only when it comes to a question of reorganizing establishments or sanctioning works that you want further powers?—It should be understood that our attitude with regard to this is merely one of suggestion. For my own part I most fully acknowledge that in imperial matters the Imperial Government ought to have the same power over its own administration as provincial Governments claim over provincial administration.

We only say, "We are agents, we intend to do our best for you, and we believe you would get no harm by trusting us."

35858. You look upon it that the imperial interest would be better served by your having a free hand?—So we think.

35859. (*Sir Steyning Edgerley.*) Assuming indirect correspondence to occur between a local Inspector-General and a Government of India Inspector-General, the Local Government cannot deal with the Government of India officers; it must complain in order to stop the practice from the other end?—Presumably so.

35860. As regards these imperial and provincial heads of accounts, do you remember a question which came up in Council in 1904 as to the reorganization of the Subordinate Forest Service in Sind; the police did certain work outside police duties which were really forest duties; in the end were the police reduced and the Forest Service reorganized?—Until I left Sind, the police were left on.

35861. If that is so, is that not an instance where the interests of the Government of India, such interests as there were, were very fully guarded by the Local Government on the point being brought to notice?—In that case it was considered that the work could be best done by the police, and it was done by the police.

35862. The pecuniary argument that expenditure which might have been charged to a divided head was being charged to a provincial head did not affect the result?—No, the pecuniary argument went for nothing.

35863. You heard the evidence of Mr. Jenkins; do you associate yourself with his remarks about the Delegation Act?—I do, entirely.

35864. No reservations?—No, I have no reservations.

35865. Suppose the Government scheme of finance cannot be accepted, and suppose that Mr. Lamb's more complete separation cannot be accepted, would you be prepared to accept the provincialization of all expenditure in order to get provincial independence?—Do you mean expenditure under imperial heads?

35866. Let us say divided heads?—Yes, I should.

35867. So as to stop correspondence?—My impression is that the great bulk of it is provincialized.

35868. Forests?—Forests is not, and irrigation is not, but I should be perfectly ready to accept provincialization there.

35869. We were told yesterday that the choice in irrigation expenditure, as between productive works in the Sind and protective works in the Deccan, ought to be in favour of the unremunerative protective works in the Deccan; would you agree with that?—I would not lay down a hard and fast line of that kind; productive works ought not to be so favoured as to render difficult, or postpone longer than can possibly be helped, the construction of protective works.

35870. The pecuniary argument again ought not to weight so much?—It ought not certainly to carry paramount weight; I do not say that it should be left without weight.

35871. You say that the power of accumulating privilege leave and adding on other leave has been very salutary; we have had a very much wider proposal made that every officer should have a leave ledger opened with Government in which all his leave should be credited, and that he should take as much as he liked, and whenever he liked, provided Government could allow him to go; what would you say to that?—It is always very difficult to see what the effect *a priori* of a new thing will be, but I find it difficult to see any objection, and I can conceive from my personal experience some advantage at any rate to the officer concerned.

35872. You would be prepared to consider it?—I should certainly be prepared to consider it.

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35873. As regards Appendix VI. of the Local Government case, we were told yesterday that there was some audit objection to the tabulating of orders; can you explain what the scope of the objection is?—What the Accountant-General says is that we are in fact anticipating sanction in a number of cases, and in effect delegating sanction in a number of cases where it is not allowed under the Civil Account Code and Regulations, and that therefore the matter must go up to the Government of India. What I rely upon as a possibility of meeting that argument is that these tables which come up to us are the abstract of the orders, and that the Accountant-General will always have in any matters which concern his department the approval of the Government at the end of the order recorded as his voucher and as his sanction; the Heads of Departments have to report their action at once.

35874. (*Mr. Meyer.*) I understand that the Local Government admits that it stands on a different footing with the imperial heads such as salt and customs to what it does in the case of provincial heads. In the former case it can only ask, and if the Government of India say, "We do not think you ought to have these powers," it has to accept it?—You mean in imperial heads? I should be prepared to admit that, subject to a reasonable amount of representation or remonstrance.

35875. The Government of India must be the controlling authority?—Yes.

35876. And if perchance, in customs, for instance, the Government of India came to the conclusion that the customs should be managed by an entirely imperial agency, as the Post Office is now, it should be able to introduce the change?—I think so; it would be a great mistake if it did not consult the Local Government first as to local conditions, and so on.

35877. As regards consultation with Local Governments, does the Bombay Government always consult its Commissioners before it issues any orders affecting the Commissioners?—If they do not consult them it is because the matter is overlooked; in principle they consider that the Commissioners ought to be consulted.

35878. And the Commissioner is always consulted?—Yes; if he is not it is because it is overlooked; we mean to consult him.

35879. In practice are the Commissioners consulted, generally speaking?—Yes.

35880. As regards the matter you mentioned about the auctioning of excise shops; is it not the fact that the auction system is the system already in force in every province outside Bombay?—Of that I am unaware.

35881. And that in Bombay itself the Government have introduced the auction system in a number of cases. You introduced the Madras contract distillery system, which carried auctioning with it?—We introduced it in other districts too.

35882. In a number of districts you introduced the contract distillery system pure and simple?—Yes, but are we going through the merits of the different systems?

35883. My point is that when the Government of India rejected the proposals of the Excise Committee with regard to auctioning, the Government of India were not introducing a revolution, but they were negativing the revolutionary proposals of the Excise Committee?—That might have applied to certain other provinces of the circumstances of which I do not know sufficient to speak, but I do not think it would apply to the circumstances of the Presidency of Bombay.

35884. Anyhow, as regards provinces in which the auction system was generally applicable, they were not initiating any change but resisting change. Do you share the views of Mr. Jenkins about the imperial Inspectors-General?—Yes, I think I do. I perhaps do not go quite so far. We have had very great luck in regard to one Inspector-General, the Inspector-General of Agriculture, who happens to be a Bombay man, and, therefore, generally helps everything that is wanted in Bombay. Also

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the criticisms of the Inspector-General of Irrigation have been of very great help to us and have helped us to procure the great irrigation works in the Deccan.

35885. If the Inspector-General could refrain from interfering with the departments subordinate to the provincial Government, and would give advice both to the Local Government and to the Government of India based on his travelling around the different provinces, he might perhaps serve some useful function?—It is impossible to say that a picked man added to any department and set to advise it is not likely, every now and then, to give very valuable advice and do some good; but I certainly think, if he is to be continued, he should be nothing more than an adviser, and preferably the Local Government generally should be left the widest discretion whether to accept or reject his advice.

35886. I am speaking now of the present system under which, rightly or wrongly, a great number of matters have to be referred by the Local Government to the Government of India; might the Inspector-General not help there by giving each side a clearer indication of the views of the other?—Yes, I think he might help.

35887. Do not the Members of the Viceroy's Council come round and visit the various provinces?—They do. I wish they came oftener.

35888. You think their visits do great good?—Yes, especially if they are at pains to ascertain the views of the Members of the Local Government. It is a pity that some of them have come down, and, while seeing other people, have almost ostentatiously kept away from the Local Government; that is a great mistake.

35889. The more they tour the better?—From my point of view, yes; I am delighted to see Members of the Council here.

35890. Would you apply that also to Members of the provincial Council; would you say that they ought to tour?—I think so, most certainly.

35891. Has the Commissioner in Sind full power of transfer as regards junior Civilians and Deputy Collectors?—He has.

35892. Not as regards Collectors?—No.

35893. Ought every Commissioner to have the same power?—I think so.

35894. Do you hold with Mr. Jenkins that the Commissioner in Sind has more power in revenue matters than an ordinary Commissioner?—I could not say offhand whether he has actually by rules or orders; as a matter of actuality, he has an extraordinary degree of power.

35895. He has extraordinarily large powers?—Yes; whether under the law of the Land Revenue Code he is actually given more power I cannot remember, or whether specific powers have been delegated to the Commissioner in Sind which have not been delegated to other Commissioners, but the Commissioner in Sind issues a large book of what he calls "Revenue Circulars," relating to the peculiar revenue of Sind, and in accordance with those he exercises a great many functions that no other Commissioner exercises, partly, I imagine, because the circumstances of his division call for the exercise of those particular powers.

35896. Several of the departments which elsewhere are outside the Divisional Commissioner's control are under the Commissioner in Sind, such as salt and excise?—Yes.

35897. Is that the case with Public Works?—No; I do not know that there are specific orders in these cases, but the Commissioner in Sind has acquired in relation to the outside departments a sort of position of reference; for instance, on any big irrigation extension probably no Superintending Engineer would dream of sending up his proposals to Government except through the Commissioner; if he does, Government nearly always sends it down to the Commissioner, asking his opinion with regard to the scheme. In education, there were specific orders to that effect; they were disregarded for some time, but Government has taken them up and has enforced the orders. There has been the idea actually on the *tapis* of making the Commissioner in Sind, Director or Joint Director of Public Instruction in Sind; whether it will come to anything I cannot say.

35898. How does he stand in the matter of police?—As to the police he is supreme.

35899. Is the only department that is really outside him at present, in theory if not in practice, the Public Works Department?—Public Works and Education.

35900. Would you be in favour of his controlling Public Works more largely?—I do not think he requires a stronger position in relation to Public Works than he has at present. The custom in Sind of regarding the Commissioner as Head of everything is so strong that he is not in any way in danger of being edged away by the Public Works Department; they regard him as a great help.

35901. If you went on the general principle of levelling up the position of ordinary Commissioners to that of the Commissioner in Sind, would you give the same powers with regard to outside Departments—Police and Excise, and if possible Education?—It is the ideal up to which I should like to work, but it would probably be possible only to proceed gradually. With reference to that, the question of selection comes in very strongly. One of the reasons why the Commissioner in Sind without very much precise order has acquired such position as he has, is that he has nearly always been one of the ablest men in the Service, and he carries a very great personal weight.

35902. Would it be possible, as a system of general application, having regard to the growth and perhaps the necessary growth, of specialisation in various departments?—I think it would.

35903. You would then, instead of, for instance, having one Commissioner of Excise for the Presidency, have a number of advisers in excise matters to an equal number of territorial Commissioners?—Whether you should do that with regard to excise is a more difficult matter. As a matter of fact I once advised it; I need hardly say that the proposal was received with horror by the Honourable Mr. Jenkins, and I must recognize that there is a great deal of difficulty in the way, and a considerable amount to be said on the other side.

35904. Karachi is a great and growing city; might Karachi be treated more on the footing of a Presidency town in the matter of local self-government?—I should think it might; I thought Karachi a most extraordinarily efficient municipality when I was there.

35905. Do they elect their own President?—I believe not.

35906. You might treat Karachi, perhaps, as you treat Bombay City, you might give them an elected President with an executive Commissioner nominated by Government?—I would rather you heard first what the Commissioner in Sind had to say about that; but I should be prepared to go a very long way for Karachi.

35907. The Collector cannot transfer *mamlatdars* from one *taluka* to another. Might he be allowed to do so?—I should have thought he might.

35908. (*Mr. Hichens.*) In the Bombay case there is a recommendation that "In these departments this Government should be subject to control not exceeding that exercised by the Secretary of State over the Government of India. In whatever way the established Services, Imperial or Provincial, are recruited, it should at least be within the discretion of the Local Government to deal with all questions of housing, travelling and conveyance allowance, acting allowances, &c. All authority necessary for this purpose should be reserved to the Local Government." Would you achieve that by allowing the Local Government to make exceptions where necessary to the existing regulations, or would you achieve it by allowing the Local Government to make their own regulations subject to certain principles laid down?—We have the existing regulations, and I would allow the Local Government to make exceptions in trivial cases.

35909. You would not go so far as to allow them to make their own regulations subject to general

principles?—I imagine the Local Government can make any subsidiary regulations it pleases now, in addition to the existing regulations, provided they are not contrary to them.

35910. Would you allow the Local Government to decide for itself whether travelling allowances should be a daily allowance or a fixed allowance?—I certainly should allow that.

35911. That is not permitted under the regulations to-day?—No, and I should do that, although, as regards the permanent and daily allowance, my opinion does not coincide with that of my Honourable Colleague. I prefer the daily system.

35912. You would alter the regulations then?—Yes.

35913. It would be necessary to alter the general regulations for the whole of India, which might be conceivably awkward?—I think it would depend upon the particular subject; in certain subjects you could have variations, and each particular province might be left to settle them.

35914. Would you favour a plan of model regulations, prepared by the Government of India and circulated and modified by the provincial Governments to suit their own provincial convenience?—Yes, I think so.

35915. And those modifications would be submitted to the Government of India for their opinion?—They would not be submitted for sanction. They would come before them for information in the proceedings of the Local Government.

35916. And any exceptions to the rule might be reported from time to time, in order that the Government of India might understand and realise how far the general principles laid down were being carried out?—The Government of India might be left to discover that for themselves; they might trust the Local Governments to give them information of their proceedings.

35917. Would you favour general rules as to pensions with regard to the Provincial Service for the whole of India with a wider power to Local Governments to make exceptions?—Yes, I think I should; at least I should have no objection; the sort of point on which we require discretion is in the condonation of interruption of service.

35918. With regard to pensions in the Provincial Service, you do not require really more than power to make certain exceptions in certain cases?—Very seldom; there are exceptions, and they are nearly always a matter of the construction of rules.

35919. So that it would be advisable that there should be general regulations?—Yes, I think there should be general regulations.

35920. And that the power of making exceptions should vest in the Local Government up to a certain figure or something of that sort?—Yes.

35921. In the Bombay case, objection is taken to the system of financial doles; what alternative is suggested?—A possible alternative is that when the Government of India has money to spare out of surplus, it should allot whatever it chooses to a province to spend as the provincial Government thinks best, and it should not allot it to be spent by a specific department.

35922. What would you do, for instance, in regard to the report of the Education Commission or the Police Commission where certain definite conclusions had been arrived at, and where possibly the only bar in the way of carrying them out might be financial limitations; would you think it unreasonable if the Government of India said: "We have a certain sum at our disposal which we are prepared to distribute amongst the provinces for police purposes," and confined it to that?—I think the Government of India need not go nearly so far. They might say that the Education Commission had made certain recommendations which entailed extra expenditure, which they thought could not be afforded by such and such provinces, unless their resources were increased, and therefore they would increase their resources by so much. "They might request the provincial Government to carry out the recommendations of the Commission; all other detail I should leave to the province. If a province is trusted with five lakhs, it may be trusted to carry out the policy which has been decided on, and to spend the necessary money which is given it for the purpose.

35923. There is nothing unreasonable in the allocation of money by the Government of India for the purposes of education generally in a broad sense?—No; the allocation would not be so much for the purpose as in consideration of the object in view.

35924. Otherwise would there be any other alternative than to allot any surplus sum on a *pro rata* basis?—I think the *pro rata* basis would often be unworkable.

35925. So that there must be a basis on which a surplus is to be allotted, and that could be found by selecting a subject and making a general allocation?—I do not think you could necessarily select a subject. I can conceive a case of the Government of India saying that such and such a province was in a backward state, and that they would give it an extra 10 lakhs.

35926. (*Mr. Dutt.*) Do you generally agree with Mr. Jenkins that in those departments which are allocated to the provincial Government, the Government of India should not have the power of requiring a provincial Government to adopt large measures of reform?—I agree generally, yes; but I do not know that that was exactly what he stated.

35927. In the Government case, it is said, "In so far as it" (that is the Government of India) "lays down principles and adopts measures not already formulated by the Local Government or refuses to sanction measures deliberately recommended, it incurs a grave risk of running counter to local feeling." That would seem to suggest that if the Government of India adopts measures not already formulated by the Local Government, that would be running counter to local feeling?—They would run the risk of it, but they might every now and then hit the nail on the head.

35928. Have provincial Governments generally been more responsive to local feeling in regard to large matters than the Imperial Government?—I think they have been so, quite as often.

35929. But you admit that some large reforms on a popular basis have been suggested by the Government of India?—Of course I admit that.

35930. In this province, there is a *mamlatdar* who is the Executive Head of every *taluka*. Has he large judicial powers?—They vary.

35931. Considering the general position of the *mamlatdar*, is there not some risk in selecting these officers from the ministerial offices, which are not altogether free from corruption?—The majority of them pass a very short time, or a comparatively short time, in the ministerial offices. When I first came out to the country you could very rarely find a *mamlatdar* who had less than 15 years' service, but now they get in from six to eight years, and many of them do not begin at the very bottom; they used to begin at Rs. 10 and Rs. 12, but now they begin at Rs. 30.

35932. Taking things as they are at present, is there not some risk in selecting these highly responsible officers from ministerial offices?—I do not think there is any appreciable risk.

35933. Do you get the best class of men possible by enlisting them at Rs. 30?—I do not know whether we get the best class of men possible, but I doubt very much if we should get a better class in any other way. I would not mind trying it, but there is no office which I know of so difficult to appoint a man straight to without some experience.

35934. You might select a man and make him work for a year or two on some sort of allowance until he had sufficient experience to be appointed permanently?—Broadly speaking, I should be sorry to have many *mamlatdars* who had not had at least five years' actual experience of subordinate work; there is a considerable difference between an experienced man and an apprentice, and he ought to go through the mill.

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35935. In Appendix 5, there is a large list of proposals as to delegation received by the Bombay Government, and the Government have not yet decided, I understand, on those proposals?—No.

35936. Is it the intention of Government to adopt every proposal in the absence of specific objections?—Yes, the principle by which we are guided at present is that everything should be delegated to which no valid objection can be made.

35937. "Among which the risk of misuse of power will not be allowed to carry undue weight"; is that the view taken by the Bombay Government?—"The misuse of power" is the expression, but it might be open to misconstruction. We should have said perhaps, "the committing of mistakes."

35938. You are aware, perhaps, that the risk of misuse of power is exactly what the people most apprehend?—I do not believe they apprehend it at all. The great desire of the bulk of the people is that the Collector should have the fullest powers.

35939. Amongst those who have thought over the decentralization scheme, is there not generally a fear that if the decentralization goes too far there is a risk of misuse of power?—I can conceive if it went right down to the very lowest subordinate there might be that risk, but I believe that the great bulk of the people of the country would be perfectly happy to leave the powers right down to the *mamlatdar* as they are. There is undoubtedly that feeling in certain quarters, but I do not attribute it at all to the bulk of the people, who would prefer Collectors, and even probably the Sub-Divisional Officers, to have larger powers than at present. There is nothing which vexes the raiyat more than to be told by his officers that they have not the necessary power or jurisdiction, and that he should "apply elsewhere" or even appeal.

35940. Because they do not think about it?—I do not think the people give much thought to organic and constitutional questions, but they think a great deal about the powers of the officers with whom they have to deal.

35941. Do you agree with Mr. Jenkins that there is no obvious use in the creation of Advisory Councils at present?—I do; I should prefer to exhalt the District Boards and see what they can do in that way first.

35942. Would you extend their functions?—Yes, I would not say how far, but if any such extension is to take place, I would prefer that it should be with the District Boards.

35943. In suggesting these large delegations of powers to the Local Government and its officers is there any definite suggestion made for similar delegation of powers to the people?—I do not know that that has come before us very much.

35944. Has any definite suggestion been made for delegating advisory or administrative powers to non-officials?—You had the Honourable Mr. Gokhale's suggestions.

35945. Have any such suggestions come from Government?—I do not know that any official suggestions have been made.

35946. Would you be in favour yourself of making suggestions for delegating some powers to non-officials, in order to make the whole scheme complete, and the Local Government autonomous in the right sense of the word?—I am not prepared with specific proposals, but I am not able to say that no delegation whatever might be possible; for instance, there are some municipalities to whom a greater measure of freedom might be given.

35947. You have not quite thought over the matter perhaps?—No, I am hardly prepared to give you as good an answer as you would like.

35948. (*Sir Frederic Lely.*) Would you advocate the gradual allocation of powers to villages?—I am willing to see panchayats.

35949. Broadly, would you give very considerable powers to village communities?—I should be guided by experience.

35950. But you would think such a development quite possible and advisable?—The more it could be done, the better it would be.

35951. With regard to the relationship between Sind and the Bombay Government, have you any change to suggest?—No.

35952. Have you any suggestions to make with regard to Sind generally?—No, I have no special suggestions to make with regard to Sind; on the whole, the system works well.

35953. Would you consider the *mamlatdar* to be a most important member of the administration?—Most important.

35954. He, more than any other man, comes face to face with the people, and is looked upon more as the exponent of the intentions of Government?—I suppose that could be said.

35955. Something has been said about the mode of selecting the *mamlatdars* in the Bombay Presidency, and probably Mr. Dutt did not quite understand the method of selection. Are not a large number of the *mamlatdars* in the Bombay Presidency graduates?—Precisely.

35956. Who are admitted to the *mamlatdar's* office to serve for six months in each of three special posts?—That is the minimum.

35957. Then if they pass their examinations, they are put on a list for appointment as *mamlatdars*, as vacancies occur?—Yes.

35958. Is that a satisfactory arrangement altogether or is it capable of improvement?—Perhaps too much weight is given to the examination and especially to the order of passing examination, a matter in respect to which we have made some amendments; otherwise the system is probably as fair as any other. Then we have a provision whereby a certain number of men who are not graduates can be brought in.

35959. Men who are already on the staff and who are drawing Rs. 30 a month are allowed to appear for examination?—Yes, on special recommendation.

35960. Has it come within your experience that the present practice leads the *mamlatdar* sometimes to give false certificates that these graduates have done their work properly?—That has not come within my experience.

35961. Has it not come to your notice that these men in *mamlatdars'* offices devote their time to examination preparation, and scamp their office work?—Yes, that has come to my notice.

35962. Has that a bad effect on the *morale* of the administration?—Yes, and I issued orders to the effect that the Sub-Divisional Officer must certify himself that a man has been doing his full work before being allowed to go up for the examination.

35963. Is that not rather a difficult thing for a Sub-Divisional Officer to satisfy himself upon?—I do not know that it is so difficult if they go about it in a systematic way.

35964. Having regard to those defects, are you prepared to suggest any improvement in the matter?—I am not; taking it all round the method is as satisfactory as can be.

35965. Is not the Collector bound to select the *mamlatdar* according to priority in passing the examination?—The *mamlatdar* is selected by the Commissioner, not by the Collector. The Commissioner cannot appoint a man to be a *mamlatdar* who has not passed the Higher Standard Examination. If he desires to make an exception he must obtain the sanction of Government, which is given in special cases. I should not care to relax this rule. With the spread of education there are very few officers good enough to be made *mamlatdars* who cannot pass the examination if they chose. It is right that they should be stimulated to pass, and Government will not be unreasonable in rejecting recommendations to give a *mamlatdarship* to an unusually efficient officer who has not been able to pass.

35966. Are not village officers generally very much underpaid?—I do not consider them grossly underpaid; perhaps they are a bit underpaid; with regard to the *talatis*, they probably would be sufficiently provided for at any rate for the present if they were given a superior service pension which was objected to by the Government of India.

35967. But you would strongly recommend it?—I would.

35968. Not only as giving them more actual provision, but also as raising their status?—I can conceive that that would be an advantage, but it was rejected on what we considered the vicious principle that officers in a similar position in other parts of India had no pension, and therefore it should not be allowed here, which we thought no argument at all.

35969. Is the District Board as a rule overweighted with work and responsibility?—No.

35970. I mean responsibility which they cannot meet with the funds at their disposal?—It would be a great thing if District Boards had more funds.

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35971. As a matter of fact have not many of the roads for which they are responsible to be entirely neglected for want of funds?—Yes, that is very much the case in some places, but they overbuilt roads at one time.

35972. Is one reason perhaps for the want of interest on the part of District Boards that they are called up to make bricks without a sufficient amount of straw?—That may be a reason, but not to a great extent.

35973. Would you advocate giving them more funds?—I should be very glad to give them more funds if they could be found.

(*The witness withdrew.*)

Major-General Sir JAMES WOLFE-MURRAY was called and examined.

35974. (*Chairman.*) You are at present in command of the Ninth Division at Secunderabad?—Yes, for the past year I have commanded the Secunderabad Division. I was Quartermaster-General in India for about nine months in 1903-04.

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35975. Some evidence has been given before us, both in the United Provinces and in Burma, with reference to the relations between the General Officers commanding the Cantonment, and either the Political Agent or the Commissioner of the division, and in particular suggestions have been made as to the power of declaring the limits of a cantonment. Are not those powers at present exercised by the Government of India?—Yes, all cases of that kind have to receive the sanction of the Government of India.

35976. The suggestion is that the Local Government should be empowered to make any change in boundaries by means of an agreement between themselves and the General Officer Commanding the Division; can you give us any information upon that?—Personally, I do not think that would answer. It might answer perhaps in a great many cases, but I should be in favour very much of centralization in all matters pertaining to the dealing with military land. If it is left to the General Officers Commanding to deal with the Local Governments on these matters, a diversity of practice will spring up in regard to what most of us look upon as a very important matter, namely, the alienation of military lands. My impression is—of course I cannot prove it—that a great many of our difficulties, and if I may say so, the muddling we have made as to our military lands, is due to the fact that there has not been sufficient continuity of procedure, and that practices have sprung up in dierent places where there has been no proper central control, whereby we have lost valuable assets in many cases. Therefore, I should be in favour of not parting with any land or altering the boundaries of land in any way, without a reference to the central authorities.

35977. In the same way it is said that the sanction of the Government of India is required to the imposition, the abolition, or the modification of any tax in a cantonment, and here again the suggestion is that the Local Government should come to an arrangement with the cantonment authority which, I take it again in this case, would be the General Officer Commanding?—That might be done. The suggestion, I understand, is that the Local Government should be empowered, without reference to the Government of India, to make alterations in the scale of taxation.

35978. Suppose the Local Government made a suggestion to modify a tax, would you, as General Officer Commanding a Division, be content from your point of view that you should represent the Government of India so far as the modification of that tax was concerned?—Yes.

35979. A suggestion was made to us that matters with regard to the definition of boundaries of cantonments and revision of taxes entailed a vast amount of correspondence; would that represent the state of the case in an important cantonment?—I should not have thought so, but it is not a matter on which I can speak with authority. The amount of correspondence alluded to was probably the correspondence with the Government of India on the subject, and as to that I, as General Officer Commanding the Division, should know nothing.

35980. Would the Government of India in this case be the Army Department, or would it be the Finance Department?—That again I could not say, but it would probably be the Finance and Home Departments. The correspondence must take place between the Local Government some civil authority at the headquarters of the Government of India; and I, as the military subordinate, know nothing whatever of that procedure, and which particular department of the Government of India should be addressed in the first instance.

35981. Would you be surprised to hear that the Army Department, the Home Department, the Legislative Department, and the Finance Department, have all to be consulted before a cantonment tax is modified?—No, I should not be surprised at all.

35982. Might it possibly save a considerable amount of this vast correspondence if the General Officer concerned and the Local Government were permitted, so far as the modification of a tax was concerned, to come to some agreement?—Yes, certainly, I should be quite prepared to agree to that; my only point was that in that statement there is no provision made for asking the Local General to concur.

35983. Would the financial result of such a modification of the tax involve a considerable amount of money?—That would altogether depend on the circumstances of the particular cantonment.

35984. Take Secunderabad, for instance?—There it depends on what modifications you propose to introduce, and in what particular tax; if it were a tax which produced a large amount of revenue, you would need to go into it and have an estimate made as to what the financial effect would be, so that I cannot tell you off-hand.

35985. (*Sir Steyning Edgerley.*) Do I understand that wherever the Local Government and the Local General agree, you think it would be possible to decentralize?—Except in the matter of land.

35986. The constitution and alteration of boundaries you would reserve, but as to matters of municipal administration of a cantonment, you think you might decentralize?—I think so.

35987. (*Mr. Meyer.*) Are not cantonments under the military authorities and primarily a military matter?—Yes.

35988. And they are now under the Army Department of the Government of India?—Yes.

35989. References to the Local Government are mainly required because the cantonment taxes are made to conform as far as possible to those levied

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by the Local Government of the province under the Municipalities Act?—Yes.

35990. Therefore, the Local Government have to come in and say whether you are taxing rightly in accordance with their system?—Yes, quite so.

35991. But as regards the actual taxation, that is an army matter?—Yes.

35992. You said that any alteration in these schedules might be settled between the military authorities and the Local Government. The military authorities must agree, of course, and if they do not agree the matter has to go to the Government of India, but with regard to the imposition of a new tax, such as a water-rate, would you have that done by the Local Government, and the local military authorities, or would you require it to go to the Government of India and the Commander-in-Chief?—Do you mean a water-rate to be levied in a cantonment where there is no parallel in an adjoining municipality, or do you mean the levying of a water-rate in a cantonment where there is a parallel in an adjoining municipality?

35993. Take the first case where a cantonment desires to start its own water-supply, but to finance it, it wants to levy a water-rate—would you allow that to be disposed of locally, or send it up to the Government of India?—When you speak of the Government of India, I presume that the General Officer in the first instance, if he proposed to levy a new tax of that sort, would have the right to refer to his own superiors in the Military Department.

35994. It would come up in that way; it would finally reach the Quartermaster-General and it would be referred up and discussed?—But supposing it were dealt with by the Local Government solely, there is no guarantee that that would happen.

35995. You state very clearly that the Local Government cannot impose its will on the military authorities, and this is a military question, and if there is any difference of opinion it must go to the Government of India, but I am speaking of a case in which there is no difference of opinion, and where it is not a question of altering an existing scale but of establishing some new rate or tax; in that case, would you, if the local military authorities and the Local Government were in agreement, consider that sufficient?—Yes, I think so, and also in the other case as well.

35996. To take the case which happens occasionally of a cantonment requiring water from the municipal supply, and it is a case of the two sharing, and there are disputes as to the exact liability to be imposed on each; that would necessarily have to go to the Government of India?—If they could not arrive at a *modus vivendi*.

35997. Supposing the present Commander-in-Chief found that one of his General Officers had let him in for a scheme for which his cantonment had to pay 50 per cent. more than he thought fair; would he quite regard it as a joking matter?—No, I do not think so.

35998. That is the point. Is it not necessary from the army point of view that there should be some reference at any rate to the Commander-in-Chief?—I think it would be the bounden duty of any officer who was going to involve a cantonment in a scheme which would land it in extra expenditure, to represent it first to the Commander-in-Chief, and I do not see how he could do otherwise. If a cantonment were in a position out of its own funds to pay for a new water scheme, it does not seem to me that reference to headquarters would be necessary; if, on the other hand, the new venture would entail a large increase in what is known as the provincialised grant-in-aid, that is to say, the sum of money which the Divisional General gets from headquarters, then a man would not know his business if he embarked on a scheme which meant that for many future years he was to expect to get from any Commander-in-Chief a largely increased grant-in-aid without first setting the whole matter before him.

35999. Anything beyond the unassisted resources of the cantonment which would involve a grant-in-aid or a loan from outside sources must go up to the Commander-in-Chief and the Government of India?—Yes; I should do that myself without asking the Local Government first. Before I embarked in any proposal, if it was to involve a large grant of funds from army headquarters, I should put it before them in order to find out whether there was any chance of my getting the money, and before I went to the Local Government and asked them to come into it. I should only be wasting time if I went to the Local Government first.

(*The witness withdrew.*)

Adjourned.

FIFTY-EIGHTH DAY.

KARACHI. *Monday*, 16*th March*, 1908.

PRESENT:

C. E. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Mr. W. N. RICHARDSON was called and examined.

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36000. (*Chairman.*) You are an Uncovenanted Assistant Commissioner?—Yes. I am stationed at Karachi. I have been in the Service since 1895.

It is both desirable and possible to allow Commissioners and Collectors to control, to a greater extent than at present, expenditure in divisions and districts.

I am in favour of the right of appeal both in respect to administrative action and in matters affecting officers of Government personally being restricted. The restrictions I would suggest are—

(i.) All appeals to the Local Government should be stamped with a stamp of higher value than Rs. 2.

(ii.) Where the law says that the decision of appellate authority shall be final, the decision should not be liable to revision by higher authority, *vide* section 212 of the Bombay Land Revenue Code.

(iii.) Where the law says that an order on decision passed by an officer shall be liable to revision only, *e.g.*, section 17 (2) of the Sind Frontier Regulation (III. of 1892), the order of the revising authority should not be liable to a further revision by a higher authority, *vide* sections 204 and 212 of the Bombay Land Revenue Code.

I do not think that it is desirable to lay down that no appeal should be admitted, unless accompanied by a certificate from the authority passing the orders appealed against that reasonable grounds of appeal exist. I do not consider that the existing rights of appeal to Heads of Departments and Commissioners are unnecessarily liberal.

All city municipalities should have power to employ establishment and to regulate their salaries and allowances without obtaining the sanction of the Local Government (in Sind, the Commissioner). At present, section 46 (*b*) of the District Municipal Act, III. of 1901, requires every municipality to frame rules determining *inter alia* the staff of officers and servants to be employed, their duties, designations, salaries, etc. Rules framed under this section require, in the case of city municipalities, the approval of the Governor in Council. Consequently, the staff of servants, officers and their salaries, etc., cannot be altered without amending the rules framed and obtaining the approval of the Governor in Council. I do not think that the power can be safely given to town municipalities.

The obligatory and discretional duties of Local Boards are specified in section 30 of the Local Boards Act, Bombay I. of 1884. I would suggest that the following should be a part of the obligatory duties of Local Boards:—

(i.) Lighting public streets, places and buildings in towns within the area of Local Boards.

(ii.) Cleansing public streets and places in towns within the Local Board area.

(iii.) Registering births and deaths.

Local Boards and municipalities should be allowed to spend money at their discretion, subject to such administrative control as may be considered desirable, on communal recreation. The form of recreation should be left to these bodies to decide, but all kinds of public games and athletic sports should be included in the term. Most of the municipalities in Sind are very poor, but a few of them are not, and most of the District Boards have large balances. Any excessive tendency to spend money on recreation, which might be better spent in other ways, could be restrained by making the previous sanction of the Collector of the district a necessary preliminary to such expenditure. Section 56 of the District Municipal Act, III. of 1901, gives municipalities the discretion to spend money, with the previous concurrence of the Commissioner and the Collector, on any public reception, ceremony, entertainment, or exhibition within municipal limits.

I am in favour of the creation of Advisory Councils for districts and sub-divisions, composed of representative gentlemen from all the *talukas* and large towns. These Councils might perhaps be constituted on the following lines:—Each district to have a Council, composed of—*Non-Officials.*—2 members of each city municipality, 1 member for each town municipality, 2 members for each *taluka* and 1 member for each recognised Association. *Officials.*—All Sub-Divisional Officers. *Chairman and President.*—The Collector. Members to be nominated by the Collector and appointed by the Commissioner. All members to hold office for three years and to be eligible for re-appointment. Council to meet whenever convened by the Collector. All non-official members should receive a remuneration or fee for each meeting they attend like Port Trustees. All questions upon which it is necessary to elicit public opinion should be referred to the Councillors for opinion and advice, *e.g.*, a question whether section 54 of the Transfer of Property Act should be extended to Sind. Due weight should be given to the opinion and advice of the Council, but the Collector should not be bound to follow its advice or opinion in all cases. Councillors to be Public Servants within the meaning of section 21, clause 10, of the Indian Penal Code, XLV. of 1860. It should be the duty of the Councillors to elcit and communicate to the Collector public opinion and advice on matters referred to them, to bring to his notice and to that of the Sub-Divisional Officers and District Superintendents of Police any public matters which demand attention, and to render assistance to administrative officers of the Revenue, Public Works, Police and other Departments when asked. Otherwise, they should have no duties or responsibilities. Councillors should be removable from office by the Commissioner for inefficiency or neglect. All Councillors should, by virtue of their office, have the status of 1st class Surdars in darbars and other ceremonial gatherings. A record should be kept of the proceedings of the District Advisory Council and a copy forwarded to the Commissioner for information.

For the Sub-Divisional Advisory Councils, I would suggest the following constitution:—To be composed of the Sub-Divisional Officer as Chairman, and of the members of the District Council residing in the sub-division outside the limits of city municipalities. To be appointed as above. To be convened by the Sub-Dvisional Officer, whenever necessary. Councillors to be remunerated at half the rate fixed for District Council meetings for each meeting. All questions of purely local interest on which the Collector or Sub-Divisional Officer may consider it necessary to elicit public opinion or advice should be referred to the Council. Sub-Divisional Officers to be bound to communicate to the Collector the advice or opinion of the Councillors, but not bound to adopt it. Otherwise as in the case of District Councils.

I am not in favour of District Boards interfering in any way with the administration of municipalities.

36001. What is the difference which you make here between town and city municipalities?—There are certain large towns like Karachi, Hyderabad, Sukkur, and Shikarpur; the municipalities of these towns are called city municipalities, the others are town municipalities. It is a difference of size, population and importance.

36002. Do the powers of the town and city municipalities respectively differ?—At present the powers of the municipalities are the same except that city municipalities may appoint chief officers who are vested with certain powers under Bombay Act III. of 1901. There is no difference in the provisions in the Acts regarding the sanctioning of rules and bye-laws; the Local Government sanctions them for city municipalities, and for the town municipalities the Commissioner.

36003. Are you in charge of a territorial area here?—No, I am assistant to the Commissioner, I have no territorial charge.

36004. What are your duties?—My duties are to look after the office and to deal specially with accounts; I take a portion of the office work, for instance, all work that comes to the General Department, and I supervise the work in all other departments as well; anything that the Comissioner wants carefully looked into I examine myself.

36005. You do not go out at all into the district?—I go to examine the treasuries on behalf of the Commissioner.

36006. You have never served as a District Officer?—No.

36007. Does the old Indian village as a constitution exist in Sind?—There is no village community in Sind.

36008. (*Sir Frederic Lely.*) Are not the villages also very much scattered?—Yes.

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36009. So that there is no community of interest whatever?—Yes, there is no community of interest.

36010. (*Mr. Dutt.*) You recommend that city municipalities should frame their own rules and that those rules should not require the sanction of any higher authority?—My suggestion was that the Collector should sanction the rules and bye-laws of town municipalities.

36011. But is not the Collector generally the Chairman of the city municipality?—Not in every case; it is a rare thing for the Collector to be Chairman (*i.e.*, President). It is only when the city municipality is not fit to have its own President that the Collector is appointed. For example, when faction feeling prevails. Karachi has its own Chairman.

36012. How many city municipalities are there in this province?—Four—Karachi, Hyderabad, Sukkur, and Shikarpur. The Collector is the President in Hyderabad and Sukkur, and the Assistant Collector in Shikarpur.

36013. Where the Collector is Chairman, do you still recommend that the rules should reveive the sanction of the Collector and not of any higher authority?—My suggestion is that in the case of city municipalities the rules should still come to the Commissioner in Sind as Local Government, and in the case of town municipalities the Collector should sanction them.

36014. You also suggest that District Boards should undertake the duty of lighting towns within their own areas; are not the towns excluded from the District Board area?—No, that is not so; certain towns come within the District Board area. Not municipal towns: there are several towns that have not got municipalities.

36015. Would it be a proper way of spending District Board money to light towns?—It would be a very good way; lighting is very much needed in those little towns. I have been in a great many of them, and I know the state of things. After dark you cannot go half a mile down the road.

36016. Is not the main object of the District Board Fund to meet the requirements of the villages and the country at large, not of towns?—I think the object is also to provide for the needs of towns, if the towns come within the District Local Board area.

36017. At present the funds of the District Board are hardly sufficient for the requirements of the villages or of the country at large?—I do not think that is the case in Sind; most of the District Local Boards are in funds, and they have got large balances.

36018. Are the funds sufficient to meet all the charges of primary schools and communications?—Government have been giving special grants-in-aid for primary education, and with that aid the funds are sufficient. They have sufficient funds to provide for education.

36019. You recommend the formation of Advisory Councils for districts and for sub-divisions If conducted on the lines you indicate might they be of some use in eliciting public opinion?—Yes, and a further advantage would be that they would interest the people in the work of the administration.

36020. (*Mr. Hichens.*) As to personal appeals. Is not the present position that a man drawing Rs. 35 a month, or under, cannot appeal beyond the Collector, and a man drawing Rs. 99 and under cannot appeal beyond the Commissioner?—Yes.

36021. Would you restrict that?—I would leave that as it is.

36022. You say that you are in favour of the right of appeal being restricted?—Restricted to the extent I have mentioned, that is to say, I would leave the provisions of the law as to appeals as at present, but I would not allow an appeal beyond a second appeal; if an officer appealed against the decision of a Collector to the Commissioner and the Commissioner decided the matter, the decision should be final. There should be no further appeal to or revision by Government.

36023. Is this rule about appeals not going beyond the Collector in cases where the officer is drawing only Rs. 35 a month effective? Does not a man send in a petition for revision?—Yes, he does.

36024. Is it practical politics to prevent that?—It is prevented already to some extent. When no appeal lies the petition is generally returned to the man, and he is told that no appeal lies under the law. That is not invariably so with regard to appeals to Government. If a man knows that there is no appeal to Government he asks or suggests a revision.

36025. In practice is there any difference between revision and appeal?—There is no difference; an appeal might be a little more formal, but in the end the two come to the same thing.

36026. So that in practice, a man can drive a coach and four through the rule?—Yes.

36027. Can that be remedied?—I think it can be remedied. When the law says that the decision should be appealable to a certain officer, the decision on that appeal should be final.

36028. Is the Chairman of the Local Board the Collector?—Yes.

36029. Who is the Chairman of the *taluka* Board?—The Assistant Collector.

36030. Is there a Board in respect of each *taluka*?—Yes, there is a *taluka* Local Board for every *taluka*, except in exceptional areas like the Thar and Parkar District, in undeveloped portions of which two or more *talukas* form one Board.

36031. There is no system of Sub-Divisional Local Boards?—No.

36032. Have you ever thought whether that would be better than the system of *taluka* Boards?—I have not considered the point, but I do not think there is anything to be gained by a Sub-Divisional Board. The *taluka* Boards and Local Boards are quite sufficient for the administration of local funds.

36033. Have the *taluka* Boards any revenue of their own, or do they subsist on the charity of the Local Board?—They have assigned revenues; certain portions of the funds of the District Board are assigned to the *taluka* Board.

36034. But not a sum on which they can count annually; it may vary from year to year?—Yes.

36035. It is not a fixed proportion, for example, of the cess collected within the *taluka*?—I will not be quite sure about that, because the law lays down exactly what revenues should go to each Board. Bombay Act 1 of 1884 says in general terms that certain revenues shall go to *taluka* boards.

36036. In fact the position is practically the same here as in the Bombay Presidency proper?—Yes, the same law applies.

36037. Is the position the same here as in the rest of the Bombay Presidency that services such as education and such as the more important roads and vaccination, are carried out by Government agency and paid for by the District Board?—Yes. The position in regard to work is that works costing over a certain amount are to be carried out by Government agency. The law is the same throughout the Presidency. The Sind roads are different from the Bombay roads, because they are mostly not metalled roads but merely tracks. Several of the roads in the Bombay Presidency proper have been provincialised and handed over to the Public Works Department for management, but the Sind roads are repaired from local funds. Here and there there is a small section of the road which is metalled, owing to their being a lot of traffic over it. I am speaking of roads outside municipal towns.

36038. In that case is the metalling done by the Public Works Department?—It is done by the

Local Fund officers unless the cost exceeds Rs. 50 per mile.

36039. Then it is correct to say that certain roads are under the direct control and executive management of the District Board?—Yes.

36040. Are there any District Engineers?—No, nowhere in Sind. They have not got sufficient work for a District Engineer.

36041. What powers has the District Board as to appointments?—They appoint their own officers under section 38.

36042. They cannot create a new post?—They can create a new post.

36043. But not without the Commissioner's sanction?—The Commissioner's sanction is not necessary.

36044. Would you give the District Board any extra power?—No.

36045. It is only when you come to the city municipalities?—Yes, I would give further powers to the city municipalities.

36046. To-day have they got any power to create any new posts?—They cannot create a single appointment without the sanction of the Commissioner. I would allow the city municipalities to sanction new appointments without reference to the Commissioner provided the appointment did not carry a salary of over Rs. 250.

36047. And increases of pay?—I would leave those entirely to the city municipalities, provided it did not have the effect of raising the salary above Rs. 250.

36048. (*Mr. Meyer.*) Has all your official experience been confined to Sind?—Yes.

36049. In regard to certain appeals, the Collector's decision is final, or is supposed to be final, in regard to the certain classes of officers, but the Government every now and then exercise their power of revision?—I would not say that they "every now and then" exercise their power of revision; it is only when an officer moves Government that this power is exercised.

36050. But is that frequent or not frequent?—At present it is pretty frequent.

36051. That has the result of blocking out the Commissioner?—That has the effect of an appeal over the head of the Commissioner.

36052. You get the anomaly that there is no appeal to the Commissioner in respect of a clerk on Rs. 30 whom the Collector has dismissed, but there is practically an appeal over the Commissioner's head?—Yes, that is the effect.

36053. Have you any regular District Board cess in Sind?—We have a local cess in Sind, a one anna cess. It is a portion of the land revenue.

36054. Has it not been abolished?—The village officers' cess has been abolished; not the Local Fund cess.

36055. The Government hand over to the Board a certain proportion, one-sixteenth, of the land revenue realizations?—Yes.

36056. Has not the District Board Budget to be passed by the Commissioner?—Not at present. In future perhaps. Hitherto it has gone up to Government to be incorporated in the general accounts, but from this year there has been a change.

36057. Do you mean to say that previously the Local Government scrutinised the budget of each District Board and struck out items?—I do not think they altered any items, it was merely incorporated; the budget is passed by the District Board, but it comes to the Government for a final review through the Commissioner and the Accountant-General.

36058. Does the Commissioner exercise much practical control; does he alter items?—No.

36059. If he thinks the District Board is not giving enough for education would he add to the allotment for education?—He would not on the budget; any alteration would be afterwards.

36060. Do the budgets of the municipalities go up?—No, they pass their own budgets.

36061. Without any control whatever?—They pass their budget at a full meeting; the Commissioner calls for and sees the proceedings if he wishes to do so.

36062. In most provinces the municipal budget does not take effect until the Commissioner has approved of it; is that so here?—The law is different here; that is the case, I believe, in the United Provinces; the budget is passed by the Commissioner, but it is not so here; it is passed by the municipality itself.

36063. During the course of the year can a municipality or a District Board make any re-appropriation it likes?—Yes, without going to the Commissioner.

36064. Is there any limit beyond which individual works must get approval?—No, there is no limit.

36065. So that practically the only outside financial control is in respect of new appointments?—That is so.

36066. You have mentioned that city municipalities should have powers in regard to appointments up to Rs. 250; what do you say about the ordinary municipality?—I should say that the law should remain the same.

36067. They cannot appoint a clerk on Rs. 15 without going up to the Commissioner?—Without going up to the Collector. I have suggested that the Collector should pass the rules. Every appointment is sanctioned by rule, and the authority that has the power of sanctioning the rule will have the power to sanction the appointment.

36068. What happens in the case of municipal servants who are punished or dismissed; does an appeal lie to the Collector or the Commissioner?—No appeal lies.

36069. They might dismiss a man on Rs. 200 and he has no further appeal?—No, but under the Municipal Act the Commissioner has got certain extraordinary powers. Where a municipality has abused its powers the Commissioner can put that section in force, but that is a very rare thing.

36070. You have a considerable number of Irrigation Engineers. Do they also do the buildings and works?—Yes. There is no distinction between the two branches of work.

36071. You desire that the Commissioner should have power among other things to appoint the Chairman of the Karachi Port Trust?—Yes.

36072. Is not Karachi an increasing city?—Yes. The Commissioner already exercises very high powers under different Acts, so that the power of appointing the Chairman of the Port Trust would not be an unusual thing for the Commissioner.

36073. You think it is not such an important post as to demand selection by Government?—The post is a very important one, but the Commissioner can be trusted to make that appointment.

36074. Is the Chairman generally an official?—Yes, the Collector of Karachi.

36075. You also say that the Commissioner should have power to appoint Deputy Collectors. Are the Deputy Collectors in Sind transferable to other parts of the province?—Yes. But in practice a Deputy Collector has never gone to the presidency proper except in one case; that was an exchange between an officer in the presidency proper and an officer here.

36076. Is it not rather a large power to give to the Commissioner to appoint an officer of the Provincial Service?—I do not think it is. The Commissioner appoints officers of the Provincial Service in the case of Sub-Judges.

36077. Are they liable to go to the Presidency proper?—It is the same with the Sub-Judges as with the Deputy Collectors; they generally serve in Sind; I do not know whether in the past anybody has gone out of the province, but if the case had occurred it would be a most unusual thing, a matter of exchange more than anything else.

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36078. Anyhow, your recommendations are based on the fact that this is in practice a self-contained province?—Yes, and also that Sind has conditions peculiar to itself.

36079. You desire certain financial powers to be given to the Commissioner; among others the entertainment of temporary establishment; would you give him power to entertain permanent establishment, subject to budget allotment?—Yes, I would also give him that power. I would give him power to sanction new appointments up to a *mukhtiarkar's* appointment on Rs. 150.

36080. You mean that he should have full power of making permanent appointments, throwing a definite burden on the State afterwards, up to Rs. 150?—Yes, I have suggested only as to temporary appointments, but I should not object to that.

36081. Would you give the Commissioner a Public Works budget?—Yes.

36082. That is to say, he should have the sanctioning of ordinary works in the province instead of Government?—Up to a certain financial limit. I have suggested, in regard to buildings, Rs. 10,000.

36083. My question was in connection with the suggestion that the provincial budget for Public Works should be largely split up; the Local Government keeping a certain amount at headquarters for reserve and for any big works; otherwise the amount being divided amongst the divisions, and each Commissioner having sanctioning powers; it would be matter of lakhs; would you go so far as that?—I would go so far as a certain limit, that is to say any irrigational work up to fixed limit.

36084. An irrigation work may be a very big thing, but I was asking you in regard to other matters such as buildings?—In regard to buildings I would go as far as Rs. 10,000.

36085. (*Sir Steyning Edgerley.*) Does the system of contingencies give you very much trouble in the office?—It sometimes does when we have to apply for sanction for purchase of articles now classed as special contingencies.

36086. Do countersigned contingencies make unnecessary work?—Not apart from the provisions of Article 98 of the Civil Account Code and the transfers of grants.

36987. Would you favour any change in the direction of making everything contract contingencies?—Yes, I think that would be a good thing. It would lessen work.

36088. If all the Collectors' contingencies were put into one contract now would you see any danger?—I think that would be a very good arrangement.

36089. You examine all the travelling allowance bills that come up?—Yes.

36090. Does the daily travelling allowance bill examination give very much work?—At certain parts of the year it does give a great deal of work; there are then two clerks engaged constantly on it.

36091. Is it much more trouble than the permanent travelling allowance system?—It is a great deal more trouble.

36092. Have you noticed any difference in the power of controlling officers' movements under the two systems?—I have not noticed any difference.

36093. Is it more easy to control an officer's travelling under the daily allowance system than it is under the permanent allowance system?—No, I do not think it makes any difference.

36094. So that the permanent travelling allowance system gives less trouble and is equally effectual?—Yes, because the movements of officers are really checked through their diaries. When the diary comes up to the Commissioner he sees what amount of travelling the officer has been doing.

36095. In Sind do not most officers travel with permanent hired carriage?—Yes.

36096. They have to set up carriage in October or November, and keep it up to the end of the touring season?—Yes.

36097. Is not the province gradually being manned by Indian Civilians?—There is a proportion of Indian Civilians. There are only two of the old Commission left now.

36098. The Provincial Service is recruited in part to supply one-sixth of the Civil Service?—Yes.

36099. Would it not produce rather a complication if you gave the power of appointing those men to the Commissioner?—The *cadre* would be fixed.

36100. That has not been done yet?—At present it is settled. We have got 23 Deputy Collectors; I do not mean to say that the Commissioner should have power to increase the number of Deputy Collectors.

36101. But you would have to fix the one-sixth of the Civil Service due to Sind?—I do not think it would involve any alteration in the proportion.

36102. In Sind the "village" is really the zamindar and his cultivators?—Yes.

36103. The relations are rather feudal than communal?—Yes.

36104. (*Chairman.*) You put in a schedule of delegations which you think might be appropriately made; are these your own suggestions or have they been made in the office?—They are my own suggestions.

(*The witness withdrew.*)

Mr. TEKCHAND UDHAVDAS was called and examined.

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36105. (*Chairman.*) You are Government Pleader at Karachi?—Yes. I live at Karachi.

I am not in favour of any curtailment of the right of appeal, nor is it a sound policy to require the production by the appellant of a certificate from the officer whose decision is appealed against.

Executive Officers have not sufficient opportunities to come in contact with the people, for they are generally stationed at headquarters for the greater part of the year. The existing obstacles are, that they have too much to do, and in consequence can hardly find time for free intercourse with the people.

Executive Officers generally do possess sufficient knowledge of the vernaculars.

I am in favour of Advisory Councils at important centres. Such bodies would be best constituted from amongst the following:—The educated independent class; landed gentry paying a minimum assessment of Rs. 500 a year; village *patels*, and merchants. In no respect should these Advisory Councils be invested with any administrative responsibility.

36106. Have you been a member of a municipality?—No but I was legal adviser to the municipality of Karachi and am now legal adviser to the Port Trust.

36107. You say that Executive Officers have not sufficient opportunities of coming into contact with the people?—They are generally at their headquarters, and it is difficult for these people from the *mufassal* to come and see them, or to mix freely with the officers at headquarters.

36108. Have you lived at Karachi all your life?—At Karachi and other places, too; I belong to Hyderabad. I was for a number of years at Hyderabad.

36019. You have had opportunities of seeing what Executive Officers do in the districts?—Yes.

36110. You say that they possess a sufficient knowledge of the vernacular; what do you mean by "sufficient"?—I mean, enough to let them fairly well understand the people, or to express themselves sufficiently well for the people to understand them; not that they could converse very freely or read petitions, but they could follow a conversation and keep it up.

36111. Can they read and write Sindi?—Very few of them.

36112. Could they carry on a conversation with educated Sindi gentlemen?—Yes.

36113. But with difficulty?—Not very great difficulty.

36114. With some difficulty?—A little difficulty. Sindi is very easy to pick up.

36115. You say you are in favour of Advisory Councils; for what particular class of officer?—The District Officers—the Collector or the Assistant Collector.

36116. Would it be difficult to get gentlemen of standing to come in?—It depends on the particular district or the division, and upon what sort of people they have here; they might be only zamindars, or educated people, or merchants; the selection is always very difficult to make; great care will have to be taken in the making of the selection, in order to make this an effectual body which will work well.

36117. Does the District Officer of the present day move about amongst the gentry and the people of the district generally?—Not as much as I should desire.

36118. When he goes to a village or to a municipality does the District Officer see the leading people?—In municipalities he comes across the leading people, but not in the *mufassal*; there are so many difficulties. In matters like these the personal element comes in; it depends on the officer; one man may consider that he has done all his duties during the day and will sit down in the verandah in the evening; another man may be inclined to go out and mix freely with the people.

36119. You think that the difficulty that might arise in consequence of the personal element being so strong would be overcome by having a formal Advisory Council?—In a measure; the Collector would be bound to come more into touch with the Advisory Council; he would know more about the popular views.

36120. It would not be a matter of great consequence in the case of an officer who does consult with the people, but it would make a material difference in the case of officers who do not; is that the idea?—Even in the matter of those officers who do consult, they will be bound now to consult; it may not make much difference with them, but those are exceptional cases.

36121. Would gentlemen in the district when they found they were merely advisers still desire to serve upon these Councils?—I think so.

36122. Because of the status which it would give them?—Exactly.

36123. (*Sir Steyning Edgerley.*) You are acquainted with Act V. of 1868. What is your opinion about it; is it a useful Act or not?—So far as regards the Commissioner I think it is a very useful Act.

36124. You have been in legal practice in Sind for over 30 years?—I have been connected with the Judicial Department for nearly 30 years.

36125. So far as you know, the Act has never produced any complaint in Sind?—No.

36126. When officers go about the province and come to a camp, is it not usual for the zamindar to come and call upon them?—Yes.

36127. If they are near a large town, is it not usual for the trading community to come up and see them?—They come up and see the Sahib.

36128. Unless he is very rude he practically sees everybody where his camp is situated?—That is so. The difficulty is this; for instance if I were a zamindar and wanted to see the Deputy Collector, or the Assistant Collector, I should find him surrounded by guards and police, and I should not get time to go and see him and speak privately to him if I had anything to say to him. It is only a formal visit, that is my experience. One finds it very difficult sometimes to have a private talk with the Sahib in the *mufassal*.

36129. Has that always been so?—Not always, there are exceptions.

36130. I meant in point of time; is that the growth of recent years or is it your experience all through your life here?—It has been for some time my experience.

36131. Is the system of Resident Magistrates working well in Sind?—I think so; it is an improvement on the old arrangement because it separates them from their executive functions.

36132. Is the law under which the Karachi municipality works sufficiently elastic to give it adequate powers to do its work?—I have not considered that, but I think it is elastic enough.

36133. So far as the law goes the municipality has plenty of powers to do what is necessary for the city?—I think so.

36134. (*Mr. Meyer.*) The Delegation Act V. of 1868 allows the Bombay Government, sometimes on its own motion, sometimes with the sanction of the Government of India, to confer powers which would ordinarily be vested in the Local Government on the Commissioner-in-Sind, the Commissioner-in-Sind being, from the circumstances of the case, a sort of minor Local Government himself?—Yes.

36135. Suppose it to be suggested that there should be a general Delegation Act applying to all parts of India, and allowing the Executive Government, after due notice in the Gazette, to make a general devolution of powers that powers which the Local Government formerly exercised might go to the Commissioner, and that powers which the Commissioner formerly exercised might go to the Collector, and so on all down the line; would you approve of that?—Considering the position that the Commissioner-in-Sind occupies now as compared with the Presidency Commissioners, he gets general powers; in fact he is now really the Local Government.

36136. But might such an Act be applied to India generally, not merely to Sind?—It has been suggested that there should be a general Act of this sort applicable to the whole of India. What would you think of that?—If that is found desirable it might be done. The status of the Commissioner in Sind ought then to be correspondingly increased; if you give a general power of delegation to the other Commissioners, you must make the position of the Commissioner here much better and stronger, if that is possible.

36137. Therefore, in present circumstances, you would not be in favour of a general Delegation Act outside Sind?—No, because that would put the Commissioner in Sind in the same position as that of the other Commissioners, if there was a general delegation.

36138. Then going further, the suggestion is that the Government should be allowed to make the law more elastic; the law having said that a certain thing must be done by the Local Government, the Government might say, "This or that thing may be done by the Commissioner or even by the Collector"; the law having said that a certain thing must be done by the Commissioner, the Government could say, "Let it be done by the Collector or possibly by the Sub-Divisional Officer." As a lawyer would you regard that with equanimity?—No, I do not think that would be desirable.

36139. When you come to criminal matters, the Criminal Precedure Code for instance, lays down that certain offences should be taken by a First-Class Magistrate, and others by a Sessions Court; would you be in favour of a law which would allow the Government of India or the Local Government to say that certain of the latter offences might be dealt with by First-Class Magistrates?—No.

36140. What is a Resident Magistrate, exactly?—Resident Magistrates are Magistrates who have not got any executive or revenue functions to perform; they deal purely with criminal cases under the Criminal Procedure Code.

36141. Are they *mukhtiarkars*?—They are graded as *mukhtiarkars*, and their promotions and status are in that rank. There are 13 I think in Sind.

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36142. Has the experiment been tried long?—Yes, for three or four years.

36143. (*Mr. Hichens.*) How would you appoint the Advisory Councils, by nomination or by election, or both?—Both; nomination by Government, and also election from the people.

36144. In what proportion?—One-third nominated and two-thirds elected. I would prefer if it could be done by election, but I do not think we are so far advanced as to have exclusively elected members.

36145. You specify the classes from which the members are to be drawn. Would there be no difficulty in getting election on those lines?—I think not; I mention four classes, and they are elastic enough—the educated independent class, landed gentry, village *patels*, and merchants.

36146. Would it not, perhaps, be a little difficult, if you were drawing up an election roll, to specify who was educated and who was not?—It is easy to find out in the district; there would be no difficulty at all.

36147. Is the President of the Karachi municipality an official or a non-official now?—A non-official.

36148. He is appointed by Government, not elected?—That is so.

36149. Would it be well to have him elected?—It would be well to let the municipality return its own President in a place like Karachi.

36150. Would you adopt the plan that they have in Bombay, and let them elect their own President?—Yes, they might elect their own President every year, or every three years.

36151. (*Mr. Dutt.*) Your experience is mainly confined to the Karachi and Hyderabad districts?—Practically the whole of Sind.

36152. In the *talukas* do the *mukhtiarkars* decide many criminal cases?—Yes, a great number of cases.

36153. What powers do they generally exercise?—Second class magistrate's powers, up to six months. Some of them have got first class powers, but they have mostly second class powers; it is only in exceptional cases that they are granted first class powers and powers to commit to Sessions.

36154. Are the criminal cases which come up from a *taluka* generally tried by the *mukhtiarkar*?—Yes.

36155. What is the class of cases tried by the Sub-Divisional Officer generally?—Important cases, or proceedings under Chapter VIII.—cases not triable by the *mukhtiarkar*.

36156. The Sub-Divisional Officer generally goes about on tour for about seven months in the year?—Yes.

36157. Are the people who have cases before him put to much difficulty because he has to go about from place to place?—There have been complaints that the parties are put to some inconvenience, but now I do not think any difficulty or inconvenience exists. The Magistrates are now given to understand that there must not be that inconvenience, and whenever there is any question the High Court or the District Magistrate is moved to transfer the case; they are now very careful to see that parties are not inconvenienced.

36158. Still is there some inconvenience experienced?—At times.

36159. Are there Resident Magistrates in every district?—Yes.

36160. And in every *taluka*?—Not in every *taluka*, but at the municipal towns.

36161. Where these Resident Magistrates have been appointed the inconvenience caused by the touring of officers has been minimised?—Not only minimised, but there is no inconvenience at all.

36162. You have never been a member of any District Board or legal adviser to any District Board?—No.

36163. Is not the Hyderabad municipality, a city municipality?—Yes.

36164. Does the municipality elect its own President?—No.

36165. You spoke of transfers being made by orders of the High Court; do you mean the High Court of Bombay?—The High Court of Sind, the Court of the Judicial Commissioner in Sind.

36166. There are three Judicial Commissioners in Sind?—Yes.

36167. Are their jurisdictions territorial—do they take up different districts?—Two of them are called Additional Judicial Commissioners, and they have also got original civil and criminal jurisdiction. The Judicial Commissioner sits on the appellate side with one of these Additional Judges and disposes of appellate work.

36168. Who tries Sessions cases generally?—The Judicial Commissioner.

36169. (*Sir Frederic Lely.*) You enumerate four classes from whom the Advisory Council should be contributed, but you make no mention of the smaller cultivators; would you not have them represented?—I think gentlemen of some status, men paying say Rs. 200 as land revenue might have the franchise; you must not take it down too low.

36170. But the smaller cultivators have numerically very much the largest interest in the country?—Yes, but they will be sufficiently represented by men paying Rs. 200 because they generally are the cultivators of these men.

36171. Is the zamindar the natural representative of his tenants?—I should think so in Sind.

36172. Are their interests practically the same?—Yes.

36173. You mention first of all "The educated independent class"; who would they be in an ordinary village or an outlying *taluka*?—An independent contractor, for instance, would be an educated man.

36174. Anyone else?—There may also be pleaders there.

36175. It would be a very limited class in an outlying *taluka*?—Or good shopkeepers.

36176. Would they not come under "merchants"?—Yes.

36177. You lay stress on "independence"; for a Council of this kind is not a sense of responsibility also quite as essential?—Yes.

36178. Would a sense of responsibility generally accompany independence in a Council like that; you say you would not invest them with any responsibility?—No.

36179. Then what sense of responsibility would they have?—If they are persons entitled to come to the darbar or to have a chair at the Commissioner's or Collector's darbar, they might be deprived of that if they were found not doing their work properly.

36180. You would confine them to advice; would you require the Collector to take their advice?—At the headquarters, but I would rather begin with the small villages, the Assistant Collectors and the *taluka* Officers.

36181. You would give them Advisory Councils?—To start with.

36182. In regard to what matters should such Councils advise?—In regard to sanitation, municipal matters, police organisation and so on.

36183. Could you give a concrete instance in which they would come forward and give their advice?—For instance, in a particular village there should be an organised police force, there would be the question of its strength and so on; also general principles on which remissions might be given, or sanitary conditions, or even education.

36184. Take your first instance, the strength of police in a particular village. The Assistant Collector or the Collector goes about the country a

good deal and come into contact with many classes?—Yes.

36185. They also have the police officers to consult with; and could thereby form an opinion of their own?—Yes.

36186. Suppose the opinion of the Council and the Collector's own opinion so formed clashed?—I would suggest that he should not at once reject their opinion and advice; he might refer the matter to the Commissioner.

36187. The Commissioner would know much less about local matters than the Collector?—On the reports before him he would see what view the Collector took, and what view the Council took.

36188. You would have the Collector surrender his own opinion, and simply leave it to the Commissioner to decide?—The Commissioner would decide whether the opinion of the Advisory Council should be accepted or not; in much the same way, from the Assistant Collector, the matter might go to the Collector.

36189. Suppose the advice of the Council was not taken, would they not get rather tired of offering it?—That would be the result, but it depends on the particular officer how he takes it, if he goes on and says "I don't want the Council," the Council will get tired, and they will throw up the whole thing.

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36190. Are these Resident Magistrates prevalent over the whole of Sind, are there not a great many parts that are still without them?—They are stationed in central places.

36191. A great many of the *mukhtiarkars* also do criminal work. What is the opinion you have formed of them as a class?—On the whole they are working very satisfactorily as Judicial Officers. In former times you used to hear complaints of these two functions being combined and the *mukhtiarkars* being prejudiced by something they had heard in their individual capacity; that view is now disappearing altogether.

(*The witness withdrew.*)

Mr. BULCHAND DAYARAM, B.A., was called and examined.

36192. (*Chairman.*) You are the Vice-President of the Hyderabad municipality?—Yes. I was elected. I am not an official. I am principal of a high school.

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The administration in India is getting more or less out of touch with the genius and spirit of the people and with local conditions. This is mainly due to the multiplication of rules and laws and the complicated and inflexible system of administration now adopted, but partly also to the insufficiency of personal contact by officers of Government with the people. The opportunities and leisure for such contact are much less than before, when the district officials travelled by slow stages on the back of an animal, halted long at places and came in wide personal contact with the people of the country. This was before the advent of railways and before the heavy routine desk work of the present day absorbed much of their time. It was so, at least, in Sind.

In Sind, the earlier Assistant Collectors and Collectors' cultivated a knowledge of the vernacular with much greater zest and passion than the present officers. Men like George Stack and Mr. Ryland, Deputy Collectors, were reputed Sindi scholars, and some of the former Collectors spoke Sindi almost like a Sindi.

The charge that a District Officer holds in Sind is ordinarily too large to enable him to come in frequent personal contact with the people and to know his whole district thoroughly. With the extension of cultivation and irrigational works that is going on in Sind, it is desirable to reduce the charges. Roughly speaking, there should be about eight or nine districts in Sind. The present areas of territorial jurisdiction for District Officers are too large to be properly looked after. The population is not, it is true, very dense, but with the influx of foreign elements due to the increasing demand for labour, it will rise considerably.

The powers that District and Divisional Officers possess now are wide and no further extension is necessary. In Sind the Commissioner has almost all the powers of the Local Government. The District Officers, too, have therefore correspondingly larger powers.

Municipalities in Sind have been now in existence for over forty years and have done good work. The time has come therefore for the grant of an extension of power to them, with due safeguards, such as the preservation of the Commissioner's veto, Collector's powers of control, etc. Karachi, which conducts its business on very enlightened and advanced principles, might well be given the privilege of electing its own President, and the elected element of the Board could well be increased to two-thirds or three-fourths of the total number. The other municipalities should be given non-official Presidents, and the elected element in them raised from one-half to three-fifths or two-thirds of the whole number. The functions that they perform now embrace a large number of departments of civic work. But a few more, such as the regulation and control of liquor shops, licensing and hackney carriages, carts, motors, etc., might be transferred to them.

As regards District Boards, it is desirable to foster a greater sense of responsibility and arouse more active interest by relaxing official control and investing small committees of members with power to supervise certain departments of the Board's work. For instance, the supervision and control of the Board's schools may be transferred from the Educational Department of Government to a School Committee elected by the Board having its own educational officers and receiving a larger grant from the provincial funds. So, also the management and construction of roads, hospitals, markets, *dharmsalas*, bridges, culverts, etc., could be entrusted to a Works Committee. By section 32 of the Bombay Local Boards Act, 1884, the Board has the power to appoint such committees, but in practice there is not much delegation of authority and the District Boards are regarded, popularly, as almost a department of Government. For some time to come it is perhaps desirable to retain District Officers as Presidents of District Boards, but the Vice-Presidents and Chairmen of the executive committees should as far as possible be non-officials. The elected element in these Boards should also be increased. To District Boards could usefully be transferred certain other functions, such as the charge and control of minor forests, minor irrigational works, &c.

The *taluka* Boards, too, could be made more useful by investing individual members of the Board, or sub-committees of two or three members, with power of supervision and control of small works, *e.g.*, planting of trees, digging of wells, construction of small culverts and the supervision of conservancy and sanitation in the *taluka*. The Assistant Collector might continue to be Chairman of the *taluka* Board, but the members should be stimulated to take a more active interest by certain departments of the *taluka* Board work being entrusted to them for supervision and a larger sense of responsibility developed.

The formation of panchayats or village unions invested with the supervision of local petty improvements is an experiment worth making on account of its educative effect and as tending to broaden the base of self-government. The best men in the village should be selected to form the panchayat or union. At first the experiment should be confined to big villages. It is very doubtful, however, whether such panchayats (or village unions) should be invested with the power to dispose of petty civil and criminal cases. In Sind, such an experiment would not be desirable for some time to come at least, and is not suited to the conditions of village life prevailing now, as the feeling between the Muhammadan and Hindu population is not sufficiently friendly. The proposal to appoint, in Sind, Village Arbitrators and Conciliators and Munsifs under the Deccan Agriculturists' Relief Act (which applies to Sind), did not find favour on the same ground.

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I am in favour of the formation of District Advisory Councils to be consulted from time to time by the District Officers. They should be small compact bodies composed of well-educated men, carefully selected and representative of different communities and interest. These men could give valuable advice and information in respect of the well-being of the people in the district generally and correct erroneous views regarding them. They could, with profit, be consulted about plague and famine relief measures, imposition of punitive police, settlement and revision proposals, and any other large proposals involving the comfort and well-being of the whole district, or a large part of it. Due weight should be given to the opinion of the Council which should have a recognized status and to which the members should be appointed by the Local Government. In cases where a three-fourths majority of the Council differs from the Collector's view in any matter, it should be referred to the Commissioner in Sind for final orders.

It would not be expedient to give District Boards in Sind any power of supervision and control over the smaller municipalities in the district. The latter should be permitted to develop along their own lines and gradually be entrusted with larger powers, till they come to acquire the powers and responsibilities of the larger municipalities.

The great aim of any reform in the administration should be to increase the contact and the feeling of confidence between the rulers and the ruled to make the village and the small town as far as possible, gradually, a self-contained administrative unit, so as to remedy the defects of a system of rule, which not being indigenous, must naturally suffer from certain evils and not be quite suited to the traditional character and sentiments of the people. The character and emoluments of the lowest officials have also to be considerably raised to lessen materially their petty tyranny.

36193. Who is the President of your municipality?—The Collector of Hyderabad. He is appointed by Government.

36194. When the municipality frame their budget, is it prepared by you, as the Vice-President?—Yes, it is prepared by me in consultation with the President and is passed by the Managing Committe first and then by the Corporation.

36195. Is there a Standing Committee?—Yes, it is called the Managing Committee. There is also the School Committee, the Sanitary Committee, the Dispensary Committee, and the Works Committee.

36196. Who is Chairman of all these committees?—The Chairman of the Sanitary Committee and of the Dispensary Committee is the Civil Surgeon; I am the Chairman of the School Committee; the Executive Engineer is Chairman of the Works Committee.

36197. Do the Committees elect their own Chairmen?—Yes, but the President and Vice-President are *ex-officio* Chairmen of any Committees of which they happen to be members.

36198. Does the Collector often attend the meetings of the municipality?—Yes.

36199. Always?—Almost always. He is Chairman of the Managing Committee.

36200. What size town is Hyderabad?—The population is about 75,000.

36201. Do the members of these committees take much interest in their work?—Yes.

36202. How long have you had a municipality in Hyderabad?—For the last 30 years or more.

36203. What are your principal sources of revenue?—Octroi, wheel tax, water-rate, and water supply fees, &c.

36204. Have you a house cess?—No, we have no house cess.

36205. Do you get any contribution towards your expenses from Government?—No, except a few small items.

36206. If you have any scheme for drainage or water, would you then have a contribution from Government?—We have not received any yet. We have a scheme now for which we have applied for a grant.

36207. But hitherto, having had neither a drainage nor a water scheme, you have received no grant?—We had a water scheme and a drainage scheme; we have water works in Hyderabad.

36208. Did you pay for them yourselves?—Yes, entirely; we borrowed and paid off the loan.

36209. Did you apply to the Local Government for leave to borrow?—Yes.

36210. Do you know where the money was raised; did many of your own citizens contribute?—Some, not many. We have taken several loans in the last 20 or 25 years; when water works were introduced we borrowed from Government; afterwards we have been raising money in the market locally; in 1897 we raised a loan of about two lakhs, a large part of which was taken up locally; we wanted to supplement and improve our water works, to renew old plant, and so on.

36211. What proportion of the loan was taken up locally?—A little over half.

36212. People thought they saw something which was going on under their own eyes and they did not mind subscribing to the loan; did that influence them at all?—That does not influence them; it depends on the state of the market and the interest available.

36213. What interest did you pay?—Five per cent.

36214. What is the ordinary rate of interest for money at Hyderabad?—Seven or eight per cent.

36215. Are you a member of a District Board?—No.

36216. Your suggestions are not made from your own knowledge?—No.

36217. Are you a member of a *taluka* Board?—No.

36218. Do you live in Hyderabad itself?—Yes. I am a zamindar. I have got zamindar lands near Hyderabad.

36219. You think that a panchayat for a village could be formed?—Yes. For certain purposes it could be formed.

36220. What would be those purposes?—Looking after the sanitation of the village and small matters like that, supervising the construction of wells and matters of small village interest.

36221. Would you entrust them with any criminal powers?—Not yet.

36222. Would a villager, if he were imprisoned, even only for a day or two, feel disgraced?—It depends upon the class of person; for instance, if a *bania*, a shopkeeper, were put in jail even for one day, he would feel it a great disgrace; perhaps a Muhammadan cultivator would not feel it so much.

36223. What would the Hindu cultivator feel?—If he is of the same standing and of the same class, he would feel it equally with the Muhammadan.

36224. No more or less?—Perhaps a little more; the Hindu is a little more sensitive.

36225. So that there might be a danger if the panchayat had criminal jurisdiction?—I think so, in the present state of local feeling.

36226. Does feeling run pretty high in the villages, between Muhammadans and the Hindus?—I think so.

36227. You say you think Advisory Councils ought to be constituted; would you have the same difficulty there of finding Hindus and Muhammadans to sit on the same Council?—No; we would have a different class of men altogether, a much superior class.

36228. You would confine Advisory Councils to what you would call the superior classes?—Yes.

36229. Does the Collector now-a-days consult the gentry and the zamindars?—It depends upon the sort of Collector we have.

36230. Do they do so as a rule?—Yes, but not to the extent that is necessary or desirable.

36231. You would rather make it compulsory?—Yes, I would give Collectors a Consultative Council.

36232. By limiting their Consultative Council to perhaps four or five members or even more, would not that limit the sources of information of the local officer?—This Council would reflect generally the opinion of the district on certain matters.

36233. How large is one of your districts?—Several hundred square miles.

36234. Would three or four people make an adequate Advisory Council for such a district?—Not three or four; I would have a dozen or more.

36235. Would a dozen amply reflect the opinion of the district?—Yes, provided we got the right class of people.

36236. (*Mr. Hichens.*) You suggest that the Hyderabad municipality should have a non-official Chairman. But you would not go so far as to suggest that the municipality should elect a Chairman?—Not for some time yet.

36237. Might it not be difficult to find a man to fill the post of Chairman?—It would not be difficult. Perhaps it would be better to have a non-official President for some time; afterwards as the municipality improves, or gets accustomed more to civic government, we might entrust it with the larger power of electing its own Chairman.

36238. Can the Hyderabad municipality create a fresh post without the sanction of the Commissioner?—It cannot; it cannot even create the post of a peon; it cannot raise the salary of a peon without the sanction of the Commissioner.

36239. What power would you give them?—I would give them power to create posts carrying a salary of, say, up to Rs. 50, for the present.

36240. We were told that the powers of a municipality in regard to appointments were settled by rules and regulations; is it laid down in the Act?—Yes, it is regulated by the District Municipal Act.

36241. That the creation of all new posts must be referred to the Commissioner?—It is not laid down in specific terms, but we cannot increase the sanctioned schedule of appointments except with the sanction of the Commissioner-in-Sind. We have a schedule of appointments, and any alteration in that has to be sanctioned by the Commissioner-in-Sind; so that if we raise the salary of any appointment, or create any new appointment, we alter the schedule.

36242. Can the municipality dismiss the people?—Yes.

36243. Have they an appeal to the Government?—No, there is no appeal. The Collector has certain powers of control, and he can interfere if he chooses, but it is very rarely that he does so. He has general powers of control but they do not relate to the appointment of municipal servants.

36244. Suppose somebody has been dismissed from the municipal service and wrote to the Commissioner and said that he had been very badly used, would the Commissioner enquire into his case?—Not ordinarily.

36245. Does the budget go to the Commissioner?—No. It is passed by the municipality.

36246. Suppose you had a non-official Chairman, would you still think that the budget should not be referred to Government?—Yes.

36247. What is the income of the Hyderabad municipality?—About 2 lakhs.

36248. You suggest that the municipality should have the power to impose a vehicle tax?—No. It has a wheel tax already; the licensing of carriages is done by the police now, and I suggest that it should be done by the municipality.

36249. You say, "A few more functions such as the regulation and control of liquor shops, licensing of hackney carriages and carts, motors, &c., might be transferred to the municipalities"; what do you mean by that?—Granting licenses to ply hired carriages; those are now given by the police; I think the municipality could do that better.

36250. Does the revenue come to you?—Yes, the wheel tax does.

36251. The police carry out the work for you?—Yes, we charge a wheel tax, however, that comes to us, but I think the license fees levied by the police do not; I am not quite sure.

36252. Your point is that the actual power of granting licenses should be in the hands of the municipality?—Yes.

36253. That would cost you money?—It would not cost much; there is the license fee which would recoup it.

36254. But the work is being done for you now for nothing?—It is being done by the police, but I am not sure if it is being done for nothing. The power had better be in the hands of the municipality.

36255. As regards education, does the Government give you a definite contribution?—For municipal schools, yes.

36256. And you have to make up the balance?—Yes, they give one-third. Lately when the Government of India gave a special grant of 5 lakhs for primary schools, they raised it in the case of certain schools to half; that is in the case of new schools opened by the municipality after the grant was sanctioned by Government.

36257. Have you complete control over the primary schools?—Yes, in consultation with the inspector in Sind.

36258. Have you any inspectors of your own?—No.

36259. Do you in practice do more than hand the money over to the Education Department for distribution?—No, we appoint and dismiss schoolmasters and we manage the schools; the Education Department is mainly the supervising body; it examines the schools and reports on the work of the masters.

36260. Have you as much power as you require?—Yes.

36261. (*Mr. Dutt.*) Did you say that the budget does not go up to any higher authority?—No, the sanction of higher authority is not wanted.

36262. As a matter of fact the Collector is your Chairman?—He is now, but even before, when we had a non-official Chairman, the budget merely went up to him for information.

36263. But the law does not require any sanction from any higher authority?—No.

36264. You have schedules of appointments, which you cannot exceed. You only want sanction if you have to go beyond the schedule, or modify it in any way?—Just so.

36265. Is that schedule a part of the Act itself?—It is a part of the rules.

36266. A part of the rules which have been passed by the Executive Government under the sanction of the Act?—Yes, the municipality frames the rules, and they are sent up to the Commissioner for sanction; after he has sanctioned them they are put in operation.

36267. Have you many primary schools in the town?—Yes. The municipal schools are all primary; there is one technical school.

36268. Are there any secondary schools in the town?—Yes, there are private and Government schools. The municipality has nothing to do with them.

36269. What is the system you follow in supporting these primary schools; do you entirely pay their expenses, or do you simply give them monthly stipends?—We entirely defray the expenses; we pay the salaries of the masters and bear the entire expense.

36270. Are there a sufficient number of primary schools to educate the boys of school-going age in the

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town?—In addition to the municipal schools there are several primary private schools; if the municipality chooses to open more schools it could do so.

36271. But on the whole is there a fair number of schools to supply the educational needs of the town?—Yes.

36272. Have you any dispensaries in the town?—Yes, we have three municipal dispensaries supported entirely by the municipality.

36273. Who appoints the doctors?—The municipality.

36274. You do not require the sanction of any authority to appoint those doctors?—No.

36275. Have you also the power of dispensing with their services?—Yes.

36276. Do you get any Government contribution for the support of these dispensaries?—No.

36277. Has the management been quite satisfactory?—Quite.

36278. Are the dispensaries fairly popular?—Yes they are very popular.

36279. You have no hospitals?—We have a Government hospital, but no municipal hospital.

36280. As regards District Boards, you say "There is no legislative restriction, but in practice there is not much delegation of authority or duties." Do you suggest that the work should be carried on by committees as is done in municipalities, and that the committees should appoint their own Chairmen?—Yes.

36281. At present are all the big roads done by the Public Works Department?—Yes.

36282. Would you approve of the District Board having their own Engineer if they can afford it?—Yes.

36283. And also of the District Board inspecting their own primary schools?—Yes, I would have a School Committee, just as municipalities have a School Committee.

36284. In Sind has every village got a recognized headman, or a *patel* or a *mukhi*?—Yes.

36285. If you organize panchayats would you take the existing *patel* as the headman?—Not necessarily.

36286. Would you strengthen his hands by associating him with a number of other villagers?—It would depend on the sort of headman we have.

36287. Would you do that where you have a satisfactory headman?—Yes, I would make him a sort of Chairman of the panchayat.

36288. (*Sir Frederic Lely.*) You make several recommendations about extending the powers of municipalities and District Boards and panchayats. Do they all imply that you can get competent men on these Boards to devote their time to the work?—Exactly.

36289. As a matter of fact are there private persons able and willing to direct, let us say, education?—Yes, I think there are, except in some backward districts like Thar and Parkar. To begin with things would not be so satisfactory as they ought to be, but it would be the first step, and a right step. They would improve.

36290. Would you employ educational inspectors under them?—Each District Local Board might have its own inspecting staff, just as the Karachi municipality has its own inspecting officer to inspect its primary schools.

36291. Would you withdraw the schools altogether from the ken of the Educational Department?—Not altogether; the Educational Department might have the power of general supervision, just as it has over municipal schools now.

36292. Would you give them power to dismiss the employees of the Local Board?—No, only to examine schools and make recommendations.

36293. Would that not imply a double staff of inspectors—the Board's inspectors and the Education Department's inspectors?—Yes, but the number of Education Department inspectors could thus be reduced—I mean the deputy inspectors and the assistant deputy inspectors.

36294. Still, you would have a double staff to control?—But the total number would not be larger than we have at present.

36295. You would have a sufficient staff under the control of the Board to supervise the schools, and they could not be less than the existing staff?—Yes, they could, because the existing staff has many other things to do; they have a number of things to examine and control and supervise, and they have a lot of departmental work.

36296. But your Board staff would have to do that also?—I think a smaller staff would suffice.

36297. At present are more men employed than the work requires?—I do not mean that. The present staff of the Educational Department has to supervise not only the work of the District Board schools but private schools and aided schools, indigenous schools and municipal schools, &c.

36298. Would you not put the aided and indigenous schools under the District Board also?—No.

36299. You would only have the schools that are directly dependent on the District Board. Why would you make that distinction?—The indigenous schools are private schools owned by private persons.

36300. Is not education in itself an object of interest to the District Board?—I think it is not necessary to put the indigenous schools under the Board.

36301. In effect you would keep up two educational staffs in the district, one under the Department and one under the Board?—Yes.

36302. And you would trust for the supervision of the Board staff to the voluntary efforts of certain members of the Board?—Yes.

36303. In the case of a road could you get gentlemen to serve on a Works Committee and to go out some miles distant from their homes to look after the repairs of roads?—There would be certain officers under the Board—something like road overseers.

36304. Could the members of the Works Committee be trusted to supervise them?—Generally yes.

36305. How many members are there in a *taluka* Board as a rule?—Five or six.

36306. Do they live in scattered parts of the *taluka*?—Generally in the larger villages.

36307. A man who lives in a village would take an interest in a work belonging to that village, but would a man who lives in a *taluka* necessarily take any interest in a road some ten or fifteen miles away from him?—Yes, he would if he understands his responsibility.

36308. Is there any necessary connection between a man and the works of the *taluka* in which he lives?—No, but if the responsibility is thrown on a man he would rise equal to it.

36309. Is there anything in the experience of the past to lead you to think that?—I have not much experience of *taluka* Boards, but I think we can get men now to feel their responsibility.

36310. What class would they be?—Zamindars or merchants.

36311. You think a merchant could afford to leave his business and go off to examine *taluka* Board roads or village schools?—Ocasionally; he would have to supervise the work of the officers appointed to do the direct and daily supervision.

36312. Are not villages in Sind very much scattered?—Yes.

36313. Would not that very much militate against their joint action?—It would to some extent.

36314. Is there now in the ordinary Sind village a common village well, or is there a well for each portion of the village?—There is generally a well or two for each village. It depends on the size of the village.

36315. As a matter of fact there is not very much work in common for the whole of a Sind village. Is not the village divided up into sections?—Still there would be a common village well or two, and other work to look after.

36316. (*Sir Steyning Edgerley.*) You are a master of a high school in Hyderabad. Do you receive any grant from Government?—Yes.

36317. What number of scholars have you?—It is a very large school; altogether we have about 1,500 with the primary schools and branches. In the main school there are 750 boys.

36318. Have you anything to tell us about relations with the Education Department; are they satisfactory to you?—Yes.

36319. So far as you can see the arrangements that are made for controlling the Government grants for examinations, and so on, are satisfactory?—I would have a different system; I would have a fixed grant system. Our grant is regulated according to the expense, and therefore the examination of accounts is very detailed and very inconvenient sometimes, and it does not give us room for expansion. For instance, if we had a fixed grant for a certain number of years we should know what our financial position would be year by year, instead of which it fluctuates every year.

36320. But if your school is managed up to standard, you know that any variation in the grant will be very small?—That is so, but if we had a fixed grant we could do the work up to it, and we could increase our expenditure with a view to getting a larger fixed grant hereafter.

36321. Had not the Hyderabad municipality at one time a non-official Chairman?—Yes.

36322. Difficulties arose, and they had to put the Collector in?—Yes.

36323. When those are composed will there be a non-official Chairman again?—I hope so.

36324. As to the District Board, have you really any experience at all as regards the work of a District or *taluka* Local Board?—No.

36325. Do you know which roads in the Hyderabad district are provincial and which belong to the District Board?—No.

36326. So that what you have told us about the District Board is to be taken as hearsay?—Yes.

36327. (*Mr. Meyer.*) In your municipality you have got roads and streets, of course; who looks after them?—The Municipal Secretary and the Municipal Engineer and the members of the municipality.

36328. On what pay is your Engineer?—Our Engineer and Secretary is paid Rs. 400, rising to Rs. 500.

36329. You are independent of the Public Works Department?—Yes.

36330. Have you anything to do with vaccination?—No, we pay the vaccinator only.

36331. Who controls him?—The Deputy Sanitary Commissioner.

36332. You have nothing to say to it practically except paying?—That is all.

36333. Is that a good arrangement?—It has been working satisfactorily.

36334. If you pay for vaccination might you not control the local vaccinators?—The municipality would have no objection.

36335. I am asking your opinion; do you think the municipality ought to control its own vaccinator?—Yes.

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36336. Is there any limit as to your power of sanctioning particular works?—No, there is no limit; we can sanction to any extent within the budget.

36337. But you have told us there is no control over the budget?—That is so; but we cannot spend more than our income; we have to leave a statutory balance of Rs. 500 every year.

36338. Is that the only control over you?—Yes.

36339. Apart from that, suppose you wanted to build a lot of new latrines, for instance, would you have to consult the Deputy Sanitary Commissioner?—No, he visits the city once a year and sends a report, and we generally accept his recommendations; but we are free to accept them or not.

36340. If you were dealing with a drainage scheme for which you had to borrow money, would estimates have to be passed by Government?—Yes; the estimates only are passed by Government if we apply for a grant for drainage; we would send up our estimates, but I do not know whether it is left to the Government to alter or add to those estimates.

36341. There is a Sanitary Engineer for the Presidency; does he ever come round to you?—Yes, once a year.

36342. In your time have there been any of these big schemes for which you had to borrow money?—Yes, there was a scheme to renew the old plant and engines, costing about 2 lakhs odd.

36343. Who made the estimates for you?—The estimates were first framed by our engineer, then they were examined by the Sanitary Engineer.

36344. The provincial Grant-in-Aid Code lays down certain limitations under which grants-in-aid can be given. Is there anything about requiring so many boys in a class, and such and such a curriculum, and so on?—No, that is altered now. Formerly there was a grant payable according to the number of boys and the results of examinations; that is now altered; it is now given for general efficiency and discipline and equipment, and building and quality of teaching.

36345. Have you full liberty as to opening your school at whatever hours of the day you like and closing it whenever you like?—No, we are subject to certain restrictions as to the certain number of hours. Every boy must attend school for at least four hours a day.

36346. But the school need not be opened or closed within certain hours?—No.

36347. In the hot weather you could give your teaching in the early morning and in the evening and so forth?—Yes.

36348. Are you under restrictions as to the subjects that you are to teach?—Yes, the standards are prescribed, and we have to teach according to them.

36349. And text-books?—Yes, there is some freedom about text-books, but there is a list of books selected by the Government, and we have to choose some out of those.

(*The witness withdrew.*)

Mr. Hamid Moizudin Abdul Ali, I.C.S., was called and examined

36350. (*Chairman.*) You are an Assistant Collector and a member of the Indian Civil Service?—Yes. I came out about 3½ years ago. I am in charge of revenue and magisterial work in my own sub-division, Hala. My headquarters are at Hyderabad.

Expenditure on contingencies in *talukas* can be incurred only when the *Huzur* Deputy Collector sanctions it and issues a cash order. As each *taluka* has its fixed contingencies provided for beforehand, this procedure appears cumbrous and it would be better if *mukhtiarkars* were empowered to draw the amount of their bills straight off and required to send the bills as vouchers with the daily sheet.

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36351. You do not reside in your sub-division?—Hyderabad is inside my sub-division. The headquarters of the Collectorate is also at Hyderabad.

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The other Assistant Collectors in the same district also live at Hyderabad during the hot weather.

36352. What is the size of your sub-division?—A little over 2,000 square miles.

36353. Do you go on tour for seven months in the year?—For six or seven months.

36354. Can you get about your sub-division very easily?—Yes, it is not very difficult.

36355. Have people any difficulty in getting to you; you live rather at one end of the sub-division?—It is rather at one end, but there is the railway; they can easily get to it.

36356. When people have to come and appear before you, is it a difficult thing for them to come in; does it cause delay or expense to them?—It does not cause delay, because as far as possible I try cases in camp, when I am in the *taluka*.

36357. Is that easier than making them all come into the sub-divisional headquarters?—It is much easier for them, and also for the police officers who have charge of cases.

36358. What are the officers under you?—I have four *mukhtiarkars*.

36359. Anything below them?—There are supervising *tappadars*.

36360. Then below them are the headmen of the villages?—We have no headmen in the villages, I mean, none that are officially recognised as such.

36361. Who is the responsible officer in every village?—There is a *tappadar* who is in charge of several villages. There is no one particular man in each village.

36362. What is a *patel* in charge of?—We have not got official *patels*; the *patel* is only a man recognised by the villagers themselves as their chief man.

36363. He has no official authority?—No, and very often very little unofficial authority either. If he happens to be a big zamindar or an influential and rich man he can command a great deal of obedience, but if he is himself bankrupt and not a man of any ability or means, he has not much authority.

36364. It is an hereditary office?—It is hereditary.

36365. Who actually collects the revenue?—The *tappadar*.

36366. He hands it I suppose to the *mukhtiarkar*?—Yes, there are certain days on which the revenue is paid into the *taluka* office in the presence of the *mukhtiarkar*.

36367. Have you got any power of remission or suspension of revenue?—None, except that I recommend; I can grant suspensions.

36368. Up to what extent?—I think it is practically unlimited, for one year; we can grant suspension up to the due date of the next instalment.

36369. Have you any irrigated land here?—It is all irrigated. There is no unirrigated land.

36370. Do you make agricultural loans as an Assistant Commissioner?—Yes.

36371. What power have you in respect of them?—I can grant loans up to Rs. 500 under the Agriculturalist Loans Act; and up to Rs. 1,000 under the Lands Improvement Act.

36372. What is the reason for the difference?—Not so much money is wanted under the Agriculturalist Loans Act; it is only for seed and cattle and so on.

36373. But for the Lands Improvement Act?—It is for the clearance of canals or sinking wells, and so on.

36374. Is the responsibility the same in both cases?—It is the same.

36375. Does it require greater discretion to grant Rs. 500 under the Agriculturalist Loans Act than it requires to grant Rs. 1,000 under the Lands Improvement Act?—It very rarely happens that more than Rs. 500 are wanted under the Agriculturalist Loans Act.

36376. That is the reason for the difference?—I suppose so.

36377. What part of India do you come from?—From Bombay.

36378. What language do they speak at Hyderabad?—Sindi. My own people speak Hindustani.

36379. Had you much difficulty in learning Sindi?—No, it was not very difficult; it is rather like Urdu and Persian.

36380. Is there much difference between the people in Bombay and the people up here in Sind?—Very much difference.

36381. Had you much difficulty in getting acquainted with the customs and habits of the people?—I did not have very much difficulty.

36382. There was a considerable difference?—Yes, there is a considerable difference between the people there and the people here.

36383. Notwithstanding that, you had not much difficulty?—No, because they are very simple, and there is nothing very complicated about it.

36384. Do you find that the people are shy of coming to speak with the officials?—Yes, they are certainly shy. Not with me, because I am an Indian myself, and besides I am a Muhammadan. Also the people in my district are almost entirely Muhammadans; only a fifth are Hindus.

36385. You think there is a real difficulty when it comes to the case of a man who is a non-Muhammadan?—There is a difficulty, yes.

36386. Whether he is an Indian or an European?—I think there is more difficulty if he is an Indian.

36387. If he is an Indian and a non-Muhammadan there is more difficulty?—I think so.

36388. (*Mr. Meyer.*) The Sub-Divisional Officer is on tour constantly for seven months in the year?—Yes, even more than seven months sometimes.

36389. He is never long at one place?—No, except in Hyderabad sometimes. When travelling, he is never more than 12 or 10 days at a place.

36390. If he has a large sub-division such as you have, have people to follow him a great deal from camp to camp if they want to see him upon revenue matters?—They can wait until I go to their village.

36391. That may be until next year?—The tour is always complete every year.

36392. Do they know what time you are coming to their village?—Yes, we send our programme to the *mukhtiarkar* beforehand, and through the *tappadars* they can easily know.

36393. The other four or five months of the year you are at district headquarters and the people have to come to you?—Yes.

36394. Might it not be better for the people that Sub-Divisional Officers should live in their own sub-divisions?—I suppose it would be better; I am living in my sub-division.

36395. But some officers do not live in their sub-divisions at all; they live at headquarters?—It is only for about three months in the year that they are at headquarters.

36396. Still they are not obliged to travel for more than seven months?—I do not think they are obliged to.

36397. As a general rule what would your opinion be—that the Sub-Divisional Officer should live in his sub-division and travel through it throughout the year, but without any consecutive months of travelling, or that, as in Bombay, he should do a consecutive tour, and then live the rest of the year at headquarters?—I do not think there is any inconvenience under the present system.

36398. Have you a Resident Magistrate in your sub-division?—Yes. He takes the first class cases.

36399. Who takes your second and third class cases?—The *mukhtiarkars* and the head *munshis*.

36400. Who takes the appeals?—I take the appeals from Second and Third Class Magistrates.

36401. You say you have full power to give suspensions of revenue up to one year?—Yes.

36402. Suppose the crop is entirely lost over a large area, have you full power to suspend, or must you report for confirmation?—I have power to postpone payment.

36403. But have you to report your action to the Collector?—At the end of the season, I report, not till then.

36404. So that the Collector may find that some Sub-Divisional Officer has practically postponed the whole of the revenue in his sub-division?—But I have to report at the end of the year.

36405. Do you have a *jamabandi* system here?—Yes.

36406. What sort of work generally speaking do you do then?—We make up the accounts for the year.

36407. Do you settle remissions at that time?—Remissions are settled before the second *jamabandi* which is in July.

36408. Do the people have a chance of representing their grievances and getting redress?—Yes, it is very easy for them to come to the Sub-Divisional Officer.

36409. Do they come at *jamabandi* time?—Yes, they do come, in large numbers.

36410. What is the tenure in your sub-division?—Mostly they are small proprietors paying rent to Government.

36411. Is the *tappadar* the officer in the village who is responsible for the Government work?—Yes.

36412. For the collection of revenue and for the peace of the village?—Not for the peace of the village; he is only a revenue officer. He keeps accounts and is responsible for the collections.

36413. Who corresponds to the police *patel* of the Presidency proper?—I do not think we have any police *patels*.

36414. Is the *tappadar* hereditary?—No, he is appointed.

36415. What is the meaning of *malkhana*?—That is the occupancy fee when land is settled; the fee levied by Government is called *malkhana*.

36416. Do they levy it in this province?—Yes.

36417. You ask that the *taluka* Boards should be able to re-appropriate within their own budgets; do they make their own budgets originally now?—Yes, and then they are sanctioned by the District Board.

36418. Does the District Board alter the budgets much?—Not usually; they do occasionally.

36419. We were told that in the Presidency proper the *taluka* Boards only had a few thousand rupees to dispose of?—In my division each *taluka* Board gets between Rs. 6,000 and Rs. 9,000. It is usually spent on roads and bridges.

36420. The District Board keeps the educational expenditure in its own hands?—The educational expenditure is quite different; the Education Department looks after that.

36421. But we have been told that in Bombay proper, although the Education Department manages the schools, the Local Boards can vote what schools they will have and where they shall be; is that the case in Sind?—The Education Department starts the schools.

36422. And sends the bill in to the District Board?—They have their own separate budget from the beginning.

36423. So that the *taluka* Board has nothing to say to it one way or the other?—No.

36424. Has the District Board power to re-appropriate?—Yes.

36425. Without going to the Commissioner for sanction?—Yes.

36426. (*Sir Steyning Edgerley.*) Are the villages in the Hala sub-division compact or very scattered?—The villages are very scattered. There is a very large number of small villages. The houses in a village are together.

36427. Have you many village *patels* in the sub-division?—Every village has its own *patel*.

36428. How long has the village had its *patel*?—I really do not know how long; I suppose it is a very ancient custom.

36429. What is a *patel* usually called?—Either the *patel* or the *wadhero*.

36430. Are those terms interchangeable?—No, *wadhero* is used very often as a term of respect to anybody.

36431. Is the *patel* recognised by any Act in the Hala sub-division?—No.

36432. You simply mean that he is the descendant of the chief man of the village?—Yes.

36433. Do you not really mean the *wadhero*?—Yes, there is no officially recognised *patel*.

36434. (*Sir Frederic Lely.*) As Sub-Divisional Officer, have you any connection with the police?—Not direct.

36435. Do you consider it your duty to inspect the police stations?—I do inspect the police stations; it is my duty to inspect the police stations and records once a year.

36436. If you find out anything wrong, what do you do?—I should report to the District Superintendent.

36437. Have you anything else to do with them?—No, nothing else.

36438. You have got a *mukhtiarkar* in every *taluka* under you; does he pass any original orders of any sort or does he refer every matter of any importance to you?—All matters of any importance are referred to me.

36439. Might the *mukhtiarkar* be entrusted with any power?—Yes, there are some powers that might be given to him.

36440. In the case of the death of a registered occupant, has he power to register the name of the heir?—No, he has to refer to the Assistant Collector.

36441. Might he do that of his own authority?—Yes, I think so.

36442. Are there other matters in which he might be trusted?—Yes, there are trifling matters in connection with revenue that might be entrusted to him.

36443. As to the *tappadar*, is he efficient?—I think he is generally efficient.

36444. And honest?—I do not think so.

36445. Is he usually a Hindu or a Muhammadan?—They are about half and half.

36446. Are they sufficiently well paid?—No, they are not very well paid. There are two grades Rs. 20 and Rs. 25.

36447. Do you think that, having regard to their responsibilities, that is enough?—I do not think so.

36448. Are you President of each *taluka* Board?—Yes.

36449. Does the *taluka* Board make its own budget?—It makes up its budget and sends it for sanction to the District Board.

36450. Do they get a fixed grant from the District Board?—Now, in this district of Hyderabad they have a fixed proportion.

36451. The *taluka* Board makes its own budget against that, and sends it up for incorporation in the District Board Budget?—For sanction; it is not incorporated.

36452. What is their function with regard to the execution of works; do they supervise the execution of all works?—All except the very large ones.

36453. Do they superintend even the works that are in the District Board budget?—No, they have nothing to do with those; the larger works are generally carried out by the Public Works Department.

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36454. As a rule are District Board works carried out by the Public Works Department and the others by the *taluka* Board?—I think, as a rule, that is so.

36455. How many members of the District Board are resident in your sub-divison?—About ten.

36456. Do they take any active part in the administration of the local funds?—No. I do not think they are sufficiently interested.

36457. If they took any interest in the work would their co-operation be accepted?—I think so; they can suggest a great deal to be done by the District Board.

36458. A member of the District Board has no particular power?—No.

36459. Would a member of the *taluka* Board have more power?—No, but he probably sees much more of the *taluka* works; the matters dealt with by *taluka* Boards are smaller, and probably he would have much more to say to them.

36460. As a matter of fact do the *taluka* Board members take a more active interest in the work than the District Board members?—I think they do.

36461. How many meetings do you have in a year of the *taluka* Board?—Generally we have one every month.

36462. Is the attendance pretty good?—Yes, fairly good.

36463. On the whole there is more interest shown in local works by the *taluka* Board than by the District Board?—I should say there is more interest taken in the *taluka* Board by the members generally.

36464. Has the *taluka* Board got as much funds as it knows what to do with?—They generally want more than they get.

36465. Are there complaints in your *taluka* by many villages that they have never got any benefit from their contribution to the local funds?—I have not heard any complaints about it, because there is so little interest taken by the villagers in Local Fund matters.

36466. Are there a large number of villages that have never obtained any benefit from their contribution to the Local Fund?—I suppose there are many villages through which no road passes, and where there is no school and no local well; they may be said to receive no benefit.

36467. (*Mr. Dutt.*) What is the approximate income of your District Board from the one anna cess?—I should think between 1½ lakhs and 2 lakhs; a lakh and a half would be the probable income from the local cess.

36468. Under the rules, you have to make one-third of that to the Education Department for village schools?—Yes.

36469. You do not take any steps in administering that portion of the money; it is all administered by the Education Department?—That is so.

36470. Is it the rule that the District Board keeps one-half of the balance, and the other half is distributed amongst the *taluka* Boards?—It is not a rule; it is entirely at the discretion of the District Board.

36471. But in your district has that rule been introduced?—The Collector has not fixed it at 50 per cent., but in one or two small *talukas* he has assigned only 25 per cent.

36472. After deducting the money given for the Education Department do you keep one-half of the remainder for the District Board?—Not invariably.

36473. As a rule?—It is only since this year; we are doing it in most *talukas*.

36474. Do the *taluka* Boards know before the actual allotment has been made what they are to expect?—Not until this year; under the rule introduced by the Collector this year, they will have a fairly good idea of what is coming to them.

36475. So that is a good rule to follow?—I think it is a very good rule.

36476. You say that from the money that is distributed to the *taluka* Boards, each *taluka* Board gets Rs. 8,000 or Rs. 9,000?—Between Rs. 6,000 and Rs. 9,000 in the year.

36477. Is the whole of it spent on small village roads?—Not on the main roads which go through the whole district or the whole province. The whole of it is not spent on the smaller roads. Some of it is spent on bridges, and there are road-side trees.

36478. Have you got an engineering establishment under the *taluka* Board?—We have not got a regular engineering establishment, but we have an overseer who knows something of practical work.

36479. Who looks after the larger works?—The overseer looks after the bigger works, too; that is for the whole division.

36480. But he does not look after those works which are undertaken by the Public Works Department?—No, he has no connection with those.

36481. Are the *mukhtiarkars* generally men of education?—Yes, almost invariably. They are often University men.

36482. Are the newer ones an improvement on the older class as a rule?—No, the older men have got more experience, so that it is very difficult to compare the two and say which is the better.

36483. Have they generally a reputation for integrity and honesty?—Most of them are quite honest.

36484. What does their pay run up to?—From Rs. 150 to Rs. 250.

36485. At how many different centres in a *taluka* have you to stop to do the *jamabandi* work?—It is not fixed; very often we do it at only one centre in each *taluka*, but where there are several Government district bungalows, we divide it into two or three tracts.

36486. So that it really depends upon the accommodation you have, and whether it is convenient for you to stop at a place?—Yes.

36487. When you do the *jamabandi*, do the villagers come round to you in large numbers and represent their grievances?—There is very little co-operation and very little consultation amongst the villagers at all; each man comes to represent his own personal grievances.

36488. You have a real opportunity of coming into close contact with the villagers on such occasions?—Yes.

36489. Do you do the *jamabandi* work for the whole *taluka*?—We do the *jamabandi* in the whole of the *taluka*. Personally I only test the work as it is done by lower officials.

36490. The work itself is done by the *mukhtiarkar*?—The *mukhtiarkar* does the work, then it is tested in the office, and I again test it personally, a certain amount of it, to see whether the test is correct or not.

36491. So that the *jamabandi* work which you do is really testing the *jamabandi* work of the *mukhtiarkars*?—Yes.

36492. How many municipalities have you got in your sub-division?—Five excluding Hyderabad.

36493. You are the President of all five municipalities?—Yes.

36494. Is that under the law, or has Government appointed you President?—I have been appointed President by Government.

36495. Is it the rule that the Sub-Divisional Officer is President in all small municipalities?—Yes.

36496. Do these municipalities generally undertake primary education within their own limits?—Yes.

36497. Is your income sufficient for undertaking those duties?—We are assisted by the Education Department.

36498. Have you any dispensaries in these municipalities?—Yes, in most.

36499. Who are the Vice-Presidents of the municipalities?—The *mukhtiarkars*.

36500. So there is no non-official Vice-President in any of these municipalities?—No, we have Chairmen of the committees, and a separate Vice-President and a separate Chairman for each municipality.

36501. What are the functions of the Chairmen?—They carry out the usual routine work, the making up of the bills and looking after the accounts and so forth.

36502. Something like the duties of a Secretary?—There is a separate Secretary also, but the Chairman immediately supervises the work of the office.

36503. Anyhow, all the Vice-Presidents are officials?—Yes.

36504. Could suitable men be found to take the post of Vice-President in some of these municipalities?—As far as this division is concerned, I cannot think of any.

36505. Is the work of these municipalities largely done by committees, each committee taking up a different department such as schools, dispensaries, Public Works, and so on?—They do appoint committees, but as a rule they do not take very much interest in the work.

36506. Do you leave sufficient power with these committees to dispose of matters and to induce them to take some interest in the work?—They can bring matters as they like to my notice.

36507. But can they do the thing themselves?—Generally the President and Vice-President are not present at the meetings; they can hold their meetings themselves.

36508. But is it their function only to make suggestions to you?—They would make resolutions which would then be approved by the general body.

36509. They have not got the power of finally disposing of cases, or passing orders on questions?—No.

36510. (*Mr. Hichens.*) Do the municipalities generally hold their meetings once a month?—Yes, they hold more than one meeting a month generally.

36511. Has the District Board at least one meeting a month?—The District Board has only two meetings in a year.

36512. So that what with the *taluka* Boards and the municipalities, you are fairly busy attending meetings?—I do not attend many meetings; it is only when I am at the headquarters of the *taluka* that I attend the Local Board meetings; that happens about two or three times in the year.

36513. Do you generally attend the meetings of the municipality?—That also, when I happen to be there; that happens about twice or thrice in every municipality in the year.

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36514. Can a man know enough about a municipality to be President of it and to know the work if he is only there two or three times a year?—Yes, I think so. There is very little interest taken to begin with. If there were intelligent men who took sufficient interest in the working of the municipality and who were conscious of their own responsibility, it would be all right, but there are no such men; I think there is some one necessary who is impartial to direct the work of the municipality.

36515. In order to stir up their interest would it be necessary to have an officer who was there a little more frequently?—Probably it would spur them up a little.

36516. In what language are the minutes of the *taluka* Boards kept?—In Sindi.

36517. And the District Board?—Also in Sindi.

36518. And the municipality?—Also in Sindi.

36519. The debate is conducted in Sindi?—All in Sindi; at the District Board it is rather mixed, but at the other meetings it is always in Sindi.

36520. Do the European official members speak in Sindi?—Yes; if they want to say something difficult they get it translated by the *mukhtiarkar*.

36521. (*Chairman.*) How many members are there of the *taluka* Board?—Twelve in each *taluka* Board.

36522. How many as a rule attend?—6 or 7.

36523. Of the District Board members how many are there?—About 35 or 40.

36524. How many of them attend as a rule?—A very large percentage; there are only two meetings in the year and they get a fairly long notice, so that about 25 to 30 attend each time.

36525. You said that when anything difficult had to be said an interpreter had to be brought in. Does that shew a great knowledge of Sindi on the part of the Collector or the local officers?—The experienced officers find no difficulty in expressing themselves.

36526. But is it generally the case that when anything difficult has to be said the Collector has to have it interpreted?—I personally find it always necessary to do it, because the people do not understand if you use any complicated or unusual expressions.

36527. But can you translate all that you want to say?—Mostly; it is only when accounts have to be examined and so on that I find difficulty.

(*The witness withdrew.*)

Mr. MATHRADAS RAMCHAND, B.A., L.L.B., was called and examined.

36528. (*Chairman.*) You are a Pleader at Hyderabad?—Yes, I have been a member of the municipality there for the last 18 years. I was Chairman of the School Board and some other Committees.

Mr. Mathradas Ramchand.

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Decentralization is not desirable unless it is intended to give greater power of administrative initiative and control to local bodies independently of official control. In any case no decentralization will succeed, unless and until Administrative Councils are provided to assist Divisional and District Officers.

The present system of financial contract between Local Governments and the Supreme Government should be altered by assigning certain items of revenue to Local Governments, which they may develop and adapt to local conditions.

I would not give larger powers for the creation of new appointments or the enhancement of salaries to provincial Governments, and I am not in favour of extending the powers of Heads of Departments or Commissioners of Divisions.

In my opinion Act V. of 1868 should be abrogated and the exclusion of Sind from the rest of the Presidency should be removed.

The right of appeal is very much appreciated by the public and should not be curtailed, especially when they are willing to pay for it.

Executive Officers have even now sufficient opportunity to associate with the people if they are inclined to do so. The areas under their control may profitably be diminished.

Some Executive Officers have pretty good knowledge of the vernacular of the district they are serving in, but many have not. They should have a better knowledge of the vernaculars.

The administrative staff is sufficient, but the areas in many cases may be diminished. There is a good deal of unnecessary red-tapeism in all departments which could be greatly curtailed, and the work done more regularly and systematically.

Seniority should not be the only standard of promotion and appointment to office. On the other hand there is fear of growth of favouritism if seniority is altogether ignored.

In some cases the transfers of officers are frequent, but no change is necessary in the present system.

Mr. Mathradas Ramchand.

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Larger powers should be granted to all local bodies. In the case of municipalities there should be a larger percentage of elected members with a non-official President elected by themselves. By electing their own Presidents they will feel their responsibility better, and consequently will be bound to discharge their duties much better than they do now.

District Boards are now under complete official thraldom, and can be well-leavened by some mingling of more independent and intelligent non-agricultural element. They might be allowed to have a greater control over primary education than they have got now. The functions of the local bodies may suitably be extended in the direction of education, both primary and technical; temperance by giving them local option in the matter of opening of liquor shops, and finally in the disposal of petty civil and criminal work.

I am in favour of creating Administrative Councils to assist Divisional and District Officers. Such Councils may be constituted partly, by nomination and partly by appointing representatives of local bodies. These bodies may be trusted to help the authorities in the matter of periodical settlements, remissions and suspensions of land revenue, in times of famines and plague, and in matters referring to abkari and forest grievances and police requirements of the public.

It is desirable, but not possible under the present circumstances, when, most of the villagers are uneducated, to give greater powers to village communities. This disability should be removed by spreading education.

36529. As Chairman of the School Board Committee what had you to do?—I had to supervise the schools, to look after the masters, and to see to the management of the schools, and to visit the schools constantly.

36530. Was there really a great deal to do?—Yes, if a man has a mind in it, there is plenty to be done.

36531. Are you Chairman of other committees?—Yes, at present I am not Chairman of the Works Committee, but I am constantly presiding; the Chairman is constantly in the districts.

36532. Have you a good deal to do as Chairman of that committee?—Yes.

36533. Does the presence of the Collector as Chairman of the District Board, or of some other official as Chairman of the municipality, put any check upon your criticisms or speeches?—Yes, a good deal. We had a non-official President for 12 years from 1892 to 1903, at Hyderabad; he was selected by the municipality and his appointment was confirmed by Government and he kept it for 12 years. After that Government tried to put in their own Presidents; each President only lasted for a year and a half.

36534. Why do you feel afraid to discuss or criticise matters when there is an official Chairman?—Speaking for myself I do discuss and criticise, but most of the members feel very shy, and they do not do what they used to do before.

36535. Why did these Chairmen that you have spoken of last only a year and a half?—They did not enlist the confidence and respect of the municipality.

36536. Was the municipality rather glad to get rid of them?—They were not efficient for their duties as the Municipal Commissioners thought and in the end it was proved that they were right; one was obliged to resign, and the other was told by the Commissioner in Sind that he might resign.

36537. What were these two gentlemen who were appointed Chairmen?—One was a retired Assistant Judge and the other gentleman had no position; he was a small merchant.

36538. That is to say, the Government tried the experiment of putting in a non-official Chairman?—It was not a proper experiment by Government; on the contrary we had a non-official President in 1892 who was successful.

36539. But after you had your non-official President the Government tried a similar experiment?—They selected their own men. The first non-official President was our own selection; we selected a man in whom we had confidence and who commanded the respect of the municipality; he lasted for four terms, that is to say, for 12 years. Then since 1903 somebody else was put in by Government without consulting the municipality.

36540. The Government tried the experiment of continuing the non-official Chairman and it did not succeed; is that what you mean?—They tried it in a different way—half way, as I would call it.

36541. What do you mean when you say the public should pay for the right of appeal?—They pay in the way of court fees.

36542. You consider that they should have the privilege of employing some one to appear for them?—It is not that; it is not only a question of privilege, but they have confidence in the higher authorities more than in the men on the spot.

36543. The more they pay the more they like it?—It is not a question of payment.

36544. Then what does this mean, "especially when they are willing to pay for it"?—I only meant to say that it does not cost Government anything; the people are willing to pay; they pay in the form of court fees, and they feel that the right of appeal is very essential, and they should not be deprived of it; if it could be made free so much the better, but even if it costs them something the people will be willing to pay.

36545. You think the Executive Officers of a district do not have a very good knowledge of the vernacular?—They have not a good knowledge. Their whole work is done in English; only rarely do they try to speak some broken sentences in Sindi.

36546. We were told that the correspondence is conducted in Sindi?—No; in the municipality and the District Board all the correspondence with the Collector is in English.

36547. Is the correspondence in the office in the vernacular, or in English?—Both in English and Sindi.

36548. You think that at the present moment it would be impossible, however desirable, to give powers to village communities?—Unfortunately the Sind village communities are not homogeneous; there is a part of the Presidency in Gujarat and the Deccan where the two communities, the Hindus and the Muhammadans, are not divided. In Sind the Hindus happen to be the creditors and the Muhammadans the debtors; that is generally the position in the smaller villages. Unless a village is homogeneous the experiment would not work.

36549. (*Mr. Dutt.*) You tell us that District Boards might be allowed to have a greater control over primary education than they have. Will you explain exactly what you mean?—At present the whole of the educational work is done by the education inspector; the District Board has no voice. One third of the money is paid to the Education Department, but the Local Board has no voice whatever.

36550. What do you suggest?—That some kind of duties ought to be allowed to the District Board; outlines of principles might be laid down by the Education Department, and the District Board be left to carry them out.

36551. Ought the District Board to have its own Educational Officers to inspect and supervise the village schools?—It could be done, provided another element be introduced into the District Board. The present members of the Local Boards are zamindars and generally Muhammadans, who themselves have not much education.

36552. Have you not sufficient men on the District Boards now to form small School Boards?—We have now.

36553. Would you approve of the idea of forming a School Board under each District Board especially to look after primary education?—That would be a very good idea.

36554. Do you know much of these primary schools that are now in existence, or of the way in which they are managed?—Only in Hyderabad city.

36555. You do not know much of the villages?—No.

36556. Generally speaking, if the District Board aided these village schools with a monthly stipend of Rs. 5 or Rs. 6 would the villagers themselves undertake to keep up the schools?—You mean in place of the present arrangement. I think they might do it.

36557. It would be a good deal cheaper than the present arrangement?—Yes.

36558. You suggest that the functions of the Local Boards should be extended in the direction of education and also as regards the opening of liquor shops; do you propose that the control should be given to the District Boards?—No; I would have local option; many shops are opened against the opinion of the people.

36559. To which local bodies would you give the option?—The *taluka* Local Boards.

36560. You suggest the formation of Administrative Councils. If such Councils were formed would they not be proper bodies to advise as regards the opening of the liquor shops?—The *taluka* Boards would be more in touch with the people of the small villages, and they would be in a better position to judge than people at a distance.

36561. What kind of duty would you delegate to these Administrative Councils?—They might be allowed to have a voice in many things. In Sind we have a peculiar land settlement system; every ten years our settlement rates are revised.

36562. You think that they might be consulted in these matters?—Especially at the time of the revision of the settlement and at the time remissions are given on a general failure of crops.

36563. Would you leave the final decision in the hands of the Revenue Officers?—The final decision must be left for some time to the Revenue Officers.

36564. But you think that these Councils could give valuable information and advice?—Yes. For instance, in regard to the police; they could tell how many policemen were required and where the force was undermanned; there are places where there are more officers than rank and file, and in other places the force is very much undermanned.

36565. They could only speak about local needs, they could not frame a general scheme?—If they were entrusted with the framing of a general scheme they could do it.

36566. Have you village headmen?—Yes, there is the Hindu headman called the *muhki* and the Muhammadan called the *patel*.

36567. Could you not combine them to form a panchayat?—I think not.

36568. You do not think the experiment could be tried at present?—I think not.

36569. (*Mr. Hichens.*) Are the Administrative Councils that you suggest to be purely advisory, that is to say, is the Collector to be at liberty to accept or reject their advice?—Their opinion should be taken as far as possible; final action might not be left to them for some time.

36570. Is the idea that they are merely to advise the Collector?—At present they should be consulted and reasons for dissent be recorded by the Collector.

36571. He would take their advice if he thought it was good?—They must be consulted whatever their opinion may be.

36572. But must the Collector take their advice, or may he reject it?—He should take their advice in such matters which may be defined for their opinion, as for example, exemptions and settlements and remissions; sometimes there is a general failure of crops, but individual remissions are made; a certain time is given for the people to put in their applications; sometimes their applications are not put in in time, and they lose the advantage of any remission to which they would be entitled if general remission were given.

36573. If the Collector thought in a particular case a remission should not be made and the Administrative Council thought there should be a remission made, should the Collector be bound by the opinion of the Council?—In Sind the inspections are made by numbers; each number is inspected by an officer and the quantity of the grain is estimated; if the assessment is less than half the gross produce no remission is given at all; if it is more than that, one-third of the produce is charged; each number is taken by itself; on each number the opinion of the Council could not be taken; whenever there is a failure of crops in a certain portion of the *taluka* a general remission should be given.

36574. If the Administrative Council were of opinion that a remission should be made and the Collector was of opinion that it should not, should the opinion of the Administrative Council prevail?—I suppose so.

36575. (*Mr. Meyer.*) You desire Act V. of 1868 to be abrogated and Sind to be brought on a level with the rest of the Presidency; do you mean that it should be treated just as an ordinary division of the Bombay Presidency?—Exactly.

36576. Why do you advocate that?—For instance, the Mufussal Municipal Act has been framed with the object that the city municipalities should be under the control of the Governor in Council, and town municipalities should be under the control of Commissioners of divisions. By giving those powers to the Commissioner in Sind our city municipalities have been replaced under the Commissioner, which is against the very policy of the Act itself. There must have been some reason found for dividing them under those two divisions, and by this very Act the Sind municipalities are brought under the very authority which has been condemned in the Act itself as not sufficient.

36577. You rather resent the city municipalities being put on the same footing as the town municipalities?—No, I only give that as an instance; we get an individual ruler instead of a Governor and his Council.

36578. You do not think that the circumstances of Sind are so special that it requires to be treated as a sort of division by itself?—At one time Sind was far away from the Presidency, but now it is no further away than the southern districts of the Presidency, and there is no necessity for the division. At one time there were no railways and the sea journey was very difficult. There were many things that brought about this disision, but it is not necessary now.

36579. Are you a Sindi yourself?—Yes, I am a Sindi by birth.

36580. It has been suggested, occasionally, that so far from the Act being abrogated, it is an excellent Act to extend all over India?—I have seen those opinions expressed. Possibly things which one has not got one desires to have; I do not know whether they have had experience of it.

36581. Your opinion is against extending it?—Yes.

36582. (*Sir Steyning Edgerley.*) Does not the Municipal Act expressly save the provision as regards the Commissioner in Sind?—It does not expressly save it; it is only by the delegation under Act V.

36583. But the position of the Commissioner in Sind is especially referred to in the Municipal Act of 1901, and therefore it has been accepted by the Legislature?—Yes, but that is because the delegation Act V. of 1868 is in existence.

36584. That being so, the illustration you gave is not correct?—No. The necessities of the Sindi municipalities are on the same footing as those of the Presidency.

36585. The legislature did not intend to put your city municipalities under the Bombay Government instead of under the Commissioner?—That is true,

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but when they placed all the rest of the municipalities under the Governor in Council they could not have intended to treat Sind municipalities otherwise; if the Act had not been there, they would possibly have not made that difference.

36586. You are entirely in favour of a fresh financial arrangement between the Government of India and the provincial Government?—Yes, some heads might be handed over.

36587. You would have a separation of revenues? Yes.

36588. Is that of great importance?—The Government would be free to develop them.

36589. You would like to see that done?—Yes, if it can be done.

36590. (*Sir Frederic Lely.*) Was not the first non-official President of the Hyderabad municipality elected?—He was selected by the municipality, and his name submitted by the municipality to the Commissioner.

36591. Then subsequent non-official Presidents were chosen by the Commissioner?—Yes.

36592. Do you attribute the fiasco to any extent to that? Would the municipality have chosen better men?—Certainly; if the municipality could have been left to select, they would have been able to find men they considered efficient to control them and lead them. In fact the second President selected by Government was selected notwithstanding the opposition of most of the Commissioners; when they heard of the appointment they protested.

36593. What was the position of the first President?—He was a zamindar and a pleader.

36594. You think that the District Board should be re-organised by adding to it "more independent, intelligent, non-agricultural gentlemen"; why non-agricultural?—At present the whole body consists of agriculturalists—all zamindars.

36595. But the great mass of the ratepayers are agriculturists?—Yes, but others contribute also; others are concerned in the roads and in educational institutions, and they ought also to have a voice.

36596. But do they not represent a very minute fraction of the ratepayers?—They do; it may be one-seventh of the agricultural population, but they ought to have seats accordingly.

36597. You seem to attribute some particular virtue to the quality of being non-agricultural?—If you attend any meetings of the District Board you will find that nothing could be carried except what pleases the authorities. If I moved any resolution which would benefit the whole community, I should not find a seconder.

36598. Is your point that it is only the non-agricultural men you can trust to be independent?—What is wanted is some element of those who can voice the requirements of the district.

36599. But the vast majority of the ratepayers are agriculturists?—Quite true.

36600. Would you not admit that their interests would be best represented by men of their own class?—Yes, provided that they will speak out, but they are not always bold enough to do so.

(*The witness withdrew.*)

The Hon. Sheikh Sadik Ali Sher Ali was called and examined.

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36601. (*Chairman.*) You are the Wazir of the Khairpur State?—Yes, since 10 months, since May last. Before that I was Deputy Collector for nearly 20 years in different parts of Sind—Larkana, Jacobabad and the Sukkur districts. Before I was Deputy Collector, I was a clerk first in the Collector's Office; then I was head clerk to the Deputy Collector and Registrar: I was for some time head *munshi* to the Political Agent of Baluchistan; then I became a *mukhtiarkar* after passing the Lower and Higher Standards.

In Sind full powers may be given to Collectors—

(1) to grant remissions of land and miscellaneous revenue;

(2) to sanction the writing-off of arrears of land and miscellaneous revenue which are irrecoverable. At present all remissions of revenues and writing-off of arrears are sanctioned by the Commissioner as a matter of form only, as he has no means to test their nature and justification in individual cases. It is very rarely that any recommendations of Collectors are rejected by him and the procedure followed merely increases correspondence and involves the preparation of elaborate reports and returns;

(3) to authorise the refund of over-collections of land and miscellaneous revenue up to any extent and for any past period. At present their powers are limited as to amount and period.

Sub-Divisional Officers may be given full powers—

(1) to grant remission of land revenue only up to Rs. 100 in each individual case, and over that limit the sanction of the Collector should be obtained. The Collectors during their tour season rarely test any individual claims for remission, and merely examine the general causes to which the failure of the crops are due;

(2) to authorize the refund of over-collection of land and miscellaneous items of revenue up to Rs. 100 in each individual case irrespective of the limit of period.

The Sub-Divisional Officers, when placed in charge of *talukas* or a division under section 10 of the Land Revenue Code, may be invested with larger powers regarding appointments, transfers, dismissals, leave, etc., of subordinate establishments in their charge. At present they are given no powers whatever. In some districts the Collectors delegate to them the powers of granting privilege leave and sanctioning temporary appointments.

The *taluka* officers may be delegated the powers of appointing, dismissing their own peons and the peons of the *tappadars* of village establishments. At present they are not given such powers.

It is quite possible and most desirable to allow Commissioners and Collectors to control, to a greater extent than at present, expenditure in their divisions and districts. Government should assign a certain allotment to each province or division in proportion to its needs, to be worked out on an average of 3 or 5 years' receipts and expenditure. The Commissioner of the division in turn should allot a proportion to each district, reserving a share of the allotment made by Government for the special needs of the division under his control. The Collectors should then assign allotments to each sub-division. The Sub-Divisional Officer should distribute the allotment over the *talukas* in his charge. The *taluka* officers should prepare budget estimates for each *taluka* which should be incorporated in the sub-divisional budget after they are discussed and passed at a meeting to be held by Sub-Divisional Officer and his *mukhtiarkars*. The sub-divisional budgets should be then submitted to the Collector and incorporated in the district budget. In like manner, budget estimates for irrigational and protective works and for civil and other buildings to be carried out and constructed in each district should be prepared by the Executive Engineers and incorporated in the district budget. The district budget should be discussed by the District and Sub-Divisional Officers of the Revenue and Public Works Departments and, after approval, should be submitted to the Commissioner-in-Sind.

The budget estimate of large and important irrigational and protective works and civil and other buildings should be prepared by the Superintending Engineers in consultation with the

Executive Engineers, and after discussion and approval by them at a meeting, should be forwarded to the Commissioner. These budgets should be incorporated in the divisional budget to be prepared in the Commissioner's office and discussed and passed by a Committee consisting of the Commissioner, Superintending and Executive Engineers and Collectors. A copy of it may then be submitted to Government for their information. If each province or division were treated as a distinct unit in itself and its budget estimate deals with the receipts and expenditure of all the departments excepting those under the direct control of the Government of India, then all the Heads of the Departments should prepare their own budgets which should be incorporated in the divisional budget, and all the Heads of those Departments should attend at the meeting to be held for the discussion of the divisional budget. Each division should be treated as a distinct and separate unit, especially the province of Sind, in which the local conditions are quite peculiar and distinct from those of the other parts of the Presidency, and the Commissioner-in-Sind should have all the powers of a Local Government and his budget estimate should be quite separate and distinct and should not be incorporated in the Presidency budget. Sind has always been neglected in respect of funds for irrigational and other works, establishment, sanitation, education, &c., and deserves a very liberal treatment in this respect.

Executive Officers have not sufficient opportunities for personal contact with the people owing to the press of heavy clerical work, in which the greater part of their time is occupied. The remedy most necessary is to reduce the areas of their charges and increase the administration staff. I am speaking of the province of Sind only, in which the Collectors' and Sub-Divisional Officers' charges are too large and unwieldy, and they have scarcely time to visit all parts of their charges. In Sind no sub-divisional charge should consist of more than 3 *talukas*. In the Larkana division it should not consist of more than 2 *talukas*, as both the revenue and judicial work is very heavy. The Larkana, Hyderabad and Karachi districts are also very heavy charges, though the Larkana district was reduced some years ago.

The Executive Officers do not generally possess sufficient knowledge of the vernaculars. They scarcely understand the vulgar speech of the villages and their own pronunciation being very defective and their fund of common phrases and words being very limited and scanty, they are hardly able to convey their own meaning fully and clearly and make the people understand them. I think this is also one of the reasons why they avoid visiting the people who do not know and speak English. They prefer speaking the English, and for this reason English knowing *munshis* are generally appointed as head *munshis* and *sharishtadars*.

The grant of larger powers to Commissioners, Collectors and other local authorities will necessarily involve greater care in their selection.

The transfers of officers of all grades are unnecessarily frequent. They hardly get conversant with their work and become acquainted with the people and the conditions of their charge, before they are transferred. No district, Sub-Divisional or *taluka* Officers should be transferred within a period of less than 5 years. Their pay is always personal, and there is no possible reason why they should be transferred so frequently from one charge to another even within the same district or province.

I am not in favour of the creation of Advisory or Administrative Councils to assist Divisional and District Officers in Sind, as even the smallest majority of people have not as yet attained that standard of education and intelligence most necessary to qualify them to understand the various problems which arise from time to time for the better and peaceful administration of the province. People are divided into petty factions. They are extremely jealous of one another. They are ready to cut one another's throats and to compass and cause one another's downfall and ruin. The chapters on Village Munsifs and Arbitration Courts in the Deccan Relief Act were extended to the province of Sind 4 years ago, but they are still a dead letter, as qualified persons are not available for those offices.

It would be expedient to invest District Boards with powers of supervision and control over the smaller municipalities within their respective districts. The budget estimates of these municipalities should be submitted to the District Boards for discussion and final approval, and members of the District Board should supervise some of the large works and schemes while under execution.

36602. Are the methods in the Khairpur State practically the same as they are here?—Generally they are now.

36602. You think that the Government ought to give a certain allotment to each division in proportion to its needs; are you talking only of Public Works expenditure?—Of all kinds of expenditure; the divisional budget should be on the same lines as the Local Government budget.

36604. A division should have a sum of money allotted to it, and then the Commissioner could spend it as he likes?—Yes.

36605. Is that what you do in your State at the present moment?—Yes, we do the same.

36606. You give the Head of the district so much money, and he spends it as he likes?—Our administration in regard to the budget is not like the administration here, but we are now commencing it; formerly no budget was prepared in the State.

36607. You say that the Executive Officers do not possess sufficient knowledge of the vernacular; do most of them read and write it?—They do not read and write it themselves; they cannot write anything themselves; they write in a very broken hand, and nobody can read it.

36608. Could they read a petition?—With great difficulty; some of the old officers can read a petition if it is in clear writing, but not all.

36609. Is it desirable that they should have that knowledge?—Yes, it is very desirable; if a man has something which he does not like to reach the ears of the *munshi* or clerks, the Executive Officer ought to read it himself.

36610. It really is a drawback to Government that officers cannot read the vernacular?—Yes. Sindi is a very difficult language. In other parts of India Hindustani can be read by any officer; Sindi is more difficult; the foreigner cannot pronounce certain letters properly, though he may lead his whole life here; even natives of India cannot pronounce them properly; still, with great difficulty and study you can speak it sufficiently to make yourself understood in it.

36611. Is it because the officers do not know the vernacular, that the people in the districts keep away from them?—That is one of the causes; it is not always so. If a man has his grievance, he comes to the Collector and the Assistant Collector, or when the officers go on tour.

36612. Then you say that a District Officer ought to remain for a period of not less than 5 years?—Yes, if he wishes to be acquainted with the people and their customs and manners and grievances he should remain a long time at one place, and should not be transferred in six or twelve months before he gets acquainted with anybody.

36613. Should he stay longer than 5 years?—That should be the least period, and he should remain even longer.

36614. How long?—Eight or ten years. When we had the Sind Commission, Civilians were very few, we had uncovenanted Officers who remained always in Sind; they know Sindi very well, they knew the people and their customs very well, and they were very useful. Now Civilians come for one or two years and then they are transferred or go on sick leave or something; a new Collector comes and he has to make new acquaintances; so that the administration suffers and the people also suffer.

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36615. (*Sir Frederic Lely.*) You have known Sind for many years?—I was born in Sind and I know it from my childhood, though my parents belonged to the United Provinces, the Saharanpur side.

36616. Has the character of the administration improved or otherwise during that period?—Of course it has improved; there is no doubt that it has.

36617. Has the character of the subordinates of Government improved—the village officers and the *munshis*?—It has considerably; it is not like the old days.

36618. But there is room for still further improvement?—Yes.

36619. In what direction?—As to their pay and their status; the subordinate officer's pay is generally low, rising from Rs. 20 to Rs. 25.

36620. You are speaking of the *tappadars*?—Yes, they are the foundation of the whole administration of Sind, at least the revenue administration. Whatever they write, upon that the *mukhtiarkar* and the Assistant Collector and the Collector pass their opinion.

36621. Are they equal to the position in point of character?—They are not; their work is very important but their pay is very low. The worst thing is this; that all the old officers in Sind are of opinion that you may increase their pay to any limit, but they would never withstand temptations which are thrown in their way.

36622. If they were better paid a better class of men would gradually grow up?—Yes.

36623. Are the *mukhtiarkars*, good men?—Yes; we have graduates and others who are *mukhtiarkars*. Still, there is one difficulty, the standard of vernacular education is not sufficient. After studying four standards of the vernacular they go and join English schools and become graduates; when they are employed in the Government Service they can hardly write Sindi properly.

36624. Are you speaking of natives of the province?—Yes, *mukhtiarkars* and Deputy Collectors.

36625. The tendency is to neglect their own language for English?—Yes.

36626. How about the *karkuns*?—They are generally Sindis; they do most of the work.

36627. They all know Sindi perfectly?—Yes.

36628. And are they efficient?—Yes.

36629. Are they sufficiently paid?—The establishment now has been revised; their minimum pay is Rs. 15, but considering the times that is a low standard for them; Rs. 15 is hardly sufficient for them to maintain themselves.

36630. Is there attached to the cutcherry of every *mukhtiarkar* a number of *umedwars*—candidates?—Yes, one or two, and they are not paid anything.

36631. But they are necessary to get through the work of the cutcherry?—Yes, and they have got a better claim to recognition than those who are not serving candidates.

36632. Is it a good arrangement?—I think so; it supplies the deficiencies of the staff.

36633. Is the present system for ascertaining the wants of the people sufficient?—I think it is sufficient.

36634. Anyone who has a grievance has a fair chance of making it known?—Yes, quie.

36635. Are the present arrangements all that could be made for enlisting the help of the people in government?—I think they are quite sufficient considering the present educational acquirements of the people

36636. Is there any room for extending the powers of the *taluka* Boards, for instance?—They have already sufficient powers. We have got a certain standard fixed, and in that their powers might be increased. I mean, if a road is to be constructed, if it costs more than Rs. 50 a mile, it has to be carried out by the Executive Engineer of the Public Works Department. That is not a very good limit; there are certain works costing Rs. 2,000 or Rs. 2,500 which should not be carried out by the Public Works Department. Generally, work which the *taluka* Board would carry out for Rs. 5,000, the Public Works Department would estimate at Rs. 10,000. The limit of the *taluka* Board should be raised.

36637. You would have more work done directly by the Board?—Yes.

36638. Would you make any distinction between the *taluka* Board and the District Board; which is most in touch with the people?—I think the *taluka* Boards are most in touch with the people. The District Board members are generally elected or nominated from the *taluka* Board, with the exception of *jagirdars*; they share each one member if he has got one whole village alienated, otherwise they are elected from *taluka* Boards.

36639. Is it possible to carry the powers still lower down to the villages in Sind?—Villages are not sufficiently advanced to warrant giving them more powers. We have now a Sanitary Act; we have Sanitary Committees, but still they do not do the work unless they are guided by the Government officials; they are generally timid; they have considerations of their caste, and they do not act properly; they have not got a strong character, as we should call it.

36640. Have these Sanitary Committees succeeded in any cases in Sind?—In many villages now the work of conservancy is carried on by Local Boards, by the District Boards, by Government, and by their own contributions.

36641. Are they accompanied by a rate in any case?—There is no rate; a lump sum is levied.

36642. That is supported by contributions from Government?—Yes.

36643. Then they have been to a certain extent a success?—Yes.

36644. (*Mr. Dutt.*) What funds have these Sanitary Committees?—There is a fixed share; Government pays one-fourth, an equal share is paid by the Local Boards, and the remaining half is paid by the communities themselves.

36645. Are there many Sanitary Committees in each district?—Yes, where the population of 500 or more there is generally a Sanitary Committee.

36646. Is the power entrusted to the headman?—Yes, to the panchayat and the headman.

36647. One headman assisted by a few other men?—Yes.

36648. Do they employ a staff?—Just the conservancy staff, three or four sweepers; where they have got sufficient money they have got lighting also.

36649. So far as you have seen their work, do they get on fairly well together, without wrangling or quarrelling amongst themselves?—They do not quarrel, but when their personal interests are concerned they try to take sides; that is the evil amongst these communities. Then there are jealousies; one man is Chairman, and his brother is also a member, and he resents that he should not be made Chairman. Still, they go on doing the work under the supervision of the officers.

36650. And in course of time could more powers be given to them?—Yes.

36651. Do the present Deputy Collectors rise from the ranks of ministerial officers?—Yes, many of them in Sind.

36652. Is that a good system?—It is a very good system.

36653. You do not approve of men being appointed straight away as *mukhtiarkars* on probation for two or three years?—No, because they have not the necessary experience; they are entirely in the hands of their *munshis* and clerks.

36654. Do not some of them contract habits of corruption as clerks, and find it difficult to get rid of those habits afterwards?—Yes, but if they wish to rise they give up those habits, otherwise they have no prospects, because it is not only seniority, but fitness and good character that helps them.

36655. You would not like to try the other system of men being appointed directly as *mukhtiarkars*?—No, that is not my principle; a man should rise from the beginning of the ladder, then he will know everything; otherwise, if he gets to be a big man at once he does not pay so much attention to his work.

36656. About these *tappadars*; are there *tappadars* in all villages?—No, we have a number called *tappadars*; each has so many villages under his control.

36657. Are they the same class of officers as the circle inspectors?—No, we have supervising *tappadars* corresponding to circle inspectors.

36658. Is their main duty the collection of revenue?—No, the Sind system is different. You were asking Mr. Hamid Ali about the *jamabandi*; I think you were referring to the *jamabandi* of the United Provinces, where the Assistant Collector makes the *jamabandi* and all the people come together. Here that is not the system. We have got each field surveyed and made a separate unit, which is called a survey number; each survey number is inspected by the *tappadar*; every number, whether it is cultivated or not, is inspected. If it is cultivated an assessment is fixed upon it and that is recovered from the occupant; that is not recovered at *jamabandi*. First of all the *tappadar* shows in his inspection book all the numbers, cultivated and uncultivated, held by a registered occupant; then he enters all those in each village; then he enters the assessment which is due, the local cess and everything; then it is transferred to another form which we call the ledger account; then they all come to the *taluka* headquarters, where the Assistant Collector and the *mukhtiarkar* are, and there they are examined and compared, and if it is found that they are correct they are signed; if there is a mistake found it is corrected. That is the *jamabandi*.

36659. Are these *tappadars* generally local men?—Yes, they are trained in Hyderabad in the Agricultural School before they are appointed.

36660. What is their pay?—It is 20 to 25 for *tappadars*; then it rises to Rs. 30 and Rs. 35 for supervising *tappadars*; from that, they are made head *munshis* and *mukhtiarkars* also.

36661. Is education spreading now gradually amongst the people?—Yes, the leading men are now taking a greater interest than before, and they are trying to spread education, at least among the backward classes.

36662. Is the number of Board schools increasing in the villages?—Yes, we have got too many Board schools.

36663. Then there is a large number of indigenous schools where only the Koran is read by Muhammadan boys?—Yes.

36664. Has any attempt been made to introduce secular education there?—Yes; they are called now aided *mullah* schools.

36665. They teach the Koran and also give some secular education?—Yes; the schools are inspected, and according to results a grant is given every year.

36666. Is that a good system?—Yes, very good, because it is improving and spreading the vernaculars. It used to be only the Koran and Persian, and they neglected the vernacular; now they are learning the vernacular, and in that way knowledge of the vernacular spreads to others who do not go to the regular Board schools.

36667. (*Mr. Meyer.*) Who aids the *mullah* schools?—I think it is the District Board as well as Government; the District Board gives a share of the local cess for the Educational Department; then the Educational Department prepares the district budget and sends it to the District Board, where it is approved; then the expenditure is incurred by the Educational Department, and the *taluka* Boards supervise the schools; they make recommendations for new schools.

36668. Part of it, any rate, comes out of the District Board fund?—Yes. It is the District Board cess from which the share is given to the Education Department.

36669. You desire that Collectors should have power to sanction the writing off of irrecoverable arrears; should they have full power?—Yes, I think so, these sanctions which are obtained increase the correspondence, because the Commissioner has got no one to check these recommendations; he has not any opportunity of checking them; he merely depends on the Collector's recommendations.

36670. Is not a Collector's business supposed to be to collect all revenue promptly that is capable of collection?—Yes.

36671. Suppose you had a Collector who had been rather slack with his collection, might there not be temptation to say "The balance is irrecoverable, I will write it off"?—But it is not in the hands of the Collector. Primarily the revenue is collected by the village officer and the *mukhtiarkar*, who are responsible for making arrangements to collect it, but if there is a calamity and crops fail and remissions are given to a certain extent, the arrears remain, because the people have nothing to pay with; the Collector has very little to do with these outstanding arrears.

36672. Suppose the *mukhtiarkar* has not taken the trouble what is easier than for him to say "This is irrecoverable and I recommend it to be written off"?—Then the Assistant Collector would come down on him; he goes round and scrutinises the returns and sees that there are no arrears. The machinery is all connected. Unless there is combination between the *tappadar* and the *mukhtiarkar*, and the Assistant Collector and the Collector, there will be no arrears. Our system is quite distinct from that of the Presidency. In the Presidency when there is no rain they give a certain remission, but here every survey number has to be examined.

36673. You think the extension of power to write off arrears as irrecoverable would not involve any abuse?—Very rarely.

36674. Would you be in favour of a system of conferences for the provinces, the Commissioner meeting his Collectors and his Heads of Departments regularly twice a year or so?—I think that is generally done even now, the Commissioner calls in his Collectors and other British officers, and they hold consultations.

36675. You say the people are no more ripe for panchayats than for Advisory Councils; do you mean owing to their factions?—Their factions and their ignorance.

36676. We were told by another witness that the ordinary village is divided into two parties, the Muhammadan cultivator, who was in debt to the Hindu money lender; is that the case?—It is not generally the case now since the application of the Deccan Relief Act and the Encumbered Estates Act; the cultivators are not now so much indebted to the *baniya*, still the *baniya* in many instances advances money.

36677. You say that certain provisions of the Deccan Agriculturalist Relief Act have remained a dead letter?—Those relating to village munsiffs and village arbitrations; those were recommended for application to Sind, and I was one of the officers who recommended it, but they have not been successful up to this time, because Collectors find it very difficult to know to whom to delegate these powers.

36678. So far as the working of the ordinary Courts goes, the Act has been successful?—Yes, to a certain extent.

(*The witness withdrew.*)

Mr. H. M. GIBBS was called and examined.

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36679. (*Sir Frederic Lely.*) You are Deputy Inspector-General of Police for Sind?—I am officiating.

Local Governments should be given sufficient power to pay their officers at a fair market rate instead of being tied down to prices that may suit some other part of India. They should also be allowed to recruit their police on the lines needed by the natural features of the various districts and temperament of the people. It is no more possible to standardize for the whole of India than it would be for Europe. The present rate of pay is insufficient for Sind. No allowance seems to have been made by the Government of India for the facts that in Sind there is no system of village police, there are no recognized *lambardars* or *zaildars*, on the reverse of whose *sanads* the provisions of the Indian Penal Code showing the penalty for omission to report certain offences, harbouring offenders, &c., are clearly printed, nor have we, as in the Panjab, special men for the service of non-cognizable summonses, a service which takes up a very great portion of the time of the unarmed police in Sind.

The armed police is practically recruited by foreigners. It was bad enough before the reorganisation scheme was introduced, but since the rate of pay has been standardised, the constables in the Punjab and United Provinces have had their pay raised and so the better men take employment at home and we are getting a much worse class of recruit than we were. Not only is the rate of pay insufficient, but the work of the armed police is heavy whilst the force is utterly undermanned, and the shortage makes it impossible for the District Superintendent of Police to give the men leave they want and have due to them, and should ordinarily speaking be given them. In this Presidency every *taluka* has its *mukhtiarkar* and *mamlatdar*, who is a 1st and 2nd class Magistrate, and has its treasury and sub-jail; cases are tried in the *taluka* and prisoners are confined in the sub-jails. The cases are not taken to the district headquarters for trial. A strong case showing the impossibility of standardization for the whole of India has just occurred at the Hala sub-jail in the Hyderabad district. The treasury and sub-jail guard was 1 head constable and 4 constables; these men have no regular relief. At about noon some prisoners asked the sentry for water, he was alone on duty; he got the water, opened the door of a cell in which there were 14 prisoners; 8 of these rushed out, snatched his musket and bayonet, bayonetted him and seizing all the other arms bolted. The *naik* of the guard and a revenue peon hearing the noise ran up and were fired on. The peon was not hit, but the *naik* was slightly wounded with a buck-shot and bayonet. The 8 got clear, shot a chaukidar 14 miles off and were only arrested after a 4 days' chase led by the District Superintendent of Police, who collected police and villagers as best he could; six have been arrested after an interchange of shots and 2 are still at large. Had there been a guard such as we have in the Presidency proper and has been advocated here, the probabilities are there would have been no escape and the sentry and chaukidar would still have been alive.

The Government of India should content themselves with seeing Local Governments keep to certain broad lines: purely local details should be left to the various Governments, as needs vary with localities and they know better than anyone else what those needs are. They should be allowed to adopt any suggestion of reform that is expedient, no matter the source it comes from.

There is no doubt the demand for information has, for some years past greatly increased, and I can only conjecture it is due to the Government of India calling for it. Whether they in their turn are pressed by the Secretary of State I cannot state.

More weight should be given to the opinion of Commissioners than the Secretariat, for one reason or another, is apt to give. They are senior, experienced, and very responsible officers; they base their reports on those of the local officers; they know their districts and the local needs, and so should be supported.

Police officers have not sufficient opportunity of personal contact with the people. Many charges are so large, it is impossible for them to inspect their stations and men as they should and are expected to do, to visit the scenes of crime and still have time to stay long enough in one place or *taluka* to get to really know the people. The consequence is their influence is diminished. Not only is this noticeable with the people, but with Government servants in different departments. People naturally often do not see, and when seen will not speak out to, an officer they can only see for one or two days in a year. It would be a boon to the people, and a very great aid to Government, if the old system of making officers live out in their charges were revised; at present there is too much concentration to headquarters and consequent loss of supervision and so touch with the people. I know the old plan would be disliked, but that is another matter; officers so trained (in all departments) would probably be better for it later on. This rush makes men only look into matters connected with their own department: they could, if the rush were stopped, be expected to look into the general working of the *talukas* and so be able to give Heads of other Departments most useful information.

My Executive Officers have not that knowledge of the vernacular they should. I would go further and say all Government servants, including all grades of clerks, should be able to read and write at least one vernacular language fluently. It would be no hardship on Indian born and educated officials. The school curriculum should arrange for this. This knowledge should be kept up: it would not only facilitate everyday work, but, in the higher grades of clerks, would be of immense value in confidential work. The remedy lies (1) in the orders the Government of India are pleased to pass and (2) the degree of strictness with which examiners carry out the orders they are given.

In large charges the administrative charge is too great: no charge should be so large that the Heads of Departments in it cannot thoroughly know it. I speak not only from a police point of view, but as regards what the District Magistrate is expected to do. In big places he seems for ever preparing and sending in long reports, and so gets little time to promptly look into local matters, which it would be better he should sift. The District Magistrate is the pivot on which our machinery works, and so too great a strain should not be put upon him: it is bad for all concerned.

Commissioners should be given greatly enhanced powers, but I do not think "selection" is necessary. Seniority is a claim that should not be passed over except for reasons than can be plainly given.

Ordinarily speaking, officers should not be transferred under three years: for their districts' sake five years would probably be better, but I doubt the strength of the departments being enough to allow of this.

The Government of India should insist that there is in every district a rifle or musket with a proper reserve against accidents for every policeman and ammunition for practice and reserve. I would not have every policeman go armed, but the firearms should be there and so stored as to be readily available. Every recruit is made to pass through a proper course of musketry before he is confirmed. It would be easy to keep him familiar with the use of firearms.

36680. The chief event that has happened lately in Sind in connection with the Police is the issue of the Police Commission report and the various action that has been taken on it. Have you anything that you wish to say in particular as to the effect of the orders issued under the report?—The effect has been materially to reduce the content of the men, and we have got a very indifferent stamp of man; not only that, but the men have resigned most freely.

36681. In consequence of what particular orders?—The rates of pay have been so reduced that men who might shape into good head constables and *jamadars*, will not come now; the rates of wages in Sind are very high; a head constable here can now only get Rs. 20 instead of Rs. 32.

36682. The rate of pay laid down by the Government of India is limited to Rs. 8?—Rs. 9, Rs. 10 and Rs. 11.

36683. Do those rates correspond with the market rate of wages in the province?—Not at all; they are infinitely less. The Superintendent of Police for Karachi sent out two recruiting parties; nearly the whole of the men left.

36684. The rate of wages laid down by the Government of India for constables is quite insufficient?—Absolutely insufficient.

36685. As to the wages of head constables?—They, too, are too small. Mr. Ingle had a man in his office on Rs. 15 and the man found the work was too heavy for him. Mr. Ingle wrote, "This man's knowledge of English is so elementary he is practically of no use to me." The man resigned and promptly got a place at Rs. 25 in the municipality as a tally clerk. Provisional sanction to raise the pay of constables in Karachi itself has just been given. The men are, however, tied down in this way; they have to serve for three years and they only get a rise of one rupee. You can reduce a man because he has committed a fault and so forth, but if four men enlist together and one man does some exceptionally good work you cannot give him one rupee advance; you can make him a head constable or anything you like, but you cannot give him one rupee promotion.

36686. What was the rate of wages formerly drawn by head constables?—Rs. 32, Rs. 22, Rs. 16, Rs. 14; now the rates are for the unarmed police Rs. 20, Rs. 17-8, Rs. 15, and for the armed police Rs. 20, Rs. 16, and Rs. 12.

36687. They have been reduced by the Government of India?—Yes.

36688. Is that a wise change?—It is absolutely fatal. Men will not join; under these orders, men we used to get who were fairly good from the Punjab and the United Provinces have had their pay raised there and they will not come here; why should they when they can be getting more money serving in their own homes?

36689. Generally, you think that the action of the Government of India, on the Police Commissioner's report has been to interfere too much with the local details, which would have been better left to the Local Government?—That is so.

36690. What is the average length of service at which an officer in the Presidency gets charge as a District Superintendent?—It is something very short now; it was infinitely longer in the old days; some of them now get an acting charge in about three or four years.

36691. As a rule are the Police Superintendents equal to their position; are they men of judgment and temper?—I have heard very few cases of men being what you might call hot-headed; I have only just come here.

36692. I am speaking not only of Sind but of the whole Presidency?—I have never had such men under me. I have only known of one or two men who have been called hot-headed; I have never seen them at work.

36693. So far as your experience has gone in Sind, do the Superintendents know the language fairly well?—I think most of the men, as policemen going into Court, and asking questions relative to their work, and giving orders to their *munshis* to record in the vernacular, are quite sufficiently well acquainted with the vernacular. I know Gujerati pretty well; as long as I was talking with men who were more or less official men I was all right, but if I got amongst native gentlemen who began talking their home language, many words come out that I know absolutely nothing of. I think for one's practical work it was all right; conversationally perhaps, when you were talking on outside subjects, it was a bit difficult.

36694. You are an advocate of Sub-Divisional Officers living not at headquarters but in their sub-divisions?—Yes, I think I am; I did it myself, and I had much more touch with what was going on. It is not altogether an ideal existence, but of course in the old days we joined the Service much younger. I do not speak for the police alone.

36695. Do you make that recommendation, takink into consideration all the disadvantages to a man of living more or less by himself during the early part of his career?—Speaking personally I did not mind it; I like it.

36696. But it does not follow that it is good for a man?—No, it does not. When I was in Sind in a place called Mehar there were two Europeans there; they were quite happy; they used to come in for a week to headquarters and see their Collector or the Executive Engineer and talk things over; it was not so very far.

36697. Are Sub-Divisional Officers sufficiently in touch with their people in Sind, or would you like to see them revert to the old system of living in their sub-divisions more than they do?—I was not thinking so much of Sind as of the Presidency. In Sind it is so absolutely different; it takes you years to learn Sind; everything is zamindari; the officers seem to know their zamindars, but they do not get to know the population; if there is anything to be done it is the zamindar who has to be consulted.

36698. Your recommendation refers rather to the Presidency than to Sind?—That is so.

36699. For Sind you are not prepared to say anything definite?—No.

36700. Has one result of the Police Commission Report been to alter the position of the District Magistrate in relation to the police?—I have not found it so; perhaps a few minor details might be altered, but they could probably be settled by Government.

36701. (*Sir Steyning Edgerley.*) In this province Bombay Act. IV. of 1890 is still in force?—Yes.

36702. So that the position of the District Magistrate, except as to internal economy, cannot be altered very much until that Act is altered?—No; he is Head of the district including the police.

36703. Your suggestion about the pay of the head constables is purely a matter of detail?—I should say so.

36704. The scheme of the Police Commission for the direct recruitment of sub-inspectors has nothing to do with whether a head constable receives Rs. 20 or Rs. 25 or Rs. 35?—No.

36705. You could alter the pay both of constables and head constables without affecting any of the principles of the scheme of the Police Commission?—Quite so.

36706. And also you could improve the prospects of those ranks without altering any principle, simply by altering the details of the 15 per cent. who can be promoted as sub-inspectors?—Yes.

36707. It would be perfectly simple without altering the principles of the re-organisation scheme, to put that up to 30 per cent. and so increase the attractions of the force?—Quite so.

36708. So that anything that may be wrong there is remediable as the result of experience without touching the essentials of the scheme?—Yes.

36709. As to this incident which happened at Hala, how did it come to be the case that there was so small a guard on duty?—The guards have been apportioned there and we cannot increase them really, partly because the men will not enlist, and partly because the orders are that we must keep them down to one and three and one and four.

36710. At a similar place in the Presidency what would be the guard?—It would all depend on the length of escort work you have; it would probably be three head constables and ten constables; the average is 13 men. If you have very

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long leads for prisoners' escorts, they give one or two more men.

36711. You attribute that incident entirely to the absence of part of the guard in the middle of the day?—Yes.

36712. This is one of the points on which there is a difference of opinion between this Government and the Government of India?—Yes.

36713. If this system of small guards and leave to be absent in the middle of the day is to obtain along with the system of First Class *taluka* Magistrate and the consequent detention of serious criminals in the *taluka* lock-ups, you must be prepared for occasional incidents of that kind?—Quite so.

36714. (*Mr. Meyer.*) The Government of India did not invent all these rates of pay which you have been questioned about out of its own head?—That I can barely say.

36715. Were they not recommended by the Police Commission?—They were.

36716. Did not the Police Commission take evidence in Bombay?—They did.

36717. And in Sind?—I do not know; I suppose they must have done so; I was not here.

36718. The Commission contained a Bombay representative?—Yes.

36719. And the Bombay Government put certain suggestions before the Commission?—Yes. I did not give evidence, but in my written memorandum I strongly wrote (from Surat) that the rates of pay were absolutely too small, and I advocated the rates that have just now been sanctioned by Government.

36720. The Resolution approving the general proposals of the Police Commission was issued after consultation with the Local Governments?—Yes.

36721. So that it was not a case of the Government of India ramming certain rates down the throats of the Bombay people, but of the Government of India accepting the recommendations of a Commission upon which Bombay was represented, and the Bombay officers had full opportunities of putting forward their views?—I presume so, but what the Bombay representatives really tried for I do not know, because I do not know how much *force majeure* there was.

36722. Your idea would have been that the Local Government should have had a free hand to deal with the matter?—Certainly, on certain broad lines. Even in the Karachi district alone you will find the rates of wage and food all changed; if you go into one district the rates are entirely different from the rates in the next district, and it is the same in the Presidency.

36723. Instead of raising the pay of the Superintendents and so on, they ought to have raised the pay of the constables?—They ought to have raised them all.

36724. You would have left the choice to the Local Government whether to raise the pay of the superior police officers or not?—Speaking generally, I suppose one ought to leave it to the supreme power.

36725. Which do you mean by the supreme power?—I refer to the Government of Bombay in my particular department; I presume it would lie with them whether the Superintendent of Police or the lowest constable was to be recommended for the prior benefit.

36726. You say the Government of India should content themselves with laying down broad lines and leave details to the Local Government, which should be allowed to adopt any suggestion of reform which it considers expedient, no matter where it comes from. Is the Government of India to have power to enforce a reform that it considers desirable?—In matters of detail I think the Local Government should have the say; they must know the local conditions better.

36727. You say, "The Government of India should insist that there is in every district a rifle or musket, with proper reserve against accidents, for every policeman and ammunition for practice and reserve." Is that not rather a detail?—I looked upon that more with the idea of the Arms Act.

36728. You say, "The Government of India should insist"; that rather contemplates a difference of opinion between the Government of India and the Local Government, and the Local Government being over-ridden?—I was thinking of India as whole, because there is no doubt that our men ought to be armed. I will retract that and say that the Government of Bombay ought to do it. I have heard policemen from other parts of India discuss the matter, and it is their general opinion that every man ought to be able not only to shoot, but that he should have a firearm available. The arms could be kept in certain central stores which are convenient, and called out in times of necessity.

36729. Suppose the Government of India held your view and the Government of Bombay did not; ought the view of the Government of Bombay to prevail in its own province?—Perhaps not; personally, I think the Government of Bombay would agree.

36730. Suppose it did not; supose it thought one rifle for every three men would be sufficient; in such a case would you leave the decision with the Government of Bombay or with the Government of India?—Speaking personally, I think the Government of India ought to insist upon it. I consider this an imperial matter and not merely provincial such as police work usually is. In case the troops had to be suddenly called away, the prompt arrival of police who knew how to use firearms would have very quieting effect. The police have a good record, and could be trusted.

36731. (*Mr. Hichens.*) There are no village police in Sind?—Absolutely none of any sort or description.

36732. How is the work that is done by village police in other provinces done here?—The actual district police have to do it.

36733. Does that require a large number of constables?—A very great number. In other places, if a packet of papers has to be taken to a sub-inspector a few miles off, the village chaukidar is the man who would do it, instead of calling on the police. Here we have not only to carry papers about, but we have to serve all sorts of things, including papers in non-cognizable cases, which are not really police cases at all. Up country they have a special service for the purpose; they are all men of superior service; and they have a civil process serving establishment, locally known as *peadas*, whose scale of pay is laid down, and whose appointments are pensionable.

36734. From the point of view of efficiency, would it be better to give part of the work—the detection of crime, for example—out to village police?—I think a good village police, properly looked after, with a *patel*, is of infinite use. They know everybody; they are born and bred in the village. But I do not know how you could initiate that in a place that had never had them. From the little I have seen I think it would be worse than it is; the only thing is to have the actual district police with inspectors and sub-inspectors. The distances are so very great in Sind; our figures have been cut down; instead of having 150 square miles to each station it is 279; the walking is dreadful, and the Sindi is not a walker.

36735. Is that the effect of the Government of India Resolution?—Yes; the figures have been sent back and sent back again. When Mr. Stewart was Inspector-General of Bombay he sent in a report for certain districts; that was in 1906; the Commissioner kindly sent me a Government of India note that had just come to him; it simply says that Mr. Stewart's figures are all wrong, and everything is to be cut down.

36736. (*Mr. Dutt.*) Was not this general reduction in the pay of constables and head constables suggested in the Police Commission's report and then endorsed by the Government of India?—I cannot say straight off.

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36737. The Government of India simply accepted the proposals of the Police Commission's report?—That is how I take it.

36738. The mistake, if one has been committed, was in the Police Commission's report?—I take it so.

36739. Representations have been made by this province, and the mistake has been to some extent rectified?—Yes, orders came quite recently; they only affect Karachi city; the cry is for the whole division.

36740. Was a representation made as regards the whole division?—I wrote for the whole province; what the Commissioner wrote I cannot say.

36741. As a matter of fact, has the pay of constables throughout the province been reduced in consequence of the Government of India orders?—The pay of head constables has been reduced, not of constables.

36742. You said you would like the Sub-Divisional Officers to revert to the old practice of residing in their sub-divisions. Many of these Sub-Divisional Officers are Indian gentlemen, Deputy Collectors, and it would be no hardship to them if they were to live in their own sub-divisions among their own countrymen?—We have Parsis here: if they had to live out amongst these other people I do not think they would like it.

36743. Still, Parsis live everywhere for the purposes of their own business?—No doubt that is so; but a man who is on ordinary business can go away when he chooses; whereas a Government servant is not free to withdraw himself whenever he chooses.

36744. You think that that system would bring them a little more into touch with the people of their sub-divisions?—Speaking from my own experience, I certainly found it so in the old days.

36745. Have you noticed whether the new rules issued on the Police Commission's report have in any way withdrawn the control of the Magistrate over certain police matters over which he had control before, such as the promotion and transfer of police officers?—I do not think our District Magistrates ever interfered in the matter of transfers, unless they got private information that a man was doing something wrong. Even then they would write to the Superintendent and say "I have heard so-and-so about so-and-so, don't you think it would be advisable to take him away for a bit?"

36746. According to the old rules, the District Magistrate had power to veto the promotion of sub-inspectors?—Yes.

36747. Has not some of that power now been withdrawn under the new rules?—I have not noticed it.

36748. Have you been enlisting sub-inspectors according to the new rules?—Yes.

36749. Have you had a sufficiently large number of them to be able to judge of the result?—In a few cases it will be a failure; some of course are smart boys, and in another three or four years they will be better I daresay; but if we had our old rate of pay, educated men would join for say three years and get local experience; then if you sent those men to the Training College, got them brushed up and made to understand what discipline means, and then sent them back, it would be infinitely better than taking these raw school boys. There was one sent the other day; he got through two terms and then broke down.

36750. But it is too early to judge yet; you have no knowledge yet of what these raw youths will turn out eventually?—No, but I have talked to men like Deputy Superintendents, men of long service, who understand what men are, and they all think the same thing. You get a boy straight from school; he cannot have enough weight over a lot of rough, raw men from the back of these hills, until he has some knowledge of police training, understands what "*hukam*" means, and understands how to enforce it without losing his head. We are rather putting the horse before the cart.

36751. You admit that the school training itself is a good thing?—Yes, especially in the matter of teaching discipline.

36752. (*Chairman.*) Are you a member of the Police Service or are you an Indian Civilian?—I am a member of the Police Service.

36753. Do you see anything here of the Director of Criminal Intelligence?—No; I once got a letter from him just before the visit of the Amir.

36754. You have not received any orders on any particular subject from him?—None.

36755. Can you post your own subordinates?—Yes, I can transfer sub-inspectors; the inspectors are in the hands of the Commissioner-in-Sind, who is the local Inspector-General.

36756. And the Commissioner as such controls the police in Sind?—Yes, he is the Head.

36757. Do you have any difficulty about the posting of inspectors?—The only difficulty I find is to find a man fit; then I send the name to the Commissioner with my representation; he has other names in front of him and he posts the inspectors as he likes.

36758. Is that a satisfactory system?—Certainly, so far as I am concerned it certainly is because I do not know Sind; it is a little difficult.

36759. You have come up here recently?—Quite recently.

36760. From where?—From Satara; I have just come from six months' leave. I have been here once before, I left Sind in 1884; I came to Karachi as an Assistant.

36761. Is there any trouble about housing the police in Sind?—There is great trouble.

36762. Did you make proposals to the Local Government about it?—It has been going on from year to year, and, as a little money comes in, so money is granted here and there.

36763. Gradually you are improving the house accommodation?—Yes; it is frightfully slow.

(*The witness withdrew.*)

Mr. F. G. Pratt, I.C.S., was called and examined.

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36764. (*Chairman.*) You are the Collector of Hyderabad, are you?—Yes, since two years and a half. I was in Sind as an Assistant Collector for nearly four years.

The iniative in administrative reforms, which have been effected in recent years, is largely due to the Government of India; I cite the recent reforms in land revenue administration connected with the remission and suspensation of land revenue, the reforms in police re-organization, the reforms in the system of land records in the Bombay Presidency. Ordinarily, provincial Governments should be left free to adopt or reject, at their discretion, suggestions of reform brought to their notice from outside. But the Government of India should always reserve the right to overrule the decision locally arrived at if, upon full consideration and discussion, such intervention should appear necessary. Such a power would naturally be employed but sparingly, but it appears to me to be necessary. Reforms necessary in themselves might otherwise come to be rejected, partly through conservative dislike of change and partly through insufficient examination, itself a consequence of the initial dislike or prejudice.

I would be in favour of extending the provisions of India Act V. of 1868 to all Commissioners. Such an increase of the Commissioner's powers would strengthen the hands of the Collector as well as of the Commissioner.

I have no suggestion to make for any extension of the powers of Collectors regarding matters of general administration.

I have had very little occasion to use the Court of Wards Act, and have not felt the necessity for any extension of my powers under it.

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There is not much need nor scope for enlarging the Collector's control over expenditure in his district. The provincial budget allotments for major works are framed after consideration of his statements as to his requirements, and as he cannot hold the purse he has to be content with whatever share he can get of its contents. As President of the District Local Board, the Collector has already considerable power for directing and controlling local expenditure for the benefit of his district.

In the case of contingent charges officers are not now allowed enough freedom. Permanent advances, especially in *mukhtiarkars'* offices, are often too small, and this often causes considerable inconvenience and hardship to the public.

The right of appeal should generally conform to the principles laid down in sections 32 and 35 of the Land Revenue Code. A Collector's order dismissing an officer drawing pay less than Rs. 35 should not be appealable, and there should not be more than one appeal against an order of dismissal passed by, or with the approval of, the authority by which the officer is appointed.

Executive Officers, at present have sufficient opportunities, when on tour, for personal contact with the people. Pressure of work at headquarters often deprives them of the necessary leisure. I am, however, inclined to doubt whether the Sind Executive Engineers are as closely in touch with the people as they should be, and as they are in other provinces where canal irrigation is the only method of cultivation. And the result of this aloofness is, that the Executive Engineer's subordinates acquire and usurp more power than they can properly be trusted with.

Executive Officers do as a rule possess sufficient knowledge of the vernaculars.

The police in the whole province of Sind are very much undermanned and incapable of coping with the amount of work that has to be done. There are some districts and *talukas* which urgently need reduction as they are too large to be adequately administered by one Head.

In municipalities, sanction to petty increases of establishment should not be required. A municipality, with an income of Rs. 2,00,000, ought not to have to wait for sanction before it can raise the pay of its sweepers or lamp-lighters by a rupee or two all round.

I am not in favour of formal creation of Advisory Councils. District Officers can, and do at present, obtain advice and assistance by the informal consultation of the recognised leaders of the local communities.

It would not be expedient to give District Boards control over minor municipalities. The District Boards have no surplus energies to spare which they could devote to other local bodies.

I do not see how it would be possible to give village communities powers in respect to revenue, sanitary, and educational matters. The experiment of allowing petty civil and criminal cases to be disposed of in the village on the spot would be well worth trying. *Patels* in some of the Bombay districts have petty criminal powers, and I know of no reason why they should not be allowed to exercise petty civil powers also, with or without the assistance of the village panchayat.

The minute scrutiny now exercised by the Accountant-General over the accounts of District Local Boards under the audit rules of the Bombay Local Boards Act is no longer necessary. These rules were framed 22 years ago, when District Local Boards were still in their infancy, and have continued in force unchanged ever since. The accounts of municipalities are not now subjected to this minute scrutiny, and District Boards should now be put on the same footing. The present system involves the maintenance of an expensive central audit establishment in the Accountant-General's office for which the Boards have to pay, and it also gives a great deal of work to the Collector's account office. Decentralization in this respect could be effected with perfect safety, because the Board's accounts, unlike the accounts of municipalities, are incorporated with those of the Local Government treasuries, and the local audit of the District staff supplemented, if necessary, by inspection of the travelling auditor, would be quite sufficient.

It would be useful if it were to become a regular feature of our administration that the Heads of districts should once or twice a year meet the Commissioner for joint consultation as to matters of general importance in the division and of discussion of administrative measures or reforms in contemplation. There need be little or no formality in the proceedings at such meetings, but a record would be needed of the conclusions, provisional or final, arrived at. Heads of other Departments and other District Officers, Superintending and Executive Engineers, the Inspector-General or Deputy Inspector-General of Police, the District Superintendent of Police, and the Educational Inspector might also be invited, whenever necessary, to attend such round table conferences.

A necessary complement of decentralization is vigilant and efficient supervision on the part of the central authority, and this is especially the case in India where the personal factor bulks so largely in every branch of the administration. Decentralization, which is not coupled with such supervision, is not attended with the happiest results; and this might be illustrated by the case of the subordinate Civil Courts. There can be no question but that the work of these Courts does not receive sufficient supervision and that much good would result from increased supervision.

36765. What is the size of the Hyderabad district?—The area of the whole district is just over 7,900 square miles, with a population of roughly a million.

36766. You have three Sub-Divisional Officers; can you move them yourself?—No. I cannot order them from one sub-division to another; I have never wanted to. If I did want to I should ask the Commissioner to do it.

36767. Can you transfer a *taluka* from one Assistant Collector to another?—No, I have not the power to do that; I have never wanted to exercise such a power.

36768. You are bound to do seven months' touring?—No, a Collector is bound to do four months, but he very often tours longer than that; he cannot do his work in four months.

36769. Do you do that continuously, or do you go out for a fortnight and come back?—One is called in very often, perhaps once or twice in the month, perhaps more; at the same time, one is very often absent for long periods. In my first year in my present district I was out on tour more than six months; I was out, with returns to headquarters occasionally, from November to the end of May; it was a new district, and I had to see the whole of it.

36770. Is it a good thing that the Collector should tour a good deal in his district?—I think it is indispensable.

36771. Ought your Sub-Divisional Officers to live at headquarters or out in their sub-divisions?—In the old days in Sind they used to live all the year round in their sub-divisions, but the present system is on the whole a better one, because during what we call the recess, the three Assistant Collectors are together at headquarters, and the Collector is able to discuss general questions with them, jointly, and see them altogether; it is a good thing that he should be able to do so.

36772. Could he not do that if they were to live out in the sub-divisions by calling them in for a week?—He could, but it would be inconvenient to arrange that they should all be in at the same time; besides which, it would be a very considerable hardship to them to have to live in their sub-divisions all the year round; in a climate like that of Sind it would be a life of very great hardship and isolation.

36773. Apart from the question of their comfort, is the present system the better one?—Yes; the existing orders are that they should be out during seven months of the touring season; during the recess when the canals are flowing it is recognised as a good thing that they should see something of the conditions of the country; the

conditions are then quite different from the conditions during the cold weather; they have to go out for about a month during the inundation season; during that month if they go round and keep their eyes open they see anything that strikes them particularly during that time.

36774. You tell us that you think the Sub-Divisional Officer as a rule has a good knowledge of the language; most of the Indian witnesses who have come before us to-day take rather the opposite view?—I think they have a good working knowledge of the language.

36775. Can most of your officers read or write Sindi?—One of my three Sub-Divisional Officers now is a Muhammadan Covenanted Civilian.

36776. He told us that he could neither read nor write Sindi, although he could speak it; then what about the other two?—They certainly cannot write Sindi with their own hand as a *munshi* can; at the same time they are able to read, and I am able to read sufficiently well to check the *munshi* who is reading to me; if I wanted to check anything particularly in a petition in Sindi it would be quite easy for me to do so.

36777. Could you or your officers read a petition?—I certainly could not; I used to be able to, but one has not the time to keep it up; one loses the habit; it requires constant practice to keep proficient.

36778. Is it not essential that a District Officer should be able to read petitions placed in his hand?—No, I do not think it is.

36779. You think it is not one of the reasons why people keep aloof (if they do keep aloof) from the District Officer, or at all events are shy of approaching him?—They are not by any means shy of approaching him in any part of the Presidency where I have served.

36780. Any statement to the contrary you would look upon with suspicion?—I should, certainly. A District Officer in this Presidency has to tackle three or four languages; if he is transferred two or three times, it is very difficult for him to be absolutely proficient in one language. I know some District Officers who are extremely efficient in the Mahrati language, men who have not been transferred, who would sit down and read or write vernacular letters with their own hands; but if you have been moved about, and have had to tackle two or three languages, it is a different matter.

36781. Which is the more essential; that an officer should know one language thoroughly or that he should have a smattering of two or three languages in two or three districts; I mean from the point of view of Government, not from that of his own comfort?—From the point of view of Government it is not desirable that the District Officer should be confined to one corner of the Presidency in which he serves, or to one partition of the Presidency in which he serves; he has to be something more than a District Officer some day, and if his experience is to be confined to one section of the Presidency his value to that extent would be impaired.

36782. You do not think that Sind, with a population of $3\frac{1}{4}$ millions and an area of some 42,000 square miles, is big enough to engage the life service of an officer?—No, I do not think it is.

36783. You would like to see the Heads of districts meet the Commissioner. Is there not a conference of Collectors in this province?—Not regularly; we have had them sometimes.

36784. Would they serve a useful purpose?—They would be very useful, just in the same way as the Collector can very usefully meet his Assistants.

36785. Does the Commissioner go round constantly?—He tours in the cold weather through the province. One sees him every year; I have seen him in the cold weather and in the hot weather.

36786. (*Mr. Hichens.*) You refer to the audit of District Board accounts, and you say that in your opinion the audit might be simplified; in what way could it be simplified?—I had in my mind the monthly cash account which is sent from the Collector's account office every month; it is a very elaborate statement, and it gives a great deal of trouble to prepare. Since I wrote that note, orders have been issued suspending the monthly cash account; to a great extent that difficulty and inconvenience have been done away with.

36787. There are no other respects in which the audit could be simplified?—I think the audit should be entirely a local audit. It should be made by a travelling auditor; we should send nothing up to the Accountant-General.

36788. Is it more economical to send it up to the Accountant-General; is that the reason why it is done?—I do not think it is more economical.

36789. Then what is the reason?—It was supposed when the Boards were first framed to be the best way of exercising control, but it is expensive and unnecessary; it is quite sufficient to allow the control to be exercised locally, with the check, if that is considered necessary, of the travelling auditor who is sent round by the Accountant-General.

36790. Would the accounts when audited locally be audited by a Government officer?—Yes, by a Government officer appointed by the Accountant-General.

36791. Are the officers who are sent round by the Accountant-General usually confined to municipal audit, or do they do Local Board audit?—They do both.

36792. Are they confined to those two?—The auditors I have in my mind now are confined to that branch entirely—to the audit of local funds, that is to say, District Board funds and municipal funds.

36793. Are you Chairman of the District Local Board?—Yes.

36794. Do the auditors make a report to you?—They make a report to the Accountant-General, from whom it comes down to me.

36795. Are you satisfied, speaking generally, with the way that the audit is carried out?—The system of local audit for District Board accounts is quite a recent one; it has only been started the last year or two; before that the system was that all the accounts were sent up in detail monthly to the Accountant-General and were checked in Bombay. For that, this system of local audit has been now substituted, under which the accounts are no longer sent up to the central checking office in Bombay, but the local officer comes round once a year and makes the audit on the spot.

36796. Are you responsible, or is some one responsible, for checking their cash balance from time to time?—Yes; the District Board funds are kept in the Government treasuries.

36797. Who checks the municipal cash balances?—They do it themselves; they appoint their own auditor.

36798. One witness told us to-day that the District Boards in Sind, speaking generally, had large balances, which seemed to imply that they have a fairly liberal financial endowment; is that your view?—We have no liberal financial endowment; we are richer than the Presidency Boards; our funds are derived from the same sources; the local funds cess is one anna in the rupee.

36799. Speaking generally, have you got enough money to carry out the duties that are imposed upon you?—I think we have, speaking generally, and our funds have been quite recently augmented by another provincial grant.

36800. We were told to-day that a scheme had just been started for giving a definite proportion of the cess to the *taluka* Boards; does that apply to your District?—Yes.

36801. Has it been working long?—I introduced it a few months ago only.

36802. In your opinion, will it produce satisfactory results?—I think so.

36803. How many *talukas* are there in your district?—I think 14; there have been one or two new ones recently.

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36804. What sort of sum would they get each?—For annual expenditure it might be Rs. 6,000 or Rs. 7,000.

36805. They would not have to contribute anything in respect of education out of that?—One-third is always deducted from the one-anna cess; for every three rupees of the one-anna cess that they collect, one rupee is immediately set on one side for educational purposes. That is done automatically; the residue the District Board deal with.

36806. The *taluka* Board get their contribution nett, after the deduction of the educational cess?—That is so.

36807. Would you be in favour of giving the Collector further powers in regard to contract allowances; that is to say would you include what are known as special contingencies, and allow them to spend any of it without getting express sanction?—I should be inclined to favour that, with a contract allowance. I should be inclined to fix a contract grant, giving him a sum within which he should be free to spend at his own discretion.

36808. Including practically everything in the way of books and so forth?—Yes.

36809. It has been suggested that he should have some allocation for Public Works which he could spend at his discretion; would you think that advisable?—It depends upon the amount proposed; as a matter of fact our present system works well enough. I would not press for that.

36810. You do not find any difficulty in getting the works you desire carried out?—No.

36811. (*Mr. Dutt.*) You tell us that one-third of the income of the District Board is deducted for education; is that according to some provision of the Act itself, or is it under Government orders?—That is under the Act; not less than one-third of the cess has to be spent on education.

36812. We have also had evidence that all the larger Public Works are done by the Public Works Department; is that according to a clause of the Act, or is it under Government orders?—I think that is in a clause of the Act.

36813. So that if you undertook the work of education or the making of important roads yourself, you would have to modify the Act before you could do it?—But the Public Works Department has nothing to do with our roads; we repair all our own roads; we have practically no metalled roads; all our roads are earthwork roads; we do the whole thing ourselves.

36814. Who looks after them?—The President or the Vice-President of the *taluka* Board, who are the *mukhtiarkars*.

36815. You have no large works requiring skilled supervision?—Yes, we have a good many; we have bridges over canals, for instance; those are the chief things.

36816. Who does that work?—In the case of a big bridge which requires skilled supervision and estimates prepared by a professional engineer, the plans and estimates would be prepared, and the work carried out, under Public Works Department supervision.

36817. Anyhow, no rule is laid down in the Act itself; you can give such work to your *mukhtiarkars* or you can have it done by the Public Works Department as you think best?—I am not sure whether it is in the Act, or in an order under the Act, about the limit of Rs. 2,500.

36818. With regard to Act V. of 1868, you have said that you are in favour of extending the provisions of that Act to all Commissioners. Of course you recognise some distinction between the conditions of Sind and the conditions of other divisions in this Presidency?—There is a great difference.

36819. As a matter of fact, in Sind, those powers which are conferred by that Act were really exercised by the Commissioner long before the passing of the Act; the Act only legalised those powers?—I believe that is the fact.

36820. Therefore, are those powers as indispensable and as absolutely necessary in the other divisions as they are supposed to be in Sind?—I think the necessity in Sind for such a delegation was greater. At the same time that delegation would be very desirable in the other divisions also.

36821. Still, you make a distinction between Sind and the other divisions as regards that necessity?—Yes.

36822. If such an Act was extended to other advanced divisions like Gujerat and the Deccan, would it be popular?—Yes, I do not think the people would have anything to say against it.

36823. They would not object to the powers of Government being transferred to the Commissioner by Gazette notification?—I think not; the people prefer the power to be near them rather than distant.

36824. You have told us something about the aloofness of the Executive Engineer, which results in his subordinates acquiring and usurping more power than they can properly be trusted with; are you referring to the Canal Engineer?—Yes.

36825. What remedy would you suggest?—I think one thing we want in Sind is more superior establishment, more Assistant Engineers perhaps.

36826. Has the Collector or the Deputy Commissioner any control over the Canal Engineer with regard to the distribution of irrigation water?—That is a professional question which he would be very slow to interfere with.

36827. But the question has been raised in other provinces, not with regard to other work, but simply with regard to the distribution of canal or irrigation water. Should not the Collector or the Deputy Commissioner have some control over the action of the Engineer?—He has in Sind as a matter of fact because there are distinct orders that an Engineer shall not, for instance, restrict cultivation on any canal without informing the Collector of what he is doing, and the Collector, if he thought the action was improper, would certainly protest.

36828. Can the Collector pass orders to let out more water or not to let out more water?—I think he would be very slow to do so; he would not want to do so, because he would be meddling with a matter which he is not competent to deal with; on a scientific canal, with an elaborate system of sluices and rotations, it might be very mischievous if he attempted to interfere. At the same time, if he became aware of any great scandal, it would be his duty to interfere and have the question threshed out.

36829. Suppose the people came to the Collector and said "Our crops are dying and we want more water let in." Do you not think the Collector should be entrusted with power to instruct the Engineer to let in more?—The first thing he would do would be to consult the Engineer and get the facts from him.

36830. But you would not give the Collector any actual control in that matter?—Not in that way, no.

36831. You think that decentralization necessarily requires more supervision; does that apply to all ranks in the Service, down to *mukhtiarkars* and chaukidars?—Yes.

36832. Do you think it is possible to modify the powers of revision exercised by the superior authorities as to personal orders?—No, I should not interfere with revision; that would mean that the superior authority would call for proceedings and look at them, and if he found that the man had been given a fair hearing he would would send the papers back.

36833. (*Sir Frederic Lely.*) Are you sure that the Collector cannot transfer his Assistants from one charge to another without authority?—I am not sure of it; I have never known such a case.

36834. Do you remember how it is in the Presidency proper?—My impression is that the Collector

if he wants a change of that sort, would ask his Commissioner's approval.

36835. You spoke about reading manuscript; as a matter of fact that is exceedingly difficult?—Yes, it is, and it requires a great amount of practice.

36836. Of ordinary educated natives, can one in a hundred read easily ordinary manuscript?—Very many of them cannot read it fluently; it is very common to find a Sindi clerk, for instance, who has been accustomed to deal with English papers for a good many years, hung up if he is called upon suddenly to read a Sindi petition.

36837. There would be nothing extraordinary in a man being able to talk quite fluently, but at the same time not being able to read easily?—Nothing at all extraordinary.

36838. With reference to the question of the Executive Engineer and the control over him, it has been suggested by some that the Collector should have the same control over the Engineer as he has over the forest officer for instance; do you see the necessity of that?—With an Irrigation Engineer it would be very difficult because irrigation is a difficult and a technical subject.

36839. Technically and officially does he not occupy a position entirely independent of the Collector?—The position has not been very well defined in Sind, but I do not think any Engineer would claim to be entirely independent of the Collector.

36840. That is, he would feel himself bound to work in unison with the Collector?—Certainly.

36841. Do you see the Public Works Department budget of your district?—No, I do not know that there is one.

36842. You do not know what is going to be done in irrigation matters?—No, I am not informed.

36843. If the budget is framed and sanctioned, and a re-appropriation is made from one canal to another, do you know anything about it?—No.

36844. Ought not the Collector to be in closer connection with the Public Works expenditure of his district?—I am inclined to think he ought, and the conviction has been forcing itself upon me more and more during my present touring season; I would like to know for instance what sums the Superintending Engineer or an Executive Engineer is able to spend on the improvements to the canals in his charge—either the Executive Engineer's division or the Superintending Engineer's charge. I am inclined to think that the Executive Engineer, for instance, ought to have a fairly free hand up to a certain limit in making improvements in the canals in his division.

36845. You occasionally notice yourself certain improvements which you think would be desirable?—Yes, obvious improvements.

36846. At present you have no hand in bringing them about?—What one can do is to see the Superintending Engineer, and write to him either officially or demi-officially.

36847. But you have no official position in the matter?—No very clearly defined position, beyond the general responsibility for the administration.

36848. With reference to the question of touring, how long have your Assistants to be out in the district?—Seven months, from the 1st November to the 1st June.

36849. Is it not rather trying for them in the months of April and May?—It certainly is trying, but in those months they are able to take shelter in bungalows; nobody can be in tents in May.

36850. That must very much limit the range of their touring; is there a bungalow in each *taluka*?—Several.

36851. Do you insist on a man moving camp so many times in May, or are you less strict than you would be earlier in the year?—I should not be inclined to interfere in a matter of that sort; I should generally trust my Assistant sufficiently to arrange his tour, without interfering in any detail of that sort.

36852. Early in the year do you insist on a certain amount of activity?—I do not need to insist on it; the necessity does not arise. If he were living at headquarters the whole of December, for instance, of course I should order him out, but fortunately the case has not arisen.

36853. Is the average Collector overburdened with work?—It depends on the district; I am inclined to think he is; here are particular districts where the burden is universally admitted, my present district for instance.

36854. What remedy would you suggest?—The remedy now under contemplation in my district is to split it up into another district making three districts out of two; I think the scheme has gone up to the Secretary of State; Thar and Parkar and the Hyderabad district with the newly developed area under the Colonization Officer would be converted into three Collector's districts.

36855. The Collector is now often called upon to spend a great deal of time on work which lower paid men could do just as well, merely routine work, signing papers which he does not read?—Certainly, account papers particularly.

36856. What would you say to giving certain Collectors personal assistants?—I think it would be a very good thing.

36857. What Class of men would you suggest?—He should be an Assistant Collector; I have not thought carefully about it, but what I am thinking of now is the personal assistant system that used to prevail in Bombay in times of famine, when an experienced Assistant was given to the Collector who also exercised the powers of District Magistrate; that would give the Collector of a very heavy district a very great relief indeed.

36858. It is not always that a man like that is forthcoming?—No.

36859. In that case what position would you give to a man of the rank of Deputy Collector; might he be made useful as personal assistant?—He would take a good deal of routine work off the Collector's hands.

36860. Would that be advisable in overworked districts?—Yes, at the same time the routine work would not give him a full day's work; if he did nothing else it would not fully employ an officer of that calibre.

36861. Would it not be possible to provide him with a day's work in a large district?—Not a day's work purely of routine.

36862. (*Sir Steyning Edgerley.*) You have *daftardars* in Sind—that is, a Deputy Collector?—Yes, most Collectors have *daftardars* still.

36863. If you wrote to the Engineer and said "I think this canal ought to be improved and certain money spent on it" and so on, would he not have to give you a very full explanation if he did not do the work?—Yes, but how much independent power has the Executive Engineer to carry out an improvement?

36864. Of course if he has not power or money he cannot do anything, but so far as he has power, if he did not do what the Collector asked, he would have to "stand and deliver"?—Certainly, and the Collector would see to it that he did.

36865. You say Assistant Collectors ought to go out in August; is it not practically necessary that they should go out in order to close the *taluka* accounts and certify the figures for your *jamabandi* report?—I do not think they do that; I feel sure they do not.

36866. (*Mr. Meyer.*) You say that yours is a very heavy district. Among your duties is the Chairmanship of the Hyderabad municipality; is it absolutely necessary that the Collector should be burdened with that?—Not absolutely, not as a permanent measure.

36867. Is that municipality one which might afford scope for a Deputy Collector, say, as full time Chairman of the municipality?—Certainly.

36868. If he did good work there, the municipality might afford to pay for him and find the money well spent?—That is possible. At the same

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time, a municipality in that position has to pay fairly heavily for its Secretary, who is its Executive Officer, and if it had to pay in addition for a man of the rank of Deputy Collector, the burden would be too great.

36869. In that case you need not have so highly paid a Secretary?—If you had a full time official as Chairman, probably you would not want so highly paid a Secretary. In the Ahmedabad district, they had very great difficulty, and the problem was solved by having as Secretary an experienced *mamlatdar*; he is Secretary there now and has been for some years.

36870. You know the constitution of the Bombay Presidency municipality. It has been suggested to us that in large cities like Ahmedabad and Karachi the same system might be followed; an Executive Officer appointed by Government, with very large powers to the Corporation, who would elect a Chairman of their own; are you in favour of that?—I think that would be a very unpopular step in large cities like Hyderabad and Ahmedabad. I will give you an instance. In Hyderabad, not very long ago, they objected very much even to appointing a *mukhtiarkar* as Secretary as their own servant, and they might be inclined to regard any permanent arrangement of that sort as an attempt at officialisation.

36871. But in Bombay City itself they are quite satisfied with the system?—I am not familiar with the conditions there, nor with the system.

36872. However, apart from any possible discontent it might provoke, would you think it a good system to adopt in some of these larger *mufassal* towns?—It would certainly tend to efficiency, and I believe that in the larger towns of the north, in Lahore and so on, the Collector is always identified with the municipal administration; that is in Lahore and Delhi and Agra.

36873. Is it a good thing that the Collector should be directly identified with the administration?—It certainly makes for efficiency.

36874. If a Collector is overburdened, is not the best way to relieve him of the details of municipal administration?—Yes, that is so, but the circumstances under which, in my particular case, that burden was laid upon me, were rather peculiar.

36875. Your Assistant Collector who was before us this morning mentioned that he was an absentee from his municipalities for most of his time; he said he went round to each about two or three times a year; is that a good system?—It amounts to this, that the Vice-President is *de facto* the President; that is what it comes to.

36876. The nominal President cannot know anything about the daily affairs of the town simply from two or three visits in the year?—No, he can only know the broad facts and the broad outlines.

36877. Does it not merely obscure the real government, which is in the hands of the Vice-President, and delay cases?—I do not think it leads to any delay.

36878. Surely, if the papers have to go to the President for sanction, and he may be at the other end of the sub-division?—I do not think any papers have to go to him for sanction. The Vice-President in these small municipalities exercises all the powers of the President.

36879. Then it is a farce more or less?—The President is a nominal President, with a general control.

36880. Is there any reason why if the *mukhtiarkar* is the real President he should not be the *de jure* President also?—I do not think there is any reason why he should not.

36881. You say that one advantage of your Sub-Divisional Officers living at headquarters when they are not touring is that they are with each other and under the supervision and care of the Collectors; on the other hand, does not the *mukhtiarkar* lose supervision that would be very good for him; if the Sub-Divisional Officer had headquarters of his own, he would have a *mukhtiarkar* with him and be nearer his other *mukhtiarkars*?—He would be a little nearer; he would be near the one particular *mukhtiarkar* who was living in the *taluka*.

36882. Is it not a good thing for *mukhtiarkars* to be looked after occasionally, or do you think that they can go along quite well without personal supervision save every now and then?—They are looked after very closely during the touring and inspecting season.

36883. And then there is an interval in which they are not looked after at all?—I do not think it is correct to say that they are not looked after at all; an Assistant Collector has means of knowing what work is being done in the *taluka*, although he is not on the spot.

36884. There is no personal supervision at any rate; it is all paper for four or five months in the year?—A great deal can be learnt from returns and papers which come to the Assistant Collector.

36885. Have you a separate Treasury Officer?—Yes. He is a Deputy Collector.

36886. Have you not a Local Fund audit clerk in the Collector's Office?—I have a Local Fund accountant.

36887. You said that all the accounts used to go up to the Accountant-General's office for audit; surely they were first of all audited in the district treasury here?—Yes; nevertheless they had to go up to the Accountant-General.

36888. Now that is dispensed with; there is a regular diurnal audit in the treasury, and there is the inspection *in situ* by the inspection of the Local Fund accountants?—Yes.

36889. Are not the municipalities subject to his inspection also?—They are.

36890. Therefore when you said that they had their own audit you meant that they were not subject to the regular continuous audit in the Collector's office, but they are subject to the Accountant-General's peripatetic audit?—They are.

36891. (*Chairman.*) Have you any forests at all in your Collectorate?—Yes.

36892. Have you one or two forest officers there?—Yes.

36893. Does the forest officer send his correspondence to his Conservator through you?—No.

36894. Then you practically see nothing of his correspondence?—Practically nothing.

36895. Have you any power to alter the time of the kists—the revenue instalments?—I am not sure whether that is a thing which I should do myself or should refer: I can always give a postponement, of course, but as for altering the dates, I am not sure.

36896. Have you power in connection with agricultural loans?—Yes.

36897. Are the accounts in connection with them complicated?—No, not in Sind; I believe they have given a great deal of trouble in the Presidency, because of the enormous dimensions which the famine accounts reached, but in Sind it is within bounds.

36898. The form of account is simple enough?—It is fairly simple in Sind; as to the Presidency I am not sure.

(*The witness withdrew.*)

Adjourned.

FIFTY-NINTH DAY.

KARACHI, *Tuesday*, 17*th March*, 1908.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, *Chairman*.

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Mr. A. G. WRIGHT was called and examined.

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36899. (*Chairman.*) You are Educational Inspector in Sind?—Yes.

Though the educational inspector in Sind is local Head of the Educational Department in Sind, he does not possess the powers which, under the Civil Service Regulations and other codes, are delegated to Heads of Departments. In view of the peculiar geographical and local conditions of Sind, I would propose that he may be made Head of the Department in Sind, and the powers exercised by other Heads of Departments conferred on him.

Except in the case of dismissals, no appeals should be allowed except subject to a certificate from the officer whose order is appealed against. All other matters should be for departmental action only as they are based on departmental rules which are clearly laid down. There is nothing in the Educational Department against which appeals are necessary. All that it has to deal with is appointments, promotions, dismissals, grants of pensions, awards of grants-in-aid and such other details. The decision of the Head of the Department in such matters should be practically final.

Appeals to Heads of Departments in all matters seem to be necessary. This will only lead to a careful re-consideration of the cases. But in such appeals, except in cases of the dismissal and reduction of officers drawing a salary of Rs. 100 and upwards there seems to be the necessity of laying down that the officer appealed against should certify that grounds for appeals exist before these are admitted. Every order of an officer is based on certain rules from which he has little, if any, option to deviate. The matters on which appeals can be preferred against the orders of the educational inspector are matters of appointments, promotions, transfers, rejection of applications for grant-in-aid, his awards of grant-in-aid and such other routine matters. The educational inspector's authority in such matters should be final, as it is always based on rules and practice and knowledge of local conditions.

As far as the Educational Department in Sind is concerned, the Commissioner in Sind has practically no powers. He has, however, full knowledge of Local Board and municipal schools administration, so far as finance is concerned and in accordance with the rules governing municipalities. As the local executive Head of the province of Sind his knowledge of the Educational Department should be more thorough and his control over it more effective than at present. The local conditions of the province of Sind are so peculiarly different from the rest of the Presidency that the administration of the Educational Department in Sind can, without any prejudice to its interests, be detached in large measure from the Director of Public Instruction and be placed more in touch with the Commissioner in Sind. This will require considerable change in the *personnel* of the educational staff. A local Head as an educational adviser to the Commissioner in Sind may be appointed with suitable and necessary staff.

For efficiency, a larger inspecting staff is necessary. At present inspecting officers are only able to see each school once in the touring season, and very few schools in the summer owing to the difficulty of getting conveyance and of travelling and too large ranges for work. If, say, 2 *talukas* were assigned to each assistant deputy educational inspector, and he were required to remain within them and move incessantly in them, better work would be done. There will be no difficulty of conveyance owing to smaller distances to be done. This will lead to a vast improvement in the village schools. For owing to the smaller area for work the assistant deputy educational inspectors will be able to confer with the people, with a view to bringing home to them the advantages of education, to instruct the masters, and by fully acquainting themselves with the local conditions to attend to every detail of the schools. They could relieve the Revenue Officers of much of the detailed work of school attendance, building, repairs, etc., to which these cannot attend owing to the multiplicity of their duties.

Transfers of officers in this department are undesirably frequent and should be stopped. This can be effected by having graded progressive appointments in every office and school. Besides minimizing the occasions for transfer, this principle has the further advantage of furnishing impetus for work with energy and zeal, and would attract the best men into the Service. Under the present conditions, it happens that one or two vacancies cause much disturbance in schools and offices, and sometimes as many as 15 or 20 transfers have to be made.

The pay bills of officers and staff require too many details to be entered in them. The usually sanctioned pay of the officers is drawn and sometimes increase or decrease occurs. The writing of unnecessary details only entails waste of time and energy in all offices through which the bills pass. I propose that this bill should be drawn in lump for the whole establishment. A column may be provided in which the sanctioned establishment charge can be shown. There may also be a column in which any increase or decrease may be explained. This will save a good deal of audit expenditure without entailing any fraud. Penalties for fraud are severe and it cannot be indulged in, except in very rare cases, without detection.

The travelling allowance and contract contingent bills are also elaborate. The above remarks apply here. A lump sum may be drawn on the authority of the officer countersigning them. The grant of certificates in these bills is useless. The signature of the Head of the office signifies that the bills are correct in all details and that he vouches for them.

Unnecessary detailed indents are required for standard forms and stationery, and they can, with advantage, be simplified. Two columns are sufficient—(1) for sanctioned quantity and (2) for quantity required.

Permanent travelling allowance should be granted to all officers as far as possible. This will save much trouble in the preparation of bills, in the countersigning office, in the treasury in which they are passed and in the audit office of the

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Accountant-General. These can be fixed according to the area to be visited and the position and requirements of officers, or by a method which the Government may determine.

Indents are at present sent through the Director of Public Instruction. I recommend their being sent through the educational inspector in Sind as local Head of the Department.

All the statements attached to pension applications are based on service books which are the only reliable documents, and on which all detailed information is based. One statement showing all the necessary details is sufficient. The educational inspector may prepare this and forward it with his recommendation for pension to the Accountant-General, who, after verification, may issue his certificate. The pension may thereafter be paid.

Office accounts of stationery and service stamps are very detailed, and kept under instructions from the Stationery Department. Since the stationery has to be kept by an honest clerk and under check, there seems no necessity of keeping such a detailed account. There is very little chance of stationery being stolen as the quantity supplied is only sufficient for use during the year, and is branded. Account is kept of each service stamp used. It is impossible that these can be misused. The only account that need be kept is the one which may suit each office for its own information in regard to the balances after certain periods.

36900. You say that you do not possess the powers which are delegated to other Heads of Departments. What are your particular duties as inspector of education?—As regards indigenous education, which is the lowest form, that is practically entirely in my hands.

36901. What form does that take?—It takes the form of *mullah* schools in Sind. As regards District Board education I simply administer the primary schools under the Act, that is to say the framing of the budgets which are sanctioned by the Boards which have the power also of selecting the exact curriculum, and the opening and closing of the schools; but we administer them for the Board. The other class of primary schools, the municipal schools which are under the control of the municipalities receive a grant-in-aid from the Government and are inspected by and receive advice from the educational inspector. The secondary schools are mainly aided schools, with the exceptions of the Government high schools of which there are three in Sind. These are entirely under the charge of the department, and in addition to that we give advice and assistance on educational matters to any bodies who require it.

36902. What powers do you ask for exactly when you say you want to be Head of the Department?—Mainly powers as regards the appointment and dismissal of members of the staff of masters in the Local Board schools, and also in the Government schools.

36903. Who pays for the Local Board Schools?—The Local Boards contribute a certain sum, and there is also a Government grant. The Government grant is not given on a fixed proportion at present. It was reckoned on the expenditure of the Local Boards in 1902-03, and it was then roughly an equivalent sum to what they were spending then. It does not bear any exact proportion to the present amount spent by the Local Boards; it varies, it depends on the amount of the assessments, and the amount the Local Boards can spend.

36904. *Has a Local Board freedom to spend what it likes on education?—Up to the assessed amount of one-third of one anna in the rupee.

36905. *Then if the Local Board spend up to that limit do the Government contribute a corresponding sum?—No, the Government contributes a sum equivalent to half the sum which was spent in 1902-03.

36906. *Which is the larger contribution?—As a rule the Local Board sum.

36907. *By how much?—That varies.

36908. *By a considerable amount—say ten or twenty per cent.?—Say up to ten per cent.

36909. Who appoints and dismisses the masters employed by Local Board schools at present?—The appointments are made here, that is to say, a man coming out from a training college is examined by me, and appointed; but in the case of dismissals I have no power.

36910. Has everything to go to the Director?—Yes.

36911. What is the length of your service?—About 10 years.

36912. What did you start as?—I started as head master of a Government high school in Poona.

36913. What is the pay of the masters who you ask for leave to dismiss?—From Rs. 10 up to Rs. 60.

36914. Do none of them get more than Rs. 60?—No.

36915. What are the other powers which you seek as Head of the Department?—Practically the various powers given by the Civil Service Regulations, with a few exceptions, to the Director of Public Instruction. My point is, that in the case of Sind these powers which require sanction are formal.

36916. You say that the Commissioner in Sind has practically no powers with regard to education, and the Commissioner himself makes exactly the same statement; is it a wise arrangement that the Educational Department should practically in no way be controlled or directed by the Head of the Administration in the province?—I do not think it is a wise thing in Sind.

36917. What are your relations with regard to the Commissioner in Sind?—Practically none at present, except that he receives copies of the Local Board and municipal budgets which I send for sanction for every Local Board and municipality. That is all.

36918. Have you absolutely no other dealings with him?—I have none. There is a Government Resolution that in questions affecting Sind the Director of Public Instruction has to send his proposals to Government, through the Commissioner in Sind, so far as they relate to Sind.

36919. Does the Director of Public Instruction come to Sind often?—He comes as a rule once a year, and stays perhaps a week or two weeks.

36920. Does he travel about?—Yes, he is in the habit of visiting one or two of the larger towns, but he does not travel in the districts. He comes to Karachi, Hyderabad and Sukkur.

36921. Does he formally on his own initiative, or on your advice propose schemes in connection with education for Sind?—No, that has not been the case in my experience.

36922. What sort of proposals would he submit to the Government of Bombay through the Commissioner in Sind?—He would submit financial proposals as regards the allocation of imperial grants, and he would submit recommendations for building grants, and so on.

36923. Where do these proposals originate?—Here. In the case of an imperial grant the Imperial Government gives to the Government of Bombay a certain sum which the Director is requested to allocate; he would then write up to me and say that he proposed a certain proportion of that sum should be allotted to Sind and ask how it would be spent; then I would draw out a scheme which would go to him and, according to the Government resolution, he ought to submit that through the Commissioner in Sind to Government.

* The witness subsequently represented that by a recent provincial grant both the basis of reckoning and the proportion of the Government grant have been altered. The sum spent from Local Board funds is now almost equalled by the Government grant.

36924. Does he submit it?—I do not know; it does not come within my absolute knowledge. I believe it is not the case.

36925. It is not sent through the Commissioner in Sind, although there are Government orders that it should be done?—I believe that is so.

36926. Is it a good thing that the Commissioner in Sind, according to your statement, should have no powers with regard to education?—I think he ought to have powers.

36927. Do you think that you yourself ought to be under his control?—Not exactly under his control—that is to say I do not think the administration of education ought to be under the Commissioner in Sind, but he ought to be associated with the department in the way of being able to make original proposals as regards financial questions.

36928. Which the department should, or should not accept, according to their pleasure?—That I am not so certain about. As a rule the opinion of the Commissioner in Sind would be more valuable than that of the Director of Public Instruction.

36929. Would the Commissioner, or the Director of Public Instruction, be the better authority?—According to the suggestion I would make, you could not give complete control to one or the other, that is to say, one would have the final authority in certain things,—the Director in all technical questions—but in the case of the assignment of finance the Commissioner in Sind ought to have the final voice.

36930. How many departmental officers have you in Sind?—The inspecting staff numbers 16.

36931. How many of them belong to the Indian Educational Service—are you the only one?—No, the head master of the high school at Karachi and the inspectress of girls' schools.

36932. How many represent the provincial establishment?—There are two masters, and the deputy inspectors of divisions are Gazetted Officers, but not borne on the provincial list—there are four of them and with their assistants they make up 16.

36933. (*Sir Frederic Lely.*) Is it your view that the education inspector should be the Head of the Education Department in Sind. Would you have two distinct Heads, namely, a Director of Public Instruction in Bombay and an education inspector in Sind, both being collateral?—No, the education inspector in Sind should be subordinate, and all I ask for is certain powers which are commonly given to a Head of Department which I do not at present possess.

36934. Then you would not do away with your subordination to the Director of Public Instruction?—Not at all.

36935. Have you any other variations to suggest with regard to the administration of the Education Department in Sind?—None except that certain powers which under the Civil Service Regulations, are given to local Heads of Departments ought to be given to the educational inspector seeing that the conditions are so peculiar, and the only other suggestion is that regarding the Commissioner in Sind being given more direct control over education.

36936. Has a District Board power to make alterations in the curriculum in private schools?—No, it has not power to alter the curriculum, but it has power to select which curriculum shall be used in a particular school.

36937. Has it any power over the masters?—No, they are absolutely under the control of the department.

36938. Have you a system of visiting committees?—There are School Committees.

36939. Are their recommendations attended to?—They practically give no recommendations; they are more or less, speaking generally, a dead letter.

36940. Do the people at large take absolutely no interest in their schools?—Yes, practically speaking.

36941. Can you make any suggestions for attracting their interest in the schools and securing their help?—I think if it were the fact that the Commissioner in Sind was directly connected with the department, it would be of great assistance, because that would re-act through the Collectors and the Assistant Collectors on the School Committees.

36942. Do not Collectors and other District Officers take any interest in them now?—They do, but if it is realised that the Commissioner was directly interested in the question it would still further help.

36943. Has the Collector any definite connection with village education?—Yes, as President of the District Board.

36944. And as such does he visit the schools?—Yes.

36945. Does he stir up the School Committees?—Yes as far as possible.

36946. Have the Collector and other District Officers any direct connection with higher education?—They have with a large part of it, because a large portion of it is managed by municipalities; the municipalities have a good number of Anglo-Vernacular Schools and then connection is of course direct.

36947. But it is on the financial side?—Yes; of course the Assistant Collector or the Collector is very often President of the municipality and, as such, takes a direct interest in the schools.

36948. How many normal schools have you in Sind?—Three altogether. All at Hyderabad.

36949. Has the Collector any definite connection with them?—No.

36950. Does he visit them at all?—No.

36951. Has he no responsibility whatever in connection with them?—No.

36952. Would it not be a desirable thing to attract the help of the District Officers in the higher branches of education—in secondary and normal and high schools?—There would not be much advantage to secondary education, because that is going on most successfully, and I do not think any assistance is required with regard to it.

36953. Are you satisfied with the general tone of higher education in Sind?—Yes, quite.

36954. You would not even appoint visiting committees for these higher institutions?—No.

36955. Would you prefer that they should stand absolutely aloof from the current administration of the district?—Yes.

36956. (*Mr. Dutt.*) Will you explain exactly what *Mullah* schools are?—*Mullah* schools are those where the ordinary village boy goes to learn his Koran which he is bound to do. It takes him roughly two or three years to complete his Koran studies, and about 1886, or 1887, a proposal was made whereby the *Mullahs* received a grant, which was originally a capitation grant, on the boys attending the schools and learning the Koran; that grant was originally paid by the District Boards, but later on Government assigned a grant for the purpose, and the system has been entirely changed into one whereby no grant is given unless secular education is imparted. Now the *Mullah* receives no grant for a boy who simply attends a school and learns the Koran, but he does receive a grant according as the boy has passed certain standards of secular education. At present there are about 650 *Mullah* schools in the whole province which are recognized, educating about 25,000 boys, 50 per cent. of these schools being now practically on as good a basis as a rural school, and in time they will all come up to the standard.

36957. Do you pay the *Mullahs* according to the results of examinations?—Yes.

36958. On the whole has the scheme been succesful and is it capable of further expansion?—Yes.

36959. Are they paid from Government funds entirely?—Yes.

36960. And not from Local Board funds?—In working out a scheme some few years ago in order to encourage certain *Mullahs*, the Local Boards

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sanctioned a grant of Rs. 3 or Rs. 4 a month to those who were really doing well, the Government grant at that time being limited to Rs. 72 per annum for each *Mullah*, but since then I have had the maximum raised to Rs. 150, and the amount is paid annually from Government funds.

36961. The average comes probably then to over Rs. 100 for each *Mullah*?—I should say the average for the current year has been from Rs. 70 to Rs. 90.

36962. Are all these schools primary schools?—Yes.

36963. I suppose the boys are all Muhammadans? Yes, entirely.

36964. Are the Board Schools entirely supported by the Local Board or are they aided?—They are purely schools belonging to the Local Boards, and the Local Boards finance them partly from their own assessments and partly from the Government Grant.

36965. Do you administer the money?—Yes.

36966. You do not give a village a monthly stipend of Rs. 5 or Rs. 10 and ask the villagers to support their own institution?—No.

36967. When there is a school in existence you support it entirely from these funds?—Yes.

36968. Is the amount which the Boards spend on education one-third of the one anna cess, in addition to the amount which is received from the Government of India through the Bombay Government?—Yes.

36969. And the whole of these amounts are made over to you?—They are made over to me, and distributed according to the budget which I send to the District Board.

36970. Has the District Board power to alter or modify the budget in any way?—Yes.

36971. As a matter of fact do they modify it?—Very little; you may say practically not at all.

36972. Is the number of Board schools large in every district?—Yes; they vary according to the number of villages and according to the desire on the part of the people for education.

36973. What is the average number of village schools in a *taluka*?—That would be impossible to give, because in some *talukas* there are practically none at all.

36974. What is the average number of schools in an advanced district like Hyderabad or Karachi?—Karachi is one of the worst places in that respect; I cannot give you an estimate by *talukas* at all.

36975. Are there 100 Local Board schools in the Karachi district?—Yes, I should think there are not more.

36976. So that the number of schools is very small, compared with the number of villages?—Yes; one school very often in the more closely populated parts serves three or four villages.

36977. Is there a School Committee attached to each of these village schools?—Yes.

36978. Is the committee supposed to look after the management of the schools?—Yes, there is supposed to be a Visiting Committee to look generally into the affairs of the schools and to make suggestions.

36979. Does the committee consist of men resident in the village?—Yes.

36980. Do these Committees give you any practical help in the way of suggestions?—None at all.

36981. If you gave them a little more power might they interest themselves more in the schools?—I do not think so.

36982. You said that the appointments of teachers are made by the Director of Public Instruction, but is that so?—Masters come out of the training college when they have passed their examinations, and a list of them is submitted to the Director of Public Instruction who formally sanctions it.

36983. Would you give District Boards a voice with regard to appointing or removing teachers?—No, I do not think that would be possible. I do not see how it could work; they have no means of judging or selecting whatsoever. Take for instance the Upper Sind Frontier District, if you gave such a power to the local bodies of selecting masters they would naturally wish to select people they knew, but as a matter of fact there are practically no candidates coming to the training college at all from that district.

36984. Supposing a recommendation came from you and the final appointment rested in their hands, would that work?—I do not see what would be gained by it; you would simply submit the name of a master, and they would know nothing about him.

36985. They pay for these schools, and should they not have some voice in the appointment and removal of the teachers?—Not on that particular point.

36986. They practically have no power over their own schools; do you not think that they ought to have some power?—I do not think in the appointment of masters it would be a practical suggestion. There is however, one point on which they are always listened to as regards masters. Very often the village people know a man very well and have had experience of him and write and say "May we have so and so?" and if they do, it is almost invariably sanctioned.

36987. So that they ask for your sanction, and under your sanction they can appoint a certain man?—No, that is hardly so. A man makes a reputation in a certain place as being a good master, and very often the village people write and ask as a favour that that particular man may be sent to them, and it is done.

36988. But the Board cannot pass any orders in that matter; they have to be passed by you?—Just so.

36989. What degree of control would you leave with the Commissioner in Sind in regard to educational matters, between you as inspector, and the Director of Public Instruction?—The financial proposals ought to be in his hands; practically it would resolve itself into this. In framing its budget the Government of Bombay, instead of assigning a lump sum for a grant-in-aid and building grants and so on, would give a portion of it to Sind, and allow it to be administered under the direction of the Commissioner.

36990. Are municipal schools entirely supported from the municipal funds?—Yes, together with the Government grant.

36991. Is the management partly in the hands of the Municipal Commissioners?—Almost entirely.

36992. So that they have a larger hand in the administration of their institutions than the Local Boards have in regard to their Board Schools?—Yes.

36993. Does that answer fairly well in practice?—I would not put it so strongly as "fairly well"; I think it would be very bad if we had not a certain amount of control in the matter.

36994. But with your control the system works well?—Yes, fairly well.

36995. (*Mr. Hichens.*) Do the scholars in the Board schools have to pay any fees?—Yes, there is supposed to be a fee, but as a matter of fact in Sind the local remissions are very large, that is to say, the total amount of fees derived from our schools only amount, to about Rs. 6,000 per annum.

36996. What is the monthly fee?—It would vary from one-half anna to four annas.

36997. Would that apply to all the primary schools?—Yes.

36998. In the higher standards do they pay more?—No, about four annas is the highest fee.

36999. In some countries there is a plan by which a teacher, before he can be appointed to a post has to satisfy the Director of Education that he

has the necessary qualifications and for that purpose the Director of Education keeps a list on which anybody with the prescribed qualifications can be registered, and the local authorities are entitled to select anyone they like from the list and make the appointment themselves. Would that plan, work satisfactorily in Sind?—I do not think it would, because the tendency would be for village communities to introduce friends of their own, just as we find in municipalities at the present moment, and that is one of the great drawbacks to municipal education.

37000. But in so far as they get the men they want, instead of the men they do not want, would you object to it?—No, not in that particular respect.

37001. At any rate, it would give the Director or the inspector the necessary control because none would get on to the list unless he was a qualified man?—Yes, so far.

37002. And it would also have the effect of allowing District Boards to appoint the men they wanted within certain defined limits?—Yes, the difference really lies in the point of view of the Local Board; that is to say, if the Local Board took an interest in its schools, and really was working for the furtherance of the schools, that would be all right, but, as a matter of fact, if such a power were given them, the only way in which they would use it would be to help their own friends.

37303. Who is the Chairman of the Local Board?—The Collector.

37004. Would he not exercise a wholesome influence?—He would, but he would not be able to devote the amount of time and care necessary to supervising every case.

37005. Would it add substantially to the interest which the Local Boards take in education, if they had the power of appointing masters, for instance?—I do not think it would make any difference in Sind.

37006. It was suggested in Bombay that the teachers themselves would object to the power of appointment being vested in Local Boards on the ground that it might to some extent affect their prospect?—Yes, a good man does not care whether he has influence in any particular district or not; he knows if he does his work, he is sure of promotion; but on the other hand you might have so much favouritism that good masters would not be promoted.

37007. Are masters transferred very much from one district to another?—No. I would not say that they remain in one District all their time, but transfers are not frequent.

37008. Are there any Local Board inspectors?—No.

37009. Should Local Boards be allowed to have their own inspecting staff?—No, I do not think that would work at all. You would not get the same good staff of inspectors that Government maintains at present. The present inspecting staff, practically speaking, is the agent of the Board, that is to say, they send a copy of the report to the Board of each inspection they make.

37010. The post of an inspector to the District Board might be opened to the more promising schoolmasters?—Certain very selected schoolmasters are appointed inspectors; that is one of the prizes to which they can look forward.

37011. To that extent you would get the same class of men for Local Board inspectors as you would for Government inspectors?—No, because these men are men who use the vernacular, and you could only give them a few posts, and it would lead to tremendous inconvenience in administration.

37012. Suppose Government made a suggestion to a village that they would pay the salary of a schoolmaster if the village would find the schoolroom and books, and so forth, would the villages take up the idea?—Not in Sind.

37013. Because they are not sufficiently educated themselves and are not sufficiently interested in the subject?—I do not think they would touch the suggestion at all.

37014. (*Mr. Meyer.*) Are there not a number of quite small municipalities in Sind?—Yes.

37015. Do they also have the management of the schools with their own establishments?—Yes.

37016. In a big municipality like Karachi, have they to keep some sort of inspecting staff?—They keep a supervisor of schools who goes round and helps the masters to administer the schools and gives them instructions in better and later methods of teaching.

37017. Does he report to the municipal President as to the work of the masters and as to which of them deserve promotion?—Yes, I fancy so.

37018. Is he a man borrowed from the Education Department?—No.

37019. Is the establishment you maintain in the Board schools an establishment of provincial men, and do they get the regular provincial terms as regards pension and so forth, or are they Local Fund servants?—They are Local Fund servants and get the ordinary Local Fund pension.

37020. They are Local Fund servants controlled by you?—Yes.

37021. As regards the municipalities, if you had the power, would you take away their functions with regard to the control of schools and vest them in your own department in the same way as that of the District Boards?—No, I think not.

37022. Would you keep up the existing situation?—Yes, I think so, because in time they will undoubtedly learn to administer matters very much better than they do.

37023. Throughout the whole province of Sind are there not several hundred District Board schools?—Yes.

37024. You cannot possibly know all about the masters in all these hundred of schools?—I cannot personally know every master, of course.

37025. And you have to rely upon your subordinates?—Yes.

37026. What class of men are they?—They are an extremely good class of men—mainly graduates of the University especially selected for the inspecting staff.

37027. Are they sub-assistant inspectors?—They are called deputy inspectors and assistant deputy inspectors with pay ranging from Rs. 75 to Rs. 300.

37028. Do they make recommendation to you as to the appointments and promotions of rural schoolmasters?—No, nor as to appointments except of untrained men.

37029. Supposing you have a new school started in a rural area and you have to put in a schoolmaster at Rs. 8 or Rs. 10 a month, what would be done?—In that case the deputy would suggest a man from his list, or he would probably suggest a man who was an assistant in an existing school as having had previous experience.

37030. They deal then with appointments and promotions?—Yes, they make their recommendations.

37031. You say if the District Boards had the management of schools in their own hands there might be jobbery, but is it not possible that with the present local men there might be jobbery occasionally?—That would not be possible, because they must obtain the sanction of my office in every case, and the only way in which an appointment is sanctioned is by looking up the reports running through several years with regard to a particular man, and no appointment would be sanctioned until that had been done. We have a complete and full record of every man's services, and we act very largely upon that.

37032. Which again is a record of the reports made by your local officers?—Yes, but by officers, not by a single officer.

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37033. In regard to the appointment of a new man, if the deputy assistant inspector says a certain man is a good man, you do not generally know anything about him. Do you take his word for it?—Yes.

37034. In that case is it not possible you may have people helping their friends?—No, not to the same extent as in the case of a District Board, because the deputy inspector is a trusted officer who knows and keeps a list of men he would recommend for appointment. He is in the position of being able to judge of their qualifications much better than a body of ignorant men on a District Board.

37035. Supposing you had such an officer under the Local Board, would not that be as good as the present system?—I do not think so, because the Collector cannot spare any time to look after the work, and it is much better done by a separate department.

37036. Are the *Mullah* schools absolutely outside the control of the District Boards?—Yes.

37037. Is there no danger of clashing in cases where a District Board might propose to run a school of its own and you subsidized *Mullah* schools?—No, we should never subsidize *Mullah* schools which interfered with the Local Board schools.

37038. Would you ascertain that first?—Yes.

37039. Supposing you have one or two *Mullah* schools working under grants-in-aid, and a District Board decided that they would have a school of their own, would you withdraw your grants?—No, we would not withdraw the grant, but we would change its form; we would pay the *Mullah* a capitation grant for the number of boys he supplied to the Board's schools, and if he was a *Mullah* who really promised well and we could depend on him, we should appoint him as junior assistant in the Board's schools.

37040. Would that not interfere rather with his religious functions?—No, he would continue those entirely outside the Local Board schools.

37041. With regard to the management of affairs financed by local bodies there are two schools of thought, one saying they must look to the efficiency and therefore must have departmental management, and the other that they must get people to take a greater interest in the matter, which could only be done by an immediate sacrifice of efficiency and giving them some larger powers of control. Do you take the efficiency standpoint, in the matter of education at any rate?—I look at it from the point of view that the people in Sind have not arrived at the stage at which they can be trusted with the control, but probably in time to come it may be expedient to give them more.

37042. Have you served in Bombay proper?—Only a very short time as an Inspecting Officer.

37043. Are all provincial appointments of Rs. 25 and upwards at present made by the Director of Public Instruction?—Yes.

37044. Apart from this scheme of yours for giving special powers to the inspectors of schools here, might not inspectors have larger powers in that matter universally?—Yes, I think they might to a great extent.

37045. How far would you go?—I am not prepared to say what might be the case in any district except Sind, because the conditions are different in this respect, that masters in the Presidency are transferred from one educational inspector's division to another, that is to say there is a constant flow of masters between the various divisions according as posts are vacant, but up here, the thing becomes really formal; the Director does not know the men, he never has an opportunity of knowing them, and therefore recommendations made to him must receive merely a formal sanction. I am only prepared to speak for Sind.

37046. You desire that pay bills should be drawn in lump for the whole establishment; how is the Audit Officer to see whether a particular officer is getting more or less than the sanctioned pay?—The pay is distributed by officers whose position puts them above any suspicion; that is to say, the head master of a high school is one of our best and most trusted officers drawing Rs. 400 or Rs. 500.

37047. It is not a question of bad faith but of mistakes; people might misapprehend the terms of a sanction, and so on?—I do not think mistakes could be made in respect to pay bills, and if my suggestion were adopted it would do away with an immense amount of detail which is not necessary, in checking these things.

37048. Have you never had any item of pay challenged by the Accountant-General?—No, I think I have been fortunate in that respect.

37049. But you have had challenges in regard to your subordinates?—Not as regards the amount that ought to be paid to them, but as regards the actual way in which the pay bills were made out. There is such an immense amount of detail under present regulations which has to be put into them, that it is difficult to avoid mistakes which cause an immense amount of delay and annoyance.

37050. Must there not be some sort of scrutiny?—The method I suggest would give quite as much scrutiny as is necessary to check them.

37051. (*Sir Steyning Edgerley.*) Is there not some difference in the degree of interest Local Boards in Sind take in education?—Yes.

37052. Which do you consider your best Board in that respect?—Sukkur and Larkana are the two best.

37053. Do they interest themselves much in the local primary schools?—They do to a greater extent than the others, but I would not say much.

37054. Do they use the powers they have as regards starting and closing schools?—I do not know that they would of their own initiative.

37055. Whose initiative stimulates them?—We make a proposal to them as regards a school at a certain place, and very often they say they would rather have it at a village four miles away.

37056. Is the Hyderabad Board any help to you?—Yes, especially in the northern part of the district, in the Naushahro Division. There, there is a zamindar of considerable intelligence who takes an interest in education and who can control the whole of his *taluka* Board; he is of considerable help to us.

37057. So that even with the powers they have it is possible for the Boards to take a very great interest in education and be useful, and to influence the progress and promotion of education?—Yes.

37058. Really the difficulty is in getting the people to use the powers they have?—Yes, it is not the mechanism which is at fault; it is the apathy of the people.

37059. What experience have you on the subject of travelling allowance?—At present the manner in which the travelling allowance is drawn by the officers of the inspecting staff causes them a tremendous amount of annoyance and throws a great deal of work on them, and it is also very unfair to them in many respects; the allowance made is very small and it is hedged in by so many conditions that, as an actual matter of fact no inspecting officer can get through his work without having to pay out of his own pocket certain charges which are absolutely fair, but which are hedged round by such conditions that he cannot draw them.

37060. Do they all keep permanent carriages during the touring season?—Yes.

37061. So that the simplest system for Sind would be to pay for the carriage?—You might put it in that way. Of course they would require a certain amount more because of the expenses incidental to travelling.

37062. But on the whole, would a permanent allowance save a great deal of trouble and annoyance?—Yes.

37063. Would it leave you sufficient power of control over their movements?—Yes, I think so.

37064. Does the system of daily travelling allowance give you any greater power of control?—I think not; in fact I should say that a permanent travelling allowance system would give an Inspecting Officer a great deal more freedom. That is to say, at present he is compelled to make certain journeys, to comply with the regulations governing the travelling allowance, because naturally a man can hardly be expected, day after day to spend sums out of his own pocket. If he had an ordinary travelling allowance he would have much more freedom in arranging his tour.

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(*The witness withdrew.*)

Mr. H. C. MULES, M.V.O., was called and examined.

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37065. You are the Collector of Karachi?—Yes, off and on for about three years. I am one of the two remaining members of the old Sind Commission.

The right of appeal is too liberally allowed now, and thereby it becomes possible for undesirable persons to regain their appointments.

There has been a tendency to require more statistical and other information of late years, but I attribute it chiefly to the questions asked in Legislative Councils which have to be replied to. I do not remember, however, in recent years any such call for special information by the Secretary of State. Generally Government endeavour to reduce the calls on District Officers as far as possible.

The powers of the Commissioner in Sind generally should be as extensive as possible. His powers, as it is, are extensive and Act V. of 1868 (India) permits the almost indefinite extension thereof. As to the following matters, he might well be authorised to pass final orders:—

Subject.	Existing rule governing exercise.	Delegation proposed.
Forest settlement reports.	Section 19 of Act VII of 1878, India.	The powers of the Governor in Council to be given to the Commissioner in Sind.
Revenue settlement reports.	Section 102 of Bombay Act V of 1879.	
Special survey questions.	Chapter VIII of Bombay Act V of 1879.	
Territorial changes within districts.	Chapter VII of Act V of 1879.	

While as to land grants his powers should be unlimited and he should exercise all the powers of a Local Government under the Municipal Act. Collectors and Deputy Commissioners might be granted extended powers in various directions. Sub-Divisional and *taluka* Officers require no further powers, *i.e.*, none beyond the power of the Commissioner of Sind to sanction. These powers are already ordinarily those of a Collector, and it depends largely on the individual idiosyncracy of the Collector to what extent these are exercised.

I am in favour of allowing the Commissioner in Sind to deal with such matters as authorising payment of grain compensation when admissible; in fact, Collectors might be given the power; at this moment grain compensation has been due for months past in this district, but no orders have yet been passed by Government. Then as to travelling allowances, the Commissioner in Sind should be empowered to relax the 21 days rule.

I do not consider an appeal from an appellate order passed by the Commissioner in Sind should lie to higher authority. But one appeal should always lie, except, for instance, in the case of the Sind Frontier Regulation. The orders of the Commissioner in Sind thereunder should be absolutely final. I would allow one appeal only in the case of Non-Gazetted Officers, and no appeal beyond the Collector, in the case of officers drawing less than, say, Rs. 30 per mensem, from an order of dismissal by an Assistant Collector and Magistrate duly authorised to pass it. An appeal should lie to the Commissioner only from an original order of dismissal by a Collector. There should be no appeal against orders reducing or otherwise punishing such officers by Collectors.

There is a tendency to sacrifice more important interests for the sake of uniformity, *e.g.*, Sind is entirely different from the Presidency proper in nearly every way, but the tendency now is to endeavour to wheel her into line with the Presidency by means of the administrative machinery provided by the appointments of Director, Land Records, and Director of Agriculture. Provincial Directors of Land Records and Agriculture should, so far as Sind is concerned, if allowed to interfere at all, only do so in direct subordination to the Commissioner in Sind and not merely in correspondence with him. This would to some extent prevent officers entirely unacquainted with the conditions of Sind being in a position to force their views on the notice of Government independent of the informed criticism of the Commissioner in Sind.

At times the view of the Secretariat comprises a rather narrow field. I do not think the Bombay Government is too much dominated by revenue considerations, and I utterly disbelieve any officer under that Government has ever had a black mark against him because he has *bona fide* and liberally recommended remissions. I mention this in view of what I read of evidence given in Madras. On the contrary, within my experience, officers have always been encouraged (especially of late years) in Sind to be liberal in such matters.

The influence of the Commissioner in Sind is strong with all departments in the province, and his views always receive full consideration.

Executive Officers have plenty of opportunities for personal contact with the people if they choose to avail themselves of them.

I do not think as a general rule that officers have a sufficient knowledge of Sindi.

Every recommendation I have made for increases of establishment has been wholly, or almost wholly, sanctioned. I want an Assistant City Magistrate at Karachi (sanction has been applied for), and the augmentation of the police force at Karachi itself is a burning question. The city is under-policed to a marked extent.

A new district is required, composed from the Hyderabad and Thar and Parkar districts, and proposals are before Government. Minor territorial changes may be necessary elsewhere, and I am contemplating one such change in my own district.

The frequent transfers of officers in subordinate grades in my district is necessary owing to climatic conditions. I do not consider Gazetted Officers are transferred unnecessarily or capriciously. Since the abolition of the Sind Commission, District Officers seldom stay long enough in a charge to acquire that personal influence and local knowledge which used to be a marked feature of Sind Administration. Promotion among officers of the Indian Civil Service serving in Sind is, and has been for years past, rapid, so that very junior officers comparatively speaking find themselves in acting charge of districts.

Subject to budget provisions, such a municipality as Karachi should be in a position to engage temporary establishments, grant trivial increases of salary, authorise payment of grain compensation, and so on. At present, all such matters require the sanction of the Commissioner in Sind.

I am not of opinion that the functions of the Port Trust, municipalities or Districts or *taluka* Local Boards need be extended.

I altogether object to the idea of constituting Advisory or Administrative District Councils in Sind. The province is not, and will not be for many years to come, ripe for anything of the kind. Nobody who has—as I have—for many years had to deal with District Boards and municipalities in Sind could be in favour of the idea. Of course, men would be eager for the position conferred by appointment to a District Advisory Council, but only on account of the status thereby

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acquired. If Provincial Advisory Councils are to be created under the Government of India scheme now under consideration, I consider Sind should have a branch Advisory Council, instead of merely sending one or more members to the Bombay Council.

It is certainly not desirable to give to District Boards control over minor municipalities. In fact to attempt to do so would merely result in giving Collectors and Assistant Collectors control which they already exercise. The ordinary District Board members would take no interest whatever in the matter, and those who did would use their powers to stir up feeling. There are, it must be remembered, no village communities in Sind and the urban and rural classes are quite distinct.

There are no village communities in Sind.

I am of opinion generally that in view of the geographical isolation of Sind and her marked difference in all ways from the Presidency proper, the greatest administrative power, compatible with general subordination to His Excellency the Governor of Bombay in Council, should be given to the Commissioner in Sind.

37066. Are there any powers which the Commissioner in Sind could on his own authority delegate to Sub-Divisional Officers of all classes which he has not already delegated?—Yes. The delegation would be through the Collector; the Commissioner would not delegate direct to Sub-Divisional Officers. By executive orders the powers of Sub-Divisional Officers are in some matters restricted under the Commissioner's special circulars.

37067. That is to say that there are certain powers which the Commissioner in Sind can delegate but which for some reason or other he has either withdrawn or has not delegated?—Yes.

37068. Is that a general exception?—No, there are very few matters of that kind; it is chiefly land grants which I have in my mind.

37069. Are there certain powers which you as Collector can withdraw?—I can direct a Sub-Divisional Officer not to exercise them.

37070. In your Collectorate are there certain officers from whom you have withdrawn powers?—I direct the exercises of these powers according to the individual, and according to the experience and length of service and his fitness to exercise them, I delegate them.

37071. I thought they could all exercise them unless you withdrew them?—Yes.

37072. Then are there certain officers you have told not to exercise certain powers?—Yes.

37073. What is your reason of giving that order?—Partly owing to the fact that of late years in connection with the grants of lands, the powers not only of the Collectors and the Sub-Divisional officers, but of the Commissioner in Sind have been restricted by Government, and we have received executive instructions that we are only to entrust full powers to Assistant Collectors when we are entirely satisfied that they have sufficient experience and knowledge to exercise them fully; therefore we have to exercise discrimination. When I was an Assistant Collector there were no restrictions of the kind, and, as Assistant Collector, I exercised just the same powers as my Collector did, which were practically unlimited in those days.

37074. Do you say that in consequence of the powers of the Commissioner having been restricted you have received executive orders from him to restrict someone else's powers?—The whole of the powers have been restricted all round.

37075. Is it because the Commissioner has had his powers restricted (I suppose by the Government of Bombay) that executive orders have been issued to you to restrict the powers of your subordinates?—I can only answer the question by telling you that the whole subject was threshed out by Government and these restrictions were imposed.

37076. Then because the Commissioner's powers have been restricted, you have received executive orders to restrict the powers of your subordinates?—Yes, it comes to that.

37077. *Were these restrictions issued by the Government of Bombay?—Yes.

37078. *And more particularly in respect of transactions in connection with land grants?—Yes.

37079. *Have the restrictions which you have been directed to lay upon the action of your subordinates been injurious or the reverse?—They have not been injurious, but of course they increase the work of the Collector and the mass of papers he has to deal with. If a Sub-Divisional Officer is empowered to grant say, only up to an area of 25 acres of land, it follows that all grants above that have to come to the Collector for sanction.

37080. *Has that increased your work and crippled your subordinates' responsibilities?—It has increased my work and decreased the responsibilities and prestige of the Assistant Collectors.

37081. *Have your powers as a Collector been restricted by these same executive orders?—They have.

37082. *Has that necessitated from you a greater number of references to the Commissioner?—It has.

37083. *Always, as I understand, in connection with these land grants?—Yes.

37084. Have you, as Collector, found that your work, as such, has been interfered with in any way by the Director of Land Records and the Director of Agriculture?—I have; there is a particular instance which I can give you in which the Director of Land Records and the Director of Agriculture (who was one and the same person) during a short tour in Sind which covered a period of about ten days, issued an order to one of my subordinates which I did not consider he had a right to do. It was in connection with the way of filling in forms. He instructed him to fill in certain forms in a certain way in opposition to my orders, without communicating with me first of all.

37085. What class of subordinate was this?—An officer in charge of a Sub-Division, and through him his *taluka* Officer.

37086. Did you report the circumstance to the Commissioner?—Yes, officially.

37087. Was that an isolated instance?—Yes, as to direct interference.

37088. Are there any cases of indirect interference of which you complain?—There is the pressing by these officers for the introduction of the system of administration which is in force in the Presidency of Bombay, and urging its application to Sind.

37089. Can you give some clearer explanations as to that?—Not from official correspondence, but in demi-official correspondence, it has been urged that what are called circle inspectors of Land Records in the Bombay Presidency, should be appointed in Sind.

37090. Are you alluding to the same department?—Yes; that was merely an instance urging something which, I think, is unsuited to Sind.

37091. And doing it all without the knowledge of the Commissioner?—No, this was in correspondence with the Commissioner in respect of Sind generally.

37092. Have you noticed the same tendency in other departments?—The Commissioner in Sind

* The witness subsequently represented "I was not aware at the time of giving evidence that the rules to which I referred were cancelled two years later when I was on furlough. My evidence therefore should be read as referring to the cancelled rules which I believed to be in force, but to be held in abeyance by the Commissioner in Sind. The powers of the Commissioner in Sind are even now to some extent restricted as also are those of Collectors and Assistant Collectors. The restriction of the powers of the latter by Collectors, I regard as the result of orders which have from time to time been passed by Government and the Commissioner in Sind impressing the necessity for care, but I had overlooked the fact that in 1905 the Commissioner in Sind expressly enjoined on Collectors that they should empower Assistant Collectors freely."

does not appear to me to have so much to do with the whole of the work of the Director of Land Records and agriculture, the Director of Public Instruction and the Engineers in the Public Works Department as he ought to have, as the Head of the Province.

37093. You say that officers have not sufficient knowledge of Sindi; is that lack of knowledge greater now or less than it had been?—In the days of the old Sind Commission the officers spent their lives in Sind and knew Sindi well, but I do not wish to draw any invidious comparison; the circumstances are such that they cannot have. Probably an officer in the Bombay Civil Service now-a-days has to pass examinations in three or four languages, and although I think they have not such an efficient knowledge of Sindi as they ought to have, they can make themselves understood.

37094. Can they read or write it as a rule?—A very few of them.

37095. They can probably talk with the illiterate classes, but would find it difficult to carry on a conversation with an educated man?—No, the probability would be that they could carry on a conversation with an educated man, but not with the labouring classes; a labouring man always begins by imagining that he cannot understand a Sahib, which adds to the difficulty.

37096. Ought their knowledge to be increased?—Theoretically, an officer ought to have a better knowledge of the language than he has.

37097. (*Sir Steyning Edgerley.*) What are the land grant matters which you mention?—It is the old question of the land grants in Sind which was brought before Government about seven years ago when the whole of the powers of the officers of the Land Revenue were restricted from top to bottom.

37098. What is the rate of pay for ordinary unskilled labour in Karachi?—It varies from time to time, but in the busy season of the year an unskilled labourer can sometimes make as much as Rs. 1-8 to Rs. 1-12 per diem by simple dock labour, but of course that is only during the season.

37099. What is it in the slack season?—That class of labourer would probably get from seven to ten annas a day, or Rs. 15 a month roughly.

37100. Is that rate of wage larger than it used to be?—Yes, it has risen considerably the last 15 years or so.

37101. Has it risen a great deal during the last five years?—No, it is very much what it was five years ago.

37102. Outside Karachi what is the ordinary rate?—Wages have not risen in an extraordinary way, speaking from recollection. I should think outside Karachi about 6 annas a day in the rates of wage for an able-bodied cooly.

37103. (*Mr. Meyer.*) As regards the grant of land, is not the grant free of assessment, or in favourable terms as much a mortgage of the Government revenue for the future as the creation of an appointment? If you appoint a clerk at Rs. 25 you have mortgaged the Government revenue to that extent; and if you give land the proper assessment of which is Rs. 50 for Rs. 25, you have done just the same thing?—I think not, exactly, because in case of the free grant of land on payment of what we called *malkano*, which is a payment for the right of occupying, does not effect the assessment at all; it is merely the sum which a man pays out of his pocket for the right of occupying the land, and our object is to get the land into cultivation, so that Government secures a recurring revenue henceforward.

37104. This is partly a raiyatwari and partly a zamindari province?—It is under the raiyatwari system.

37105. Elsewhere in India the general rule is that you do not pay an initial sum for the grant of land; you take up land assessed at so much, and you pay that amount as long as you hold it; but in Sind you do both apparently, you pay a lump sum down and pay assessment also?—Yes, it is called the *malkano*.

37106. Is that a regular incident of taxation?—No, it is fixed at the discretion of the officer who grants the land.

37107. Absolutely?—Yes practically; you may say that it is fixed within certain limits, but it varies. We have also here a system of granting land on restricted and unrestricted tenure, and that always makes a difference in the amount of *malkano* charged.

37108. Then your *malkano* is *pro tanto* an addition to the ordinary settlement rates?—Only at the time of taking up land.

37109. It is a sum paid for good-will, so to speak?—Yes.

37110. Is it that sum you want the local officers to have the right of remitting or reducing at discretion?—They have that power.

37111. Then what do you complain of?—The areas which may be granted by individual officers have been so restricted.

37112. You say the Commissioner should exercise all the powers of a Local Government under the Municipal Act, but does he not do so already in Sind?—Not in all.

37113. In all important matters?—Yes, nearly in everything.

37114. Could he conceivably abolish the Karachi municipality, or would that have to go to the Local Government?—I do not think he has any such power. I think a municipality can be suspended, but only by the Government of Bombay.

37115. Assuming him not to have it, do you desire he should have that power in Sind?—When I say I desire he should have all the powers of Local Government, it follows, they having that power, he would have it, but I have never known the power exercised yet as regards a municipality either by the Government or anybody else.

37116. In the case of a city like Karachi might not the Local Government reasonably claim to be consulted before the situation is altered?—In such a matter as a city municipality like Karachi, certainly; I cannot conceive the situation arising myself.

37117. But does not the law naturally look to all the contingencies that can be foreseen?—In the matter of a small petty *mufassal* municipality I should think the Commissioner in Sind as the Head of the Province if a situation arose would be competent to deal with it, but city municipalities would be on a separate footing.

37118. You say no municipality in Sind has power to appoint any establishments on its own authority; does that apply also to the District Boards?—No, they have certain powers.

37119. What are they, roughly?—District Boards appoint their own temporary establishments, but they cannot make permanent appointments without the sanction of the Commissioner in Sind.

37120. What pay does an overseer get?—Rs. 40 to Rs. 50, it varies; it is not fixed.

37121. You say that a Sub-Divisional Officer can get the powers of a Collector, generally speaking, and it depends on the idiosyncracy of the Collector how far he gets them; supposing you had an autocratic or centralizing Collector, might he not reduce his Sub-Divisional Officer to a nonentity?—Yes, if he chose he might say "I will not allow you to grant any loans," he might say "I will not allow you to transfer or grant leave to *tappadars* or any village officer."

37122. In your long experience in the province has that tendency come into play often?—I believe that different Collectors throughout the province give their Assistant Collectors different powers—even men of the same standing. Personally, I consider it is advisable to give Assistant Collectors the largest possible powers.

37123. Would it not be also advisable to give Assistant Collectors such powers, as a class, as they are fit to exercise, without the possibility of

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their being taken away by an injudicious autocratic Collector?—You get very young officers in charge of sub-divisions now; the moment they have passed the higher departmental examination, owing to the few men we have, they are almost immediately placed in charge of sub-divisions without really any experience.

37124. Could you not deal with that by making the powers depend on the service or grade?—You nominally have grades of Assistant Collectors, but in practice in Sind we very often have hardly an Assistant Collector on duty whose substantive grade is above that of supernumerary Assistant, while we have District Officers in charge of Districts who are not second class Assistant Collectors.

37125. Under your present system you might possibly have a young Assistant with two or three years' service in one district exercising more power than one, say, of eight years' service in another?—It is quite possible; it depends on the Collector.

37126. Is that a good plan?—That is the law and rules as they stand. I think it is a good thing that a Collector should have the power of restricting the powers to be exercised by his Assistants.

37127. We were told in Bombay, for instance, that no Sub-Divisional Officer can move a *karkun* from one *taluka* to another; can he do so here?—No.

37128. Might he not have that power?—No, I think not, because they are on the general establishment and the moving of *taluka* Officers from one *taluka* to another tends to upset the general arrangements.

37129. You would have a certain number of men from the general establishment posted to a particular sub-division, but within that sub-division, might not a Sub-Divisional Officer do as he chose?—It might work in parts of the province, but in my district which is so malarious that we have to be constantly changing the men, it would not do.

37130. A Collector in Bombay proper cannot move a *mamlatdar* about in his district; is that so in your case?—Yes.

37131. Do you not think he ought to have that power in Sind?—I do not think it is necessary.

37132. You say in the matter of appeals the Commissioner's decision should be final when passed under the Sind Frontier Regulation; what is that?—That is a semi-criminal Regulation which is applied in parts of Sind for the trial of offences committed by the Baloochies. When an offence is committed by a Balooch—frequently it is murder—it is generally connected with women and it is very often absolutely impossible to get evidence in these cases of any sort or kind except the fact that the man and the woman have been killed, and where this regulation is in force the Deputy Commissioner or the District Magistrate has power, if he finds there is no possible chance of the matter being threshed out in the Criminal Court, of withdrawing it from the Criminal Court proper and transferring it for revision to a Court of elders which is summoned according to the Balooch usage; they sit in judgment and pass conclusions on a few simple leading points which the District Magistrate puts to them and when they make their finding he passes his order in accordance therewith, and that order is subject only to revision by the Commissioner in Sind according to law.

37133. Is the decision final, or is there a reference to Government?—There is no legal reference to Government, but of course the Government have always very wide powers of revision. In fact the regulation recognizes no judicial authority superior to the Commissioner in Sind, and the only way in which Government could interfere would be by suspension or remission of a sentence just as they could in the case of a sentence by the Bombay High Court.

37134. Do they in practice exercise their powers of revision in such cases?—Not within my personal experience; I never had a case when I was Deputy Commissioner on the Frontier where these cases arose which went beyond the Commissioner, and I have no personal experience of their having done so since.

37135. (*Mr. Hichens.*) You say you think the Secretariat at times takes a rather narrow view; what kind of case had you in your mind?—Recently an application was made to the Bombay Government in connection with the present scarcity, to sanction the grant of grain compensation in Karachi and elsewhere in Sind, pointing out that the staple food of the population of Karachi was a certain kind of grain. The reply we received was that the staple food of the people was not what we said it was but something else, and the chief food in certain *talukas* in my own districts was stated by the Government to be *juari*, but as a matter of fact it is rice and no *juari* is grown in those *talukas* at all. That necessitated of course a representation, which I have already made to the Commissioner, and which I presume, he will pass on to Government, with the result that there will be a further reference to us and we shall repeat our facts which are facts, involving a certain amount of extra and somewhat unnecessary correspondence. I mention this particular instance because it is one which appears to me to be rather important, as I happen to know that all the lower subordinates of Government departments here are on the *qui vive* on the subject, and we have very large railway workshops here employing something like 2,500 men and they are all expectation to see what the result is, because their grain compensation follows ours. I am very much afraid if the thing is not sanctioned we shall be in for a general strike. Then there are other points as to the pay of subordinate establishments, for instance. It is not sufficiently recognised that the Sind Government subordinate is a different type of man to the subordinate down country. I am speaking absolutely from local knowledge; I have no knowledge of the Bombay Presidency, but I am given to understand that the class of man who is a peon or a police constable down country is a man who can live on very much less than Sindis can live on, and it is essential, and you must accept the fact, that in a certain province the cost of living (whether it is absolutely necessary that it should be so or not is another matter) is more than it is in another, and it must be recognised in connection with their pay.

37136. And you think that is not done?—We cannot get our people paid as much as we think they ought to be.

37137. Do you think in the old days of the Sind Commission the members of the Civil Service knew the languages better than they do to-day?—I certainly think the old members of the Sind Commission knew Sindi better than the officers do at present, because they passed their whole lives in the province. There are only myself, and one other officer of the Sind Commission left.

37138. Are transfers from Sind to the other parts of the Presidency frequent?—Yes, the greater portion of a man's service is outside Sind; I should say there are very few officers who serve in Sind more than seven or eight years.

37139. And then are they transferred to somewhere else where the language is totally different?—Yes.

37140. And do they possibly come back again?—There is a case of one officer who spent a certain portion of his life in Sind as Assistant Collector and who has returned after a long period of years as Collector. I am not referring to officers of that standing but to other officers.

37141. At any rate the fact remains, that it is rather rare for anyone to spend a reasonably long continuous period in Sind now-a-days?—I am not prepared to say that even, if an officer is anxious to spend his time in Sind, he is able to do so. That is a matter which is not within my cognizance, I only say, that officers who go home on furlough, on their return are posted to other parts of the Presidency.

37142. Would you say that the advantage of Sind would be better promoted if members of the service

stayed here for the whole of their time?—Not under the existing conditions of the administration of the province, because the experiment of a close Commission was tried, in a comparatively small province and was found to be a failure; promotion is very slow where you have a small close Commission; men get discontented, and in addition, in the greater part of Sind the climate is extremely trying.

37143. How long should a Collector remain in his district here?—For practical purposes the longer a Collector is in charge of a district the better.

37144. A good many witnesses have said they think the period should be a minimum of 3 and a maximum of 5 years, and they objected very much to going beyond 5 years; is it desirable that a man should, if possible, stop longer than 5 years?—Five years, for the sake of the individual, is quite as much as you can expect anybody to put in in such a charge as Sukkur, or Larkhana; I see no reason why there should be such a hard and fast line in a district like Hyderabad and certainly not in Karachi which is an excellent climate, but it would be extremely hard to find an individual down for five years in such a place as Sukkur; in fact he would not stay, because he would have to go home ill.

37145. The argument put before us was that a man got into a groove after he had been, say five years in a place, and therefore it would be a good thing that he should be moved?—That is the difference between looking at it from the point of view of the advantage and comfort, and personal happiness, and the benefit of the inhabitants of the district and the general demand for progress in all branches. From the point of view of the inhabitants of a district, the people one has to look after and get to know personally, there can be no question that three years is not long enough time to have charge of a big district.

37146. Another argument was that a Collector has to be an all round man, and that he has to take an interest in a great variety of subjects, that the normal human being cannot interest himself in everything, that therefore some particular aspect of administration, one must assume, might be neglected by any good Collector, and for that reason a general shuffle from time to time was wanted; is that an argument worthy of attention?—I consider that the diversity of interests and occupations which he has are rather safeguards to most men living in lonely districts.

37147. Then you see no objection to a Collector staying in one place longer than 5 years, except on the ground of health?—Yes, the whole of the Upper Sind and Middle Sind are places in which life for seven months in the year is carried on with an extreme of discomfort and considerable suffering very often, which is a fact which must be considered when you are dealing with human beings.

37148. Has the town of Karachi any municipal lands?—Yes; it has very little, if any, municipal land in fee simple, but Karachi is under a city survey under the provisions of an agreement come to between Government and the municipality by which the municipality undertook the cost of the survey. There are certain somewhat complicated arrangements regarding land, but you may take it generally that there are certain lands within the limits of the city survey which are under the control of Government and are administered by me through my Deputy Collector, who answers more or less to the Sub-Divisional Officer for Karachi, and there are certain lands which are under the control of the municipality and they have the right of sale on lease of those lands.

37149. Do they amount to a substantial area?—Yes; and there is plenty of it still left; for instance the Port Trust is now negotiating with the municipality for the purchase of an area of 160 odd acres for six lakhs of rupees.

37150. (*Mr. Dutt.*) You say with regard to land settlement reports, the powers of the Governor in Council should be given to the Commissioner in Sind. Do those settlements include the irrigation rates as well as the land rates?—Yes.

37151. Then according to your suggestion these settlements should be made in Sind and not submitted to the Governor of Bombay either for confirmation or for sanction?—As long as the Commissioner in Sind is in subordination to the Governor of Bombay of course they should be submitted to the Governor of Bombay for confirmation.

37152. But not necessarily for sanction?—I do not think necessarily for sanction for the reason that the land revenue system in Sind, to begin with, is entirely different from that of the Presidency. Sind is an irrigated country; we do not levy our assessments, so to speak, at all on the crop on the field, but upon the class of water supply.

37153. Supposing a certain settlement caused general dissatisfaction and some degree of unrest in a province, would not the Bombay Government be held responsible for not having exercised sufficient supervision over the operations in Sind?—I think we have yet to arrive at the ideal settlement which does not cause dissatisfaction.

37154. But generally speaking, supposing there was a great deal of dissatisfaction and grumbling about one particular settlement, would not the Bombay Government be expected to have looked into it, and would it not be held responsible for not looking into it?—I presume they would still retain the powers of revision in case of necessity.

37155. You would allow them the powers of revision?—As long as Sind remains subordinate to the Bombay Government, the Bombay Government will claim the power of revising action by the Commissioner in Sind.

37156. With regard to territorial changes in districts you recommend that the powers of the Governor in Council should be given to the Commissioner in Sind; are these territorial changes very frequent?—No, and they are very trifling.

37157. So that references to the Bombay Government do not give much trouble or work to the Commissioner in Sind?—No, they do not give much trouble; his recommendations probably would almost necessarily be accepted.

37158. One of your recommendations is that with regard to the expenditure of Local Board Funds outside the Local Board area, the Collector as the President of the District Board, should have the power to sanction. On principle, should not funds allotted to a District Board always be spent within the limits of that district?—That is a general principle, but it is a principle to which there should be exceptions.

37159. The general idea in other provinces is that money which is allotted to a Local Board belongs to it and should be spent entirely within its limit; but if you take away part of that money it is like taking away from a body that which has been allotted to it?—My argument is if someone else is spending money outside the limits of a particular Local Board, for the benefit of that Local Board, it is fair to ask that Local Board to bear some part of the expenditure. If we here in Karachi are spending a large sum of money, as we are, for the benefit of Hyderabad and other places in Sind, it is only fair that they should contribute towards it.

37160. Are such cases frequent?—They arise in the case of provincial institutions, for instance, such as the Sind College.

37161. But they are not very frequent?—There are certain cases.

37162. Supposing the Commissioner's sanction was required in those cases, would the Collector be put to much inconvenience?—No, not in the least; but these are general suggestions for decreasing amount of correspondence.

37163. It would not very much decrease the Collector's work?—No, it merely means another reference.

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37164. Have you forest officers in all your districts?—Yes.

37165. Are they considered to some extent to be assistants to the District Officer in regard to matters which relate to the convenience and comfort of the people?—I believe that theoretically they are, but in practice they strongly object to being considered so.

37166. Has it not been so laid down?—It has been laid down by Government and the code that theoretically they are.

37167. So that, as far as pasture lands and other matters relating to the people are concerned, the District Officer could issue instructions to the forest officer?—He could, but he does not do it in practice; he writes to the Conservator and asks as a favour that which he could, under the strict rules, demand as a right, but I am bound to say my own relations, and I believe those of other District Officers with the forest officer in Sind are extremely cordial.

37168. Is irrigation entirely in the hands of the Irrigation Engineers?—Yes.

37169. Supposing a large number of cultivators came to you as Collector, and said they were not getting sufficient water, would you have anything to say to the Irrigation Engineer?—Certainly.

37170. Would you have power to issue instructions as to letting out or not letting out water?—No.

37171. Should not the Collector in that matter have some control over the Engineer?—The present system is faulty in many ways and the Sind Irrigation Act is distinctly in need of amendment, but I do not think it is possible that a non-professional man can say to a professional officer in charge of an irrigation work, whether there is water for other people or not, "You are to open that sluice and give so and so water," because that might upset the whole scheme of a canal.

37172. Would you not allow him that power subject to a reference to the Superintending Engineer or to the Government?—I consider the Commissioner in Sind should have far greater control than he has over the Heads of Departments in the province, and that a matter of that kind might be referred, and if the Superintending Engineer took the view of the subordinate engineer it would be referred to the Commissioner in Sind, but, while all that was being done, the cause for action would have passed away.

37173. Who would make the reference?—I am not prepared to say that the Collector should be in a position to give the Executive Engineer orders.

37174. (*Sir Frederic Lely.*) Generally, is the Bombay land revenue survey system suited in Sind?—I think so, as tempered by our irrigation system.

37175. Is not Sind a zamindari country?—Partly, and partly raiyatwari.

37176. But the spirit of the land constitution of the province is that of large land holders?—Not all over, it is so in Upper Sind chiefly.

37177. Taking that portion of the province, has not the imposition of the Bombay land revenue system with its code and rules created a certain want of harmony between the administration and the people?—No, I think not; probably at the time of introduction it was too cumbrous for Sind.

37178. Is not the Land Revenue Code based on altogether a different constitution from that existing in Sind?—You mean they hold field by field now, whereas you think they ought to hold zamindari?—I think they are quite satisfied now.

37179. They have become habituated to it?—Yes, at first there was a good deal of trouble and bother.

37180. And it caused considerable dislocation?—Yes, there was a good deal of trouble.

37181. You say "I do not think the Bombay Government is too much dominated by revenue considerations, and I wish very emphatically to say that I utterly disbelieve any officer under that Government has ever had a black mark against him because he has *bonâ fide* and liberally recommended remissions." I do not wish to challenge that statement, but as a matter of fact, have you had any experience of failure of crops in Sind such as to require large demands for remissions?—Yes, we have constantly; this very year we shall have large remissions.

37182. But nothing to be compared with the famines in other parts?—No, we never get famines, but we get constant failures, and complete failures, over large areas.

37183. I always understood that Sind considered itself fairly secure from famine?—Yes, because the people go away to other parts with their cattle, but we have had very heavy remissions and we shall have very heavy remissions in the province this year; judging from my own district I imagine that there will be 8 or 10 lakhs or more.

37184. As regards the discretion which should be given to the Collector in apportioning the powers of his Assistants, I take it there are two alternatives to choose from, one giving a certain amount of discretion to the Collector, at the risk of some aberration, and the other introducing a mechanical system of Government which is never illogical but always rather lifeless?—I prefer the present system under which the Collector distributes his powers according to his personal opinions of his Assistants.

37185. That gives him more personal interest in the administration?—Yes, and I think it secures the benefit of the people more too, that the Collector should be able to show his trust in a good man.

37186. It has been laid down by authority that nothing should pass in a Collector's district of which it is not his duty to keep himself informed. Is that the position at present of the Collector in Sind?—Yes.

37187. Is that position recognized both by himself and by others?—Yes.

37188. Has the Collector, for instance, an effective voice with regard to excise questions in his district?—Certainly.

37189. Are the excise subordinates under his orders?—Yes, a new order has just been made under which an Assistant Commissioner for Sind has been appointed.

37190. Does he impinge on the authority of the Collector?—No, he is merely there as an Assistant to the Commissioner.

37191. What is his connection with your excise subordinates, has he powers to give them orders over your head?—No, I do not think so.

37192. He must do everything through the Collector?—Yes.

37193. And you do not think his authority will centralize undesirably at all?—No.

37194. Do you recognize any responsibility for education in your district?—Yes, a great deal.

37195. Both with regard to primary and secondary education?—Primary chiefly.

37196. Do you recognize any responsibility in connection with the general tone of the secondary education in your district?—Yes, I have a good deal to do with education in all its branches in my district, from the highest form of education we have, which is the college, down to the lowest primary school. I am Chairman of the Standing Committee of the college and have a great deal to do with it. By the constitution of the Board I am necessarily a member of it, I am Vice-President of the Muhammadan *Madrassa* in Karachi, and as regards the schools in my district, I look upon it as my duty to inspect every school that I possibly can in the course of my tour, and whenever I find anything that strikes me as wrong I invariably bring it to the notice of the education inspector, and he always deals with cases promptly. I expect my assistants to do the same, and they do.

37197. Supposing in a training-college the state of discipline was extremely bad, would that generally come to your knowledge?—No, I should know nothing about the training-college.

37198. Do you not visit it?—No.

37199. Do you not think a Collector should be on the Visiting Committee of every institution which is in immediate relation with the youth of the country?—There is no training-college here; the training-college is at Hyderabad. When I was Collector there I used not to visit the training-college, but I have no doubt I could have done it had I expressed a wish to do so. The Educational Authority would have raised no objection, but as a matter of fact I look upon the visiting of certain places, the high schools, for instance, more as ornamental than practical; it is the district schools one pays more attention to.

37200. I know of a case where the grossest state of indiscipline was discovered in a college and the Collector and the Commissioner said they did not consider it any of their business. Would that be the case in Sind?—As regards the high schools I do not think we should have anything to do with them.

37201. Does the Executive Engineer occupy an absolutely independent position from the Collector?—Absolutely.

37202. Other witnesses have gone so far as to suggest that the Executive Engineer, ought to be in a subordinate position with reference to the Collector much the same as that held by the forest officer; what would you say as to that?—The subordination of the forest officer is nominal and do not desire that the Executive Engineer should be subordinate to me.

37203. Have you anything to say as to the Public Works budget?—No.

37204. Supposing a re-appropriation was made, or one work stopped and another taken on, would you know about it?—I get copies of the resolutions.

37205. Ought you not to be consulted about such a thing before hand?—We are consulted as regards the expenditure, and we are immediately connected with the clearance grants for canals and that sort of thing. As a matter of fact, the Collector holds a conference with the Executive Engineer and his own assistants in connection with the clearance of canals which is one of the most important points he has to deal with.

37206. With reference to other items, buildings, for instance, in the budget, have you anything to do with them at all?—Not in the preparation of the budget. As to buildings that are erected for us by the Public Works department, we requisition for plans and estimates, they send them up, the work goes in for sanction and inclusion in the budget, and we have nothing more to do with it.

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37207. Supposing you became aware of any gross malfeasance in regard to Public Works, would you consider it your duty to interfere in any way?—If I became aware of it in such a manner that I could take it up of course I should; I should write to the Superintending Engineer.

37208. Would you be considered as interfering if you did so?—Yes, probably.

37209. What is the size of your District?—12,000 square miles.

37210. (*Chairman.*) How many municipalities have you in it?—Karachi City, Tatta municipality which is a fair-sized one (a town of about 10,000 inhabitants); Kotri, a town of about 7,000 inhabitants; Manjhand, a town of about 2,500 inhabitants; and Keti Bandar a town of about 2,000 inhabitants.

37211. Are you Chairman of any of them?—Of none of them. We have a non-official President in Karachi. The presidents of the other municipalities are my Assistant Collectors in charge of the sub-divisions in which those municipalities are situated.

37212. Are you Chairman of the District Board?—Yes.

37213. Do you attend its meetings?—Yes, once a year.

37214. Does it only meet once a year?—Yes.

37215. In Karachi you are chairman of the Port Trust?—I am, and I desire to hand in a memorandum on behalf of the Trust.

37216. The principal point contained in it is that you wish to have freedom to raise loans when and where you like?—Yes.

37217. And you wish the period during which the loans should be current to be extended to 30 years?—Yes, those are the two main points; the last one is not so important.

37218. But you do wish for freedom to raise loans where you like?—Yes, we should like to be able to go to England.

(*The witness withdrew.*)

Mr. A. D. Younghusband C.S.I., I.C.S., was called and examined.

37219. (*Chairman.*) You are Commissioner in Sind?—Yes.

37220. Although you are one of the Commissioners under the Bombay Government, your position, as Head of the province of Sind is clearly distinct?—Yes.

37221. How long have you been Commissioner in Sind?—I joined the appointment in November, 1905.

37222. Had you served in Sind previously?—No. The first 14 years of my service was in Gujarat; then I was for 10 years in the Central Provinces, and for the last three years, before coming up here, I was Commissioner of the Central Division of Bombay.

The position of Sind in the matter of decentralization is altogether exceptional. The province was for many years after the conquest ruled by an independent Governor, directly under the Government of India. On the annexation of the province to the Bombay Presidency, the Governor was replaced by a Commissioner, who inherited, in a lesser degree, many of his prerogatives, although of course wholly subordinated to the Government of Bombay. In various scarcely definable ways, the modern Commissioners in Sind carry on the unbroken traditions of Sir Charles Napier, and are treated throughout the province as his successors.

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The status and functions of the Commissioner in Sind differ materially from those of the Commissioner of a division. It would be nearer the mark, though of course not strictly accurate, to describe him as the Head of a Local Administration subordinate to a Local Government. This at least is the position to which it seems desirable that he should as far as practicable approximate, if the administration of the province is to be carried on to the best advantage.

The Bombay Land Revenue Code has been extended to Sind, and is technically speaking, the law under which the revenue administration of the province is conducted. Under it the status of the Commissioner in Sind is neither more nor less than that of the Commissioner of a division, and no extraordinary powers have been conferred on him. But in fact the main authority to which Sind Revenue Officers have daily occasion to refer for guidance in their procedure is not so much the Land Revenue Code as the compilation of Commissioner's special circulars, dealing with all the details of a system of revenue administration which, though under the same law, is fundamentally and essentially different from that prevailing

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in the Bombay Presidency. These circulars have been issued by successive Commissioners from time to time under an authority which appears to be based on tradition rather than on any express delegation. There would presumably be nothing positively illegal in similar action on the part of a Commissioner of a division; but in practice any such assumption of authority would certainly be restrained.

It seems a fallacy to suppose that such decentralization as is now to be found in the Sind administration had its origin in the passing of Act V. of 1868, and that from that date there has been a gradual elevation of the status and independence of the Commissioner in Sind to a pitch previously unknown. It seems probable that the tendency has, if anything, been rather the other way, and that, despite the powers formally delegated from time to time, Government now exercises a closer control over the affairs of Sind than they did 40 years ago. The Act has undoubtedly proved most valuable, and its working has been entirely successful. A careful search of the Commissioner's records since the date of its passing has failed to reveal a single instance of complaint against it. It has enabled the Commissioner in Sind to exercise the powers of a Local Government under a number of Acts which have since been either passed or extended to Sind in the natural development of more highly organized conditions of administration. But over and above this, it would seem to have been necessary for the purpose of giving a more formal legal sanction to the exercise of powers which, in so far as they had been previously exercised by the Commissioner in Sind, had depended on custom rather than on express legislation for their sanction. It is to be remembered that almost up to the date of this Act the Commissioner in Sind had been his own High Court, that there had been no independent judicial authority by which the legality of his actions could be called in question, and that the province had been "Non-Regulation" in the wildest sense of the expression. It is interesting to note, as showing how the Commissioner in Sind was in those days regarded by the Government of Bombay, that this Act was conceded by the Government of India as an alternative to the original proposal of the Local Government that the case should be provided for in Act XXXII. of 1867, under which the Governor-General in Council was empowered to delegate to the Chief Commissioners of Oudh, the Central Provinces, and British Burmah the powers of a Local Government. The provisions of Bombay Act XII. of 1866 (the Sind Civil Courts Act) deserve notice. The Commissioner in Sind was therein emphatically recognized as Head of the province, and extensive powers were conferred on him in connection with the judicial administration, including power to appoint the Subordinate Judges, who now constitute the judicial branch of the Provincial Service. The corresponding power of appointment to the executive branch, which for practical purposes is far more needed, and the absence of which entails a considerable amount of unnecessary routine correspondence, is at the present day refused him.

The extraordinary exercise by the Commissioner in Sind of many of the powers which elsewhere are strictly reserved in the hands of the Local Government—his position in fact as for many purposes the Local Government of the province—not only dates from the earliest times, rather than having its origin in any modern theories of delegation, but is moreover a necessary condition of the exceptional circumstances in which a detached and distant province has been annexed to territories with which it has no sort of natural connection and not a single feature in common. The physical configuration of the country, the climate, the modes of cultivation, the racial characteristics and manners and customs, domestic and agrarian, of the population, all present a striking contrast to anything that is to be found in the Bombay Presidency. The people of Sind have practically no common interest and no inter-communication with those of the Presidency proper, less so at all events than with the people of the Panjab, Baluchistan, and even Rajputana. The Government of Bombay is practically as remote from Sind as the Government of India. Some of the individual Members of Council and Secretaries may have put in a more or less extended period of service in Sind in the more or less distant past; but the Government, as a Government, can have no such first hand knowledge of existing conditions in the province as it has of those in the Deccan, the Carnatic and Gujarat. The visits to Sind of His Excellency the Governor are almost if not quite as rare as those of His Excellency the Viceroy, while visits from the Bombay Members of Council and Secretaries are unknown. Nor has the Commissioner in Sind ordinarily any opportunities of presenting himself at the headquarters of the Government of Bombay and coming into contact with its Members.

At the present rapid rate of development of Sind in all directions a day will eventually come when it will be found necessary again to detach it from the Presidency of Bombay, and give it a separate administration of its own directly under the Government of India. In the meanwhile the arrangement under which this outlying province remains subordinate to an alien and absentee Local Government cannot but be regarded as anomalous. And its success must largely depend on the degree to which the powers and responsibilities of the Local Government are left in the hands of the local Head of the province, who ought always to be an officer specially selected for his fitness to exercise such powers and responsibilities.

The case is thus a wholly exceptional one; and it is fallacious to generalize from the success of a policy of decentralization as applied to Sind that such a policy is everywhere desirable—still more fallacious to argue that, because particular powers are capable of being, and have been, entrusted with advantage to the Commissioner in Sind, they should equally be entrusted to officers in an altogether different position. Such generalizations may or may not give rise to dangerously exaggerated ideas of the extent to which decentralization can safely be carried in the ordinary conditions of Indian administration. But they are in any case calculated to injure the case of Sind by obscuring the exceptional conditions which here necessitate the policy. And the Sind administration is more likely to be hampered than benefited by the issue of general orders, of which there has recently been a series, delegating powers to all Commissioners and Heads of Departments, *including the Commissioner in Sind.* Occasionally, the Commissioner in Sind has been so invested, in common with a number of other officers, with powers which had long before been specially delegated to him in virtue of his exceptional position as Head of the province. If he is thus to be bracketed with Commissioners of Divisions and other officers for purposes of decentralization, he may expect to find himself similarly bracketed hereafter for purposes of centralization, when the view commends itself that the policy now in favour has been carried too far, and that a general tightening of control is called for. In that event his last state will be worse than his first. The danger which threatens the administration of Sind lies rather in the tendency towards uniformity and in the insidious encroachments of departmentalisation than in any conscious policy of centralization.

It scarcely admits of question that the general influence of the departments of the Government of India is in the direction of rigidity and uniformity, and the standard of rigidity and uniformity enforced is often excessive. It can scarcely be denied that the insistence on a rigid uniformity in police arrangements throughout India, and the difficulty of convincing the Government of India of the existence of special local conditions, have the effect of seriously retarding much needed reforms. To take one small point, the pay of the rank and file of the police ought to bear some relation to the local scale of wages of ordinary unskilled labour, which varies throughout India, and which happens to be extraordinarily high in Sind. But it is difficult to carry conviction on such points. Again, it is a speciality of our Bombay system of administration that the

main bulk of the work of a district is carried on not, as elsewhere, at headquarters, but in the interior. Failure to appreciate this is constantly apparent in the Government of India orders. In the matter of police re-organization, for instance, the fact that all the worst under-trial criminals are to be found in the *taluka* sub-jails necessitates more efficient arrangements for the guarding of these sub-jails than has yet been conceded. A trivial instance of similar character in the Financial Department may be found in the rigid rules by which all Assistant and Deputy Collectors are treated as part of the Collector's office establishment, a rule which was intelligible enough in the Central Provinces, but is wholly inapplicable to Bombay conditions. Such instances might easily be multiplied.

It is difficult to suggest definite limits to the power of the Government of India to entertain appeals. But as a general rule no case should ordinarily go beyond second appeal, particularly where first and second appellate authorities are in accord. I am on the whole not in favour of the proposal to require a certificate of reasonable grounds of appeal. I have no reason to complain of excessive interference by the Government of India in appeals against administrative action.

In cases of disciplinary action against individual officers, I have known interference by the Government of India which seemed to me most undesirable. I would allow no appeal to them by officers of lower rank than the Provincial Service.

I consider that all departments in Sind, other than purely Imperial Departments, should work in subordination to the Commissioner, who is the Head of the province, and whose influence, as observed by the Government of Bombay in 1892, "if it is to be effective, must be effective in all directions."

Commissioners of divisions in the Bombay Presidency differ materially from officers bearing the same designation in provinces where they are subordinated to Boards of Revenue or Financial Commissioners, or in the smaller provinces administered by Chief Commissioners, although, since the loss of their old distinctive designation of Revenue and Police Commissioners, there has been an increasing tendency to treat the Bombay Commissioners as on the same footing with Commissioners of divisions elsewhere. This tendency is in many ways regrettable. Not only does it involve some lowering of the original conception of our Commissioners as a purely controlling authority, corresponding with Boards of Revenue and Financial Commissioners elsewhere,—a conception of which practical recognition is now scarcely to be found except in the Warrant of Precedence,—and a reduction of their status to that of *quasi*-Executive Officers, but the prominence given to the division rather than to the district as the unit of revenue administration has the effect of lowering the ancient prestige and influence of the Collectors.

A *joint* control by the Commissioners of the revenue administration is the object which was formerly and should again be aimed at. The removal in 1890 of the headquarters of the Commissioners from Poona to stations in their several divisions was, in my opinion, a grave mistake. Since that time they have been largely out of touch with one another, and collectively with Government. When I was in the Central Division great difficulties were experienced in arranging meetings even for the purpose of discussing the very few matters which Government had expressly instructed Commissioners to take up in conference. With the natural reluctance of my colleagues to leave their headquarters and their offices in order to come in to Poona during the season I very fully sympathised. Equally inconvenient was it to me to accept alternative suggestions of meetings in Bombay during the cold weather, which I found all too short for touring through my extensive division. The consequence was a tendency to hurry through even the few obligatory conferences, while there were no opportunities for leisurely discussion of innumerable important questions, which had not been specifically referred to a conference, but on which an exchange of views and joint action might have been most beneficial.

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I would strongly advocate a reversion to the old conception of the Commissioners as a joint body, akin in many respects to a Board of Revenue, though not necessarily so designated. And as a first step I would urge the restoration of Poona as the joint headquarters of the Commissioners, where they should all reside not only in the rains but also during such part of the hot weather as they may not be actually on tour. Quarters should be specially constructed for the joint accommodation of their offices, which could probably be amalgamated with considerable advantage, an Assistant Commissioner or Secretary of the Indian Civil Service being placed at the head of the single amalgamated office. Detailed distribution of work between the members of what would thus be, to all intents and purposes, a regular Board could continue to be, as hitherto, by territorial divisions rather than by departments. But there would be scope for a very considerable measure of joint action by the Board as a whole. And to such a Board Government might delegate very extensive powers, without any fear of setting up divergent standards in different parts of the Presidency.

Any powers so delegated to the Board of Commissioners in the Presidency should simultaneously be delegated to the Commissioner in Sind as regards that province. Indeed, the case for delegation in Sind must always be stronger than in the Presidency on the general consideration of its remoteness and of necessary want on the part of Government of detailed familiarity with its conditions. One result of the constitution of such a Board as has been suggested would presumably be the subordination to it in the Presidency of such officers as Directors and Inspectors-General of Land Records, Agriculture, Registration, and the like. This, so far as Sind is concerned, would facilitate the bringing about of a much needed reform, namely, that such officers, who are mainly concerned with conditions in the Presidency, in so far as they may be allowed to exercise any jurisdiction in Sind,—and it is a very arguable question whether this is desirable,—should only do so in the strictest and most absolute subordination to the Commissioner in Sind. It is in respect of the interference within his jurisdiction of such *quasi*-revenue departments independent of him, that the Commissioner in Sind at the present time finds himself most embarrassed.

Sub-Divisional and *taluka* Officers exercise within their sub-divisions, under the Land Revenue Code, all the powers of a Collector, except such as the Collector may specially withdraw from them. And there is no complaint of any excessive tendency on the part of Collectors to withdraw powers. *Taluka* Officers, under the Code may exercise any powers delegated to them by the Collector under the general or special orders of Government; and all that is necessary in this connection is that Government should give Collectors a free hand in the matter. In matters of general administration, not covered by their revenue powers, the powers at present exercised by these officers appear to be sufficient.

Proposals have been submitted, and are under consideration, for giving to the Commissioner in Sind the powers of the Local Government, and to the Manager of Incumbered Estates those of a Court of Wards, in the administration in Sind of the Bombay Court of Wards Act, 1905.

The provisions on the subject of appeals of the Bombay Land Revenue Code are fair and reasonable, though certainly not erring in the direction of excessive curtailment, and might be made generally applicable. They are to the effect, (1) in regard to general administrative action, that no appeal should lie from an order passed by a Commissioner, etc., *in second appeal*: (2) in regard to punishments of individual officers, that no appeal whatever should lie beyond the Collector in the case of subordinates on Rs. 35* or less, and no appeal from the Commissioner's *appellate* order in the case of subordinates on pay of Rs. 99* or less. On the other hand, there is a perhaps necessary reservation to Government of unlimited powers

* These limits might with advantage be raised at the present day.

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of revision. And there is a natural tendency on the part of the Secretariat, as of certain High Courts, to allow this reservation to be traded on by individuals as conferring on them an irregular right of appeal in cases where the law expressly disallows it. Petitions in such cases are apt to be referred for report as a matter of routine. In a recent case a lengthy memorial from a subordinate on Rs. 50, described both by him and by the Secretariat as an "appeal" against the Commissioner's appellate order, was sent for report, intimation being at the same time sent to the petitioner that his "appeal" had been so dealt with. This tendency requires to be steadily resisted. Subject to this remark, I do not consider that further special measures are necessary in the matter.

There can be no question that the natural tendency of provincial Secretariats is always towards departmentalism. I found such tendency particularly marked in the Central Provinces. Heads of Departments are always in direct touch with the Secretariat and with the headquarters of Government; they generally have the last word on questions affecting their departments; and their influence with Government is apt to unduly outweigh that of the territorial officers, who are the best judges of local conditions, on which the whole question frequently turns.

In Sind, the peculiarity and the importance of local conditions are abnormally great. They are matters of which the average Head of a Bombay Department, residing in the Presidency, is more than ordinarily ignorant and impatient. The impracticability of allowing the administration of the province to be controlled by such officers, behind the back of the Commissioner, has been repeatedly recognized by Government, and orders have from time to time been issued with a view to emphasizing the Commissioner's concern in all departments of administration of the province. But such orders are apt to be disregarded or overlooked. The natural tendency of all specialized departments is to encroach, and the normal tendency of the Secretariat appears to be to acquiesce in such encroachments.

The Head of one Department was 15 years ago instructed that his communications to Government on Sind affairs should be addressed through the Commissioner in Sind. One year ago, on enquiry being made, it was reported that no reason could be discovered why this practice had not been observed; and the orders were then re-affirmed, but have still had no result. Another Head of a Department in the Presidency has received permission to tour in Sind, subject to an express stipulation that his functions are to be confined to criticism and report to the Commissioner in Sind, and that he is not to interfere with the local officers. It cost me a prolonged and tedious correspondence before I could induce this officer to admit that he had been in error in addressing direct instructions to one of my officers, instructions which, however excellent in themselves, were marred by his very natural ignorance of detailed local conditions. Recent interference by yet another officer in the Presidency in matters which have hitherto been administered entirely by the Commissioner in Sind is at present the subject of correspondence. It is unsatisfactory that so much of the time of the Commissioner in Sind should be wasted in checking encroachments of this description. And yet, when they are not watched for and promptly challenged, the evil goes on increasing.

Under our revenue system Assistant Collectors spend their lives in personal contact with the people. And whatever may be said against the system in other respects, there can be no question of its excellence in this respect. With the Sub-Divisional Assistant Collector always accessible the need for personal contact with the Collector is less pressing. Collectors, though of course much hampered with desk work, are in fact as a rule always accessible, more so, I am inclined to think, than Heads of districts elsewhere, their early training and traditions doubtless standing them in good stead. Anything tending to reduce the burden of office work on District Officers is of course greatly to be welcomed in this connection. And in so far as a sub-divisional system on the Bombay model may be capable of extension to other parts of India, I venture to think that it is to be recommended.

As a result of this system most of our Assistant Collectors, whose work is mainly in the vernacular of the people among whom they habitually live, do acquire a sound knowledge of the language. While in the Central Division in 1902-05, I was particularly struck with the facility in colloquial Marathi displayed by one Assistant Collector after another; and now in Sind the general knowledge of Sindi is even better. I should say that our present junior Civilians are better in this respect than their predecessors of 25 to 30 years ago. Collectors have no difficulty in keeping up the languages they acquired as Assistants, though naturally at a disadvantage when transferred to parts of the country (*e.g.*, Sind) in which they have not previously served. At present all Heads of districts in this province are proficient in Sindi, two of them, who as members of the old Sind Commission have spent a whole long service in it, being exceptionally so.

I am unable to say as much for the officers of certain other departments, least of all for the Assistant Engineers of the Irrigation Department, in whose work knowledge of the vernacular is specially important, and, speaking generally, is markedly absent. The remedy, which has been impressed on Government, is the substitution of a more real test for what has hitherto been the farce of the "colloquial" Public Works Department examination.

Proposals for the creation of a new district in Sind are now under the consideration of the Government of India, and with the further development of the province, one or more additional districts will doubtless in time be found necessary. But these are not an immediate need. Certain schemes for increasing the number of sub-divisions are under my consideration, but are not yet matured.

Any wholesale extension of the principle of selection, without regard to seniority, would be most dangerous. Selecting authorities are human; their knowledge of the officers concerned is often second-hand; and the risk of partiality, favouritism, or prejudice, if not on the part of Government at least on the part of their advisers, is a real one. Special posts, outside the regular line, should of course be filled wholly by selection, no officer having a claim to such posts. But promotion to the rank of Collector and Commissioner, as to the higher ranks of other regularly organized Services and departments, should in my opinion be made primarily by seniority, subject to considerations of fitness. Where the next senior officer is deliberately found to be unfit for promotion, he should be superseded without hesitation; and as to this I agree that there is room for greater care and strictness than has at all times appeared to prevail. But the grounds of his supersession should be definitely formulated, and should be communicated to him. He should at the same time be clearly informed whether the defects in his work or character are deemed so incurable as to debar him from all future hope of promotion, or otherwise in what particular respects improvement is needed to qualify him for it. At present we occasionally see a number of officers, who have been superseded *en masse* in favour of a junior, without any reasons assigned, afterwards accorded one after another the very promotion for which they had been superseded. In such cases it is impossible to avoid the suspicion that reconsideration has induced an unavowed recognition of the injustice of the original supersession. The utter uncertainty as to prospects which such procedure engenders in the Service concerned has a most demoralizing tendency, and is seriously detrimental to the public interests.

Transfers are a necessary evil. That they are *undesirably* frequent is beyond question. In so far as they may be *unnecessarily* frequent, the fault can only be ascribed to want of care and judgment on the part of the authorities responsible. The improvement of internal communications, no less than of communication with England, has greatly facilitated the taking of leave, which is

the most prolific source of transfers; and I am not of opinion that leave is at all too lavishly granted. Often, when to the public mind they may appear capricious, they are necessitated by reasons which cannot be made public. The Commissioner in Sind has large powers in the matter of posting officers subordinate to him, and I personally devote to this question an amount of valuable time which many officers might consider disproportionate. It is a most important part of the work of administration, and the importance of personal attention to these details should be emphasized.

I would generally support Mr. A. G. Wright's recommendations, subject to the provisoes (*a*) that the residuary controlling authority over the inspector is vested in the Commissioner in Sind rather than in the Director of Public Instruction, (*b*) that some guarantee is afforded of a specially selected officer being always made available for the post of inspector in Sind. This might be effected by assigning to the post special privileges, among others the grant of a local allowance such as is given to many other officers in Sind. Education in Sind is pre-eminently a matter in which it is desirable that the Commissioner should have a predominating voice; and this is a view which it is understood the Government have always been prepared to accept in theory, although little has been done in modern times to give practical effect to it. The main difficulty which has always hitherto suggested itself in the way of any proposals to assign to the Commissioner in Sind the functions which in the Presidency are exercised by the Director of Public Instruction is the extremely technical nature of many of the questions which have to be dealt with. But this difficulty would largely disappear if the Commissioner could always count on the services of a picked inspector, who would supply the necessary expert knowledge, and who would, with the delegation proposed, relieve him of the great bulk of routine work. The inspector would then be Head of the Department in Sind, in direct subordination to the Commissioner as Head of the general Administration of the province.

The Commissioner in Sind should be empowered to dispose of some of the matters now dealt with by Government in the Public Works Department (Irrigation). There are no less than three Superintending Engineers in the province, and in the Indus River Commission there exists a consultative body in which all this engineering talent is brought together. Projects sent up by individual Superintending Engineers might be disposed of by the Commissioner with the advice either of the Indus River Commission as a whole, or of the Secretary to that body, in the capacity of Public Works Department Secretary to the Commissioner. Many of the questions turn largely on local knowledge, and in respect of them the joint advice of the local officers, based on personal inspection, is perhaps at least as valuable as that of the Chief Engineer and Secretary to Government in Bombay.

The present Bombay District Municipal Act is on the whole sufficiently elastic. The Local Government (in Sind the Commissioner) is left a considerable amount of discretion in the matter of control, and is in a position to discriminate between different municipalities. The present provision of law that the strength and pay of establishments must be *determined by rule* (involving the setting in motion of all the cumbrous machinery for amendment of rules whenever a trifling change is proposed), is distinctly inconvenient. It would suffice to provide that the municipal rules should *determine the procedure* by which establishments are to be entertained or varied. It would then be open to the Commissioner to sanction for each municipality greater or less freedom in this respect.

I am not in favour for the present of giving larger powers or more extended functions to District Boards in Sind.

Every Collector should, and most if not all Collectors do, consult freely with the natural leaders of the people on questions of general or local administrative importance. The Collector's individual advisers naturally vary with the nature of the question to be discussed, and it would be impracticable to include them all in a permanent Council to deal with all questions. Such informal advice as is obtained in this way in his general intercourse with the leading men of his district is calculated to have more real value than the formal advice of a standing Council. There would be danger of the wrong men finding a place on such a Council, while exclusion from it would be resented; and for many reasons I am opposed to the idea.

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Still less am I in favour of Commissioners of divisions, particularly in the Bombay Presidency, being aided by such Councils. I deprecate anything calculated to foster the idea of division, rather than the district, as the administrative unit. Commissioners when on tour should of course lose no opportunity of listening *on the spot* to the views of the various district notables who come to see them, which is a very different thing from summoning them to a Divisional Council at the Commissioner's headquarters. It is purely to their Collectors that Commissioners should look for keeping them informed of the trend of public opinion in their respective districts.

If District Boards could make over a share of the district fund for expenditure in the smaller municipalities, there might be a case for investing them with powers of supervision over such municipalities. But I am not in favour of the suggestion, and I certainly cannot advocate its application to Sind.

My fear—as regards India generally, or at least those parts of it with which I have been acquainted—is whether it is not almost too late to give greater powers to village communities. Our rule has undoubtedly done much to destroy the old communal spirit—if not directly, at least indirectly in the spread of education and growth of individualism—and it seems a question how far this spirit is capable of being revived. In Sind the old indigenous idea, which we have to defend against the encroachments of modernism, is rather the feudal than the communal idea. The traditional antagonism of interests between the Muhamadan zamindar and Hindu money-lender has been unfavourable to the growth of any communal spirit. In some of what may be called the smaller country towns, or larger market-villages, not quite equal to municipal institutions, we have Sanitary Committees, which collect and administer in their own fashion small funds for sanitary purposes. The work done by these committees in a humble way appears to be not wholly unsatisfactory. But the conditions are exceptional, and the experiment does not appear capable of any considerable extension. On the whole, I feel myself reluctantly compelled to answer in the negative, so far as Sind is concerned, any proposal to confer greater power upon village communities.

I desire to endorse the remarks made by Mr. A. G. Wright in favour of permanent travelling allowances rather than daily mileage rates, for officers whose duties keep them constantly on tour through the season. The Government of India have taken repeated and strong exception to the Bombay system of permanent allowances, and have expressed their intention of taking every suitable opportunity for its gradual discontinuance. As the result of many years' experience of both systems, both as an Executive and as a Controlling Officer, I venture to think the Government of India entirely ill-advised on the point. The most obvious and indisputable advantage of the permanent system is the immense saving of labour in all the offices concerned. But besides this, I have found it far more conducive than the other to steady, useful and efficient travelling. An officer subject to it is under no temptation to make unnecessary journeys, or to regulate the direction of his tour, the length of his stages, and so forth, by considerations of how he can make most profit, or by any other considerations than the convenience of his work and the public interests. He is also more easily controlled. It is as easy to see that an officer does not neglect the duty of travelling as that he does not neglect any other duty—easier, since the submission of monthly diaries of

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movements affords a constant check. On the other hand, it is by no means easy to assert that a journey, which *primâ facie* suggests zealous activity, and for which plausible reasons can be shown, was in fact unnecessary, and that its real "purpose" was to establish a claim to daily and mileage rates and double railway fare, however morally convinced a controlling officer may feel on the point. The abuse by certain officers of this system of allowance is notorious, and the expression "making T. A." is a proverb throughout India. Abuse of the permanent travelling allowance system has never come within my cognizance; and the only flagrant instances of such abuse of which I have ever heard have been (many years ago, and not in this Presidency) cases of Commissioners of divisions, who were their own controlling officers. The permanent allowance system is of course not universally applicable; but wherever practicable I consider it well worth adopting.

37223. Was the fact that you had experience in various districts of the same Presidency, as well as experience in another province, of some advantage to you in taking up the Government here, or would it have been just the same if you had had no such experience?—It was certainly of great advantage.

37224. Balancing one against the other, was the want of previous experience here a greater disadvantage to you than the wider experience you had was advantageous?—I should say that must vary with the length of my tenure of the appointment. Every day I stay here the drawback of the want of previous experience of the province is getting less and less. When I first came I certainly felt there was a serious deficiency, but that deficiency on my part I found very largely remedied by the assistance I got from the few remaining officers of the old Sind Commission.

37225. Would you therefore like to see the practice of keeping officers in Sind for as long and as continuous a period as is possible?—I do not think I would go so far as that; for many reasons the loss of the old Sind Commission is to be regretted, but, on the other hand, there were reasons in favour of its abolition; incidentally I have found it of great advantage that there are two of the old officers remaining in Sind who have been able to give me the benefit of their experience.

37226. Do you agree with the last witness that the Bombay Land Revenue Code now works satisfactorily?—I think so. We have comparatively little to do with the Code in Sind.

37227. Do the Commissioner's special circulars largely supplant it?—Yes. I am not sure that "supplant" is the word; I would say "supplement."

37228. So that it is hardly necessary to take it into consideration?—I will not go so far as that; it is not negligible, but at the same time it is not so important as it is in the Presidency proper.

37229. With regard to what was said by the last witness as to orders having been issued by the Government of Bombay which have very largely restricted your own discretion, and as a consequence the discretion of your officers in the matter of land grants, what do you say?—I am afraid I do not understand what the last witness was referring to.

37230. Have any such orders been issued to you?—Not that I am aware of.

37231. You say that formerly the Commissioner in Sind had power to appoint Subordinate Judges; can he do so now?—Yes; he has the power by law.

37232. Does he exercise it?—Yes.

37233. But you have no power to appoint Executive Officers?—No, none.

37234. None whatever?—No Executive Officers of the Provincial Service, that is to say, Deputy Collectors.

37235. What is a *mukhtiarkar*?—He is a member of the Subordinate Service.

37236. Are Deputy Collectors the only officers of the Provincial Service?—Of the Revenue Branch. I cannot appoint them.

37237. Which gets the highest pay, the Subordinate Judge or the Deputy Collector?—On an average, the Deputy Collector.

37238. Is he a more important officer?—Yes, I think so, but it is a large question as to whether the administration of justice is more important than the collection of revenue. Naturally I attach more value to the executive work.

37239. Should not an officer who is entitled by law to appoint a Subordinate Judge be entitled also to appoint an Executive Officer of very much the same corresponding position and rank?—I think so; they are parallel branches of the same Service. My real point with regard to the appointment of Deputy Collectors is that, as a matter of fact, I do practically, appoint them; that is to say, they are promoted from men serving in Sind who I know all about and the Government knows nothing about, and my recommendations are accepted as a matter of course, but I have to make the recommendations and it means a great deal of useless correspondence.

37240. You say that while you think the Commissioner in Sind ought to have larger powers, you would very much doubt whether the Commissioner in other places ought to have larger powers?—I do not think the one necessarily follows on the other; but I do not wish to suggest any restriction on the delegation of larger powers to Commissioners elsewhere.

37241. In the recent orders of the Bombay Government, has the Commissioner in Sind been coupled with the other Commissioners in the Bombay Presidency?—There have been several orders recently about delegation of powers.

37242. And they have always coupled the Commissioner in Sind with the other Commissioners?—Yes, incidentally.

37243. Is that a new departure?—I think it is. The whole subject of delegation has been rather prominent recently, and several Resolutions have been issued on the subject. I think it is a new departure, that is to say, that hitherto I do not think there has been much delegation to officers generally, whereas the delegation of powers to the Commissioner in Sind is very old.

37244. Do you fear that this indicates a centralizing tendency on the part of the Bombay Government?—Rather a tendency to a dangerous uniformity in bringing Sind into line with an ordinary division; that is the point.

37245. Into the central net, as it were?—Yes.

37246. You say that the Heads of Departments are apt to encroach upon the independence, or *quasi*-independence, of the Government and the Commissioner in Sind—can you give examples?—There was a case the other day to which Mr. Mules referred with regard to orders issued by the Director of Land Records to officers in Sind; the Department of Agriculture is one which is disposed to encroach considerably, and there is a case with regard to the Education Department, though I do not know that I would call that encroachment.

37247. What have the Agricultural Department done?—The Head of the Department has been lately assuming a considerable amount of jurisdiction in the matter of the Civil Veterinary Department, which has always hitherto been under the direct control of the Commissioner in Sind. We have our own special superintendent in Sind.

37248. What orders have been issued to the Civil Veterinary Department?—Several circulars have been issued to Collectors in Sind by the Director of Agriculture on matters relating to veterinary work. Copies have been sent to me.

37249. Were they sent first to the Collectors, or were they sent simultaneously to you and the Collectors?—They were sent simultaneously.

37250. Were they instructions to do something?—I am not prepared to give the detailed contents. I am bringing the question forward as a purely technical question of procedure. I do not know that there has been any harm done, but as justifying the word "encroachment" my point is that a new procedure is being introduced, and that there is a constant tendency to that sort of thing. If one does not notice these little things at the time, precedents get established, and in that way an outside officer gets authority which he never had before.

37251. It is not so much therefore the contents of the actual circular as the encroachment upon the authority of the Commissioner in Sind over his subordinates?—That is rather my point.

37252. With regard to the Education Department, have they neglected the orders of the Government of Bombay in certain respects?—Yes, that again is a matter of procedure.

37253. They have been told to correspond with the Commissioner in Sind and they have corresponded instead of the Educational Inspector in Sind?—Yes.

37254. So there again the Head of a Department in Bombay, tries to communicate direct with the officer who ought to be subordinate to you?—No, that is not the particular point in this case. In this case, under the orders of 1893, the Director's reports to Government on Sind educational questions were to be submitted through the Commissioner in Sind. Last year the Government enquired why these orders had not been carried out, and the Director of Public Instruction reported, after reference to the records of his office, "It appears that the Government resolution has neither been cancelled nor modified; it cannot be traced how the practice has fallen into abeyance," and thereupon the Governor in Council directed that the procedure prescribed by the Government Resolution of 1893 should in future be strictly observed. My point is that though this second Resolution is dated March, 1907, the Director had not, up to the time my statement was prepared, submitted one single report through my office.

37255. Are there any other Heads of Departments who make similar efforts?—I have not come prepared with any other instances.

37256. Is a great deal of the correspondence in Sind conducted by the office establishments of the Collectors and Sub-Collectors in the vernacular?—Yes; the bulk of it is conducted in the vernacular.

37257. Is that necessary; is it easier and more satisfactory than conducting it in English?—It is to a great extent necessary.

37258. Do the people with whom you have to correspond in the interior like it and appreciate it?—I think so.

37259. And would they find it difficult probably to conduct their correspondence in English?—Yes, but of course that difficulty is getting less and less every day.

37260. (*Mr. Hichens.*) You have been a Commissioner in the Central Provinces and also in the Central Division of the Bombay Presidency as well as in Sind, so that you are in an exceptionally good position to compare the status and powers of Commissioners elsewhere with those of the Commissioner in Sind. Can you outline very generally what in your opinion the main distinction between the status of the Commissioner here and a Commissioner in the rest of the Bombay Presidency, or elsewhere, is?—Speaking generally, the Commissioner in Sind is very much more the Head of the whole administration than he is elsewhere.

37261. Are there any very salient points in which he has wider powers, or does it resolve itself into a large number of details?—I suppose it does resolve itself into details, but the total sum of the details is big.

37262. Taking a matter like education, for example, are your powers as Commissioner in Sind any greater than they were when you were Commissioner of the Central Division of Bombay?—I do not know that they are, except in one respect, which is comparatively small, namely, that I exercise the powers of the Local Government for the purpose of Local Boards.

37263. In regard to Public Works, are they different?—No, beyond the fact that I am President of the Indus River Commission.

37264. Where then particularly have you larger powers?—The general idea and policy of Government is that as far as possible, the Commissioner in Sind should have a strong voice in all departments. I do not say that it is always carried out, but in practice he has a larger voice, speaking generally, than the Commissioner has elsewhere.

37265. The educational inspector told us that in regard to certain educational matters he made a recommendation to the Director of Education in Bombay, then the matter was referred to you, then it went back to him again and on to the Director of Education in Bombay; is that not a cumbrous procedure?—What happens in practice is that a recommendation for a grant is made by the Director to Government (of course on the advice of the inspector) and the Government, on receiving it, forward it to me for my remarks.

37266. Would that class of matter be dealt with more expeditiously if it went direct through you—that is to say, if the inspector of education in Sind submitted it first to you and you transmitted it to the Director?—In some ways it might, but in other ways I am not sure that I do not prefer the present prescribed procedure (if only it was adhered to) because there is always an advantage in having the last word.

37267. Is the Collector responsible for the assessment of the land revenue, which includes a charge for water, and for the collection and the remission of revenue?—Yes. Technically all remissions are sanctioned by me, but the Collector recommends them.

37268. Are they practically always sanctioned?—Yes.

37269. So that in that way the Collector has some considerable power?—Yes, the point being that our land revenue and irrigation revenue is consolidated and collected together, and it is purely a question for the Revenue Department; the Public Works Department have nothing to do with it.

37270. Would it be desirable to give the Collector any further power in regard to the distribution of water?—That is a very difficult question; I am not prepared to say so off-hand. It is mainly a professional matter.

37271. Would the common sense point of view be, assuming a reasonable Executive Engineer and a reasonable Collector, for the Collector to put his case before the Executive Engineer who should do his best to carry it out if it could be carried out?—I think so, certainly.

37272. But if the worst came to the worst it would be always open to the Collector to refer the matter to the Government?—Yes.

37273. But you think technical matters had better be entrusted to the technical officer?—I think so; in a case of urgency one or the other of them would take the responsibility; the Collector would either take upon himself to issue an order, or would insist on the Executive Engineer putting down in black and white that he considered it would be dangerous to do what he had been asked to do.

37274. What power of sanction has a Superintending Engineer?—I cannot say off-hand; I do not think it is very large.

37275. Do you hold any view as to whether his powers should be increased?—No, I am not prepared to give any definite opinion on the subject, except that I am generally in favour of delegation.

37276. Speaking generally would you say that a Superintending Engineer was a man of experience and a man who could be trusted with fairly wide powers of sanction?—Yes. Are you referring specially to irrigation now?

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37277. I would apply my question also to Public Works generally. Would you say that Superintending Engineers could be relied upon to prepare the plans of large works, and that therefore they might be entrusted with considerably wider powers than at present?—Yes.

37278. We were told in Bombay that the functions of District Boards to a large extent in finding the money for carrying out certain things, for example, the larger roads; as a principle it is desirable to run District Boards on those lines, or is it desirable to lay great stress on their executive functions?—As regards roads, that is not the case in Sind; speaking generally, the District Boards do carry out their own works.

37279. But not if the cost is above a certain figure?—It never is, as a matter of fact; we have, practically speaking, no metalled roads in Sind and the Local Boards do carry out all their road works. Of course the theory is generally applicable, but the idea of the limit of cost is that work requiring professional skill is entrusted to the professional department.

37280. Very often work can be done more cheaply and efficiently through the instrumentality of a Government department, but admitting that, is it desirable to avail oneself of that agency, or is it desirable to lay more stress on the necessity for developing the faculties of Local Boards?—It is difficult to generalize, but I quite admit the principle that very often it is quite worth while to let the people do a thing in their own way, and, in order to give them the necessary education, to sacrifice a certain amount of efficiency.

37281. Would you allow Local Boards for example to appoint their own teachers from a list to be supplied by Government?—That might be considered.

37282. Would you allow them to have their own inspectors?—I do not quite see how a dual arrangement would work; it is rather a new idea to me. You do not suggest that the Education Department should withdraw entirely?

37283. No, not entirely; might not a District Local Board, for example, be allowed to appoint its own teachers, inspect its schools, and have substantially less supervision exercised over it by the authorities of the Education Department, from the point of view of educating it up to taking a keen interest in its work?—I am not prepared to give an opinion on the point, but there is a great deal to be said for it. Whether it could be worked in practice I should not like to say offhand.

37284. Might they be given more discretion than they have at present with regard to the curriculum?—I think they have more to say to the curriculum than perhaps has been brought out by the witnesses hitherto; for instance we have a special curriculum in Sind, called the rural standards. There has been a great difference of opinion about it, and it has been laid down that it is to be left entirely to the Local Boards to decide whether they will have these rural standards in their schools, or whether they will have the regular ordinary curricula as in the urban schools.

37285. Can they do more than choose between those two?—No, I do not know that they can, and I do not know that it would be feasible to allow them to wander outside the recognised standards altogether.

37286. (*Mr. Dutt.*) You have pointed out that so far as Act V. of 1868 is concerned it gives a legal sanction to certain extraordinary powers which the Commissioners in Sind as a matter of fact exercised before—is that so?—I understand that to be the case, and I can give you an illustration. In 1859 the Government of Bombay gave to the Commissioner in Sind the powers of a Lieutenant-Governor under an old Municipal Act of 1850. It is very questionable whether the legality of that order from the Government would stand at this day in a Court of Law. That is an instance of the sort of thing I had in my mind.

37287. Is it your point that in certain matters the Commissioner in Sind has practically had those powers from the beginning, and that Act V. of 1868 has only legalized some of them?—Yes.

37288. Was that owing to the special circumstances of this province?—Yes.

37289. Those circumstances do not exist and never did exist in the other divisions of the Bombay Presidency?—No.

37290. Therefore does it not follow that in those other provinces the extension of Act V. of 1868 was not absolutely necessary, and you would draw a distinction between two cases?—Certainly.

37291. In Sind do you consider that all departments, other than Imperial Departments, should work in subordination to the Commissioner?—Yes, that is the general idea so far as practicable.

37292. Would you include in that the Education, Excise, and Public Works Departments?—The Excise Department is entirely under the Commissioner.

37293. Would you include the Public Works and Education Departments?—Yes.

37294. Would you lay down that the Commissioner in Sind should be consulted before any policy was introduced in Sind with regard to education?—Yes; it is done now before any large policy is introduced—at least I should protest if orders were issued introducing a large policy into Sind of which I had heard nothing.

37295. There is a difference between Sind and other divisions in that respect; in other divisions the Commissioners generally concern themselves more with the revenue administration?—Yes, but not exclusively.

37296. Have they the same control, or should they have the same control, over the educational and Public Works policy of their divisions as the Commissioner in Sind has, or ought to have?—No; I would not put them on the same footing.

37297. You suggest that Commissioners might meet at Poona and form a Board to dispose of large questions in consultation with each other. Would that be mainly with regard to revenue matters?—Yes, mainly with regard to revenue matters: a few years ago I should have said in regard to police as well, but the police is past praying for now.

37298. You would not give the Commissioners any large voice in police administration even if they were joined together as a Board?—I would give them an absolute voice if I had my way. I have always considered that the police should be directly under the Commissioners, and strongly urged this view before the Police Commission. But now that has been finally over-ruled, and a system on diametrically opposite lines introduced, I suppose that the question is no longer open to discussion.

37299. Do Assistant Collectors and Deputy Collectors who are in charge of sub-divisions have to tour about seven months in the year and live at headquarters the other five months?—Seven months is the minimum for touring required by rule. According to my own experience in the Bombay Presidency, eight months is about the ordinary period of touring for an Assistant Collector; in Sind, on the other hand, I understand that the Assistant Collectors are pretty well always on tour, that is to say, they are never for very long continuously at headquarters without having to go out for some purpose or other.

37300. So that would you say a Sub-Divisional officer in Sind is more in touch with the people of his sub-division than he is in other sub-divisions of the Presidency?—I am inclined to think so, but I would not say so in a very marked degree.

37301. From your experience in other divisions, generally speaking, would you say that a Sub-Divisional Officer in Sind is more in touch with the people?—That is rather the impression I have derived since I came to Sind, but I should not like to assert it very strongly.

37302. Are people who want to bring their cases before the Sub-Divisional Officer put to hardship because they have to follow him from place to place when he is on tour?—I have not found that amount to anything very serious in my experience; I know it is often said.

37303. Do you generally agree with the opinion of the educational inspector that the Commissioner ought to have a controlling voice over all financial questions in regard to education in his own province?—Yes.

37304. Would you limit that control mainly to that point, leaving technical questions as to curriculum and so on to the Education Department?—What I should like to see as the ideal arrangement would be that the inspector in Sind should always be a specially selected officer, and that, with his assistance, the Commissioner in Sind should control the entire Educational Department of the province.

37305. What then should be your relations with the Director of Public Instruction in Bombay?—I think we should have no relations at all, except that we should avail ourselves of his advice on any very big or very technical question.

37306. Should he lay down general lines of policy for the Presidency, leaving you to adopt them as far as possible?—Yes, that would be the line I would suggest—so far as they might appear suited to Sind.

37307. You said that you had the power of appointing Sub-Judges in this province; would they be men on Rs. 150?—Yes, beginning at Rs. 150.

37308. Are they considered to belong to the Provincial Service?—Yes.

37309. Their pay goes up to a high figure?—Rs. 800 is the pay of the highest grade.

37310. In the other Provincial Services are men at that rate of pay appointed by the Government or are they appointed by the Commissioner in Sind?—I cannot tell you how they are all appointed; none of them are appointed by me, but my point about Deputy Collectors is that they are, like the Sub-Judges, on a separate Sind list—an entirely distinct list from the Deputy Collectors in the Presidency—whereas probably the other Services you refer to are part of a general Provincial Service for the Presidency.

37311. Are not Deputy Collectors in Sind liable to transfer to other parts of the Presidency?—Not ordinarily. There has been one case of an exchange between Sind and the Presidency, and that exchange the Government of India said ought never to have been made.

37312. Have rules been laid down that Sind officers of the rank of Deputy Collectors should always remain in Sind?—It is undoubtedly the practice, and almost the invariable practice, and I understand it is the rule.

37313. Do you not get Deputy Collectors from the other divisions into Sind?—There has been one case, and one only, so far as I am aware.

37314. You have told us that *mukhtiarkars* are generally chosen from the ranks of the Ministerial Service and after some experience in the Ministerial Service they are appointed by you—is that the general rule?—Yes; we never make a direct appointment of a *mukhtiarkar*.

37315. In your opinion would it be desirable to make some direct appointments so that they should not have to go through a training as Ministerial Officers which is not altogether desirable?—I do not agree that the training is not desirable. A certain amount of training is necessary. The appointment of a *mukhtiarkar* is too important and too responsible to put a raw man into it without some sort of preliminary training, but I am quite in favour of getting good candidates, well educated and well born if possible, and we attach considerable importance to that in Sind; if we can get, say, a Muhammadan of good family and good education I am quite prepared to give him his ministerial service simply and solely for the purpose of training him as a *mukhtiarkar*, and putting him in as *mukhtiarkar* on the first opportunity. He would have to pass his departmental examinations and go through a certain period of training, and then I am always ready to put him in at once.

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37316. We were told that some of these men when they entered the Ministerial Service were likely to contract habits of corruption, but that when they got to the higher Service they gradually got rid of those habits; if that be so, is it altogether desirable that men in their earlier career should have to go through such demoralising experiences?—I am not quite sure that I can admit your premises.

37317. Is it not possible that some of the men who may afterwards rise to be as *mukhtiarkars* may have gone through that demoralizing process and have contracted corrupt habits?—It is quite possible.

37318. If it was possible, would you appoint at least a certain number of men of good education and good families either on probation or for a definite period with the distinct idea that they should be appointed as *mukhtiarkars* as soon as they were qualified?—Yes. There are not enough appointments, of course, for all our educated men, but our rules for graduates are very liberal; as it is, a graduate is given many advantages in the way of getting through his examinations early, and once he has passed his higher standard examination if he is found fit for anything at all he is pushed up at once.

37319. (*Sir Frederic Lely.*) I understand that you claim that Sind is on a special footing and is different from the Presidency proper, partly because of its remoteness, and also because of its peculiarities and customs as to land tenure and race, and so on. With reference to other divisions in the Bombay Presidency, would you not say that those reasons also apply in kind, though not in degree, and involve some separate treatment for them?—Yes, in kind.

37320. For instance, Gujarat, has special customs and institutions of its own which entitles it to distinct, if not separate, treatment?—Yes.

37321. And that is an argument in favour of giving a Commissioner certain definite and enlarged powers?—Yes.

37322. Is it within your memory that Gujarat was improperly treated on more than one occasion because there was no one in the Secretariat who understood anything about it?—Yes, I think it is so. I have no very definite recollection, but as the question is suggested to me, I have a vague impression of something of the sort.

37323. In general words, would you say that each division of the Presidency should be treated on its own footing, and that the Commissioner should be the voice of it?—Yes, it being understood that I am not putting them on a footing with Sind.

37324. With reference to the imposition of the Bombay Revenue Law upon Sind, you say that is largely supplemented by the Commissioner's own rules, and that has mitigated the incongruous effect of the Land Revenue Code. In the early days would you not say that it was a great drawback to the Government of the country from Bombay that it involved imposing a law which was made for a peasant proprietary upon a province of great landholders?—Yes, but I do not describe Sind without qualification as a province of great landholders, though it differs materially from the Presidency proper.

37325. But in so far as the land law was unsuited to it to some extent the Government of the province was dislocated?—I am not prepared to say that.

37326. At any rate the law applied was unsuitable?—Yes, it was not strictly applicable in all its details at all events.

37327. And in fact the great landholder was treated as peasant proprietors?—Yes.

37328. (*Sir Steyning Edgerley.*) Was not the unsuitable point in the Bombay Land Revenue Code that under it you levy revenue on all land in occupation?—Yes.

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37329. And also a section was put into the Land Revenue Code to legalize and facilitate the matter of temporary settlements in Sind?—I will take it from you.

37330. So far as the powers and duties of the Commissioners and Collectors and Assistant Collectors and *mukhtiarkars* were concerned, there was not very much in the Land Revenue Code which created difficulty?—No.

37331. The Land Revenue Code was not of course passed with any reference to Sind, but was applied under the Scheduled District Act?—Yes; the first application of the Bombay Revenue law to Sind was Bombay Act I. of 1865, which was specially extended to Sind under Bombay Act I. of 1866.

37332. I may take it that the essence of your evidence is a fear lest the position of the Commissioner in Sind should be deteriorated by anything that may be done in the direction of decentralization?—Yes.

37333. As regards the encroachments of other departments in Sind which you have mentioned, have you ever had any reason to feel that when you took the matter up you were not supported by the Bombay Government?—Yes, I think I have.

37334. Can you give any illustration of that?—There was a case in connection with the Agricultural Department as regards the development of Egyptian cotton cultivation in Sind, which was largely dealt with for a long time by a Government in direct communication with the Director of Agriculture behind the back of the Commissioner entirely.

37335. The introduction of a special crop like Egyptian cotton might form an exception to a general rule?—Yes, but I thought I had grounds for protesting in that case and pointing out that it was a matter in which the Commissioner in Sind might have had something to say.

37336. Have you any other illustration you can give?—No, that is the only one I can think of at present. Generally speaking, I would admit if one points out the whole thing to Government one is supported, but at the same time my complaint is that there is all the trouble of having to go through the process.

37337. You suggest that some of the individual Members of Council and Secretaries may have put in a more or less extended period of service in the province in the more or less distant past, but does that give quite a fair impression? Since 1890, have not the Revenue Members of Council in the majority of cases come direct from Sind?—Yes, some of them.

37338. But at the same time your point is, that allowances should be made for special circumstances?—Yes.

37339. With regard to Act V. of 1868, have you had a search of records made for the purposes of your evidence?—Yes.

37340. Is there anything on record showing any complaints as to its operation?—No, nothing at all.

37341. Which do you consider the leading newspaper in Sind?—The Sind Gazette.*

37342. Will you put in an extract from an article which appeared in that paper on Friday, the 13th March, so far as it relates to the operation of Act V. of 1868 for our use?—Yes, certainly.*

37343. Would it be of any advantage to you if the Act gave authority to delegate powers to Collectors and Heads of districts?—Possibly, it might be of use.

37344. Do you consider that an Act of that character could work in the Presidency and other parts of India?—I am not prepared to say it would not work.

37345. Do you think it desirable, or not desirable, that it should be attempted?—I am inclined to doubt whether an Act of that sort is desirable for general purposes. My view of the Act is that its object is to meet exceptional circumstances. The whole nature of the Act is to create exceptions to a general rule, and that being so, I feel rather doubtful whether it is desirable to turn the exception into the rule.

37346. It is not an infrequent process on the part of the Government of India to legislate by notification?—No.

37347. And it has the merit of simplicity and saving of time, if powers have to be passed on?—Yes.

37348. But against that you have to set the argument of the possibility of making exceptions?—Yes.

37349. Is it not the policy of the Bombay Government to make the Commissioner practically the Head of the whole administration in Sind?—Yes, so I understand.

37350. We have heard that he has no power in connection with the Educational Department; do you agree with that?—As regards formal powers I think it is the case, but if you mean as regards influence, the Commissioner has a certain amount of influence.

37351. In the Education Department the powers are not reduced to rules anywhere?—There are powers of financial sanction and various other powers of sanction.

37352. But those are powers under Codes which apply to all departments?—Yes.

37353. Have not the Bombay Government practically said that they will not receive anything referring to the Education Department except through the Commissioner in Sind?—Yes, that is so.

37354. Would you not say with regard to any department that if the Commissioner chose to interfere he would be fully supported?—Yes, that

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Extract from Sind Gazette, 13th March, 1908:—

* "It is, however, not improbable that the Commission will discover that Sind has escaped the centralizing tendency of the age more successfully than any part of India, except the non-regulation districts. Many years ago the Bombay Government realized that owing to its geographical position and its dissimilarity from the Presidency proper, Sind must receive special treatment and that the Commissioner in Sind must be given a much freer hand than they were prepared to allow to the ordinary Commissioners of Divisions. A short Act was passed enabling the Governor of Bombay in Council to delegate to the Commissioner in Sind certain of the powers of a Local Government, and full advantage has been taken of this Act. It would be tedious to enumerate the laws under which the Commissioner has been given these extended powers since 1868. Suffice it to say, that the delegation of authority has resulted in an immense saving of time and labour, in the avoidance of much possible friction and of many inevitable mistakes, and so far as can be seen has been attended with no disadvantages or inconveniences whatever. On the contrary, the system approaches more nearly to the ideal than is the case anywhere else in India. The area of administration is comparatively so small that an energetic Commissioner can see it all in a couple of years. The number of districts is so few that he can keep in the closest touch with the District Officers, who are of course the real rulers. And having seen his Division and made himself acquainted with its needs, the Commissioner-in-Sind has not to report to a far away Board of Revenue or a distant Secretariat. He has not even to convey his impressions to a Chief Commissioner. In many matters, and those by no means the least important, he can frame his policy and pass the orders himself. Administration on these lines gains infinitely more in sympathy, insight and promptitude of action than it loses in 'uniformity' and 'breadth of view,' which are supposed to be the cardinal and peculiar virtues of a centralized system; and we cannot help believing that it would be a sound policy and a real step towards decentralization if all Commissioners of Divisions were given the same powers as have been delegated to the Commissioner-in-Sind."

is to say he would not be told that it was no business of his, though he might not always get his way.

37355. But is not the policy exactly the opposite—the Bombay Government wish him to stand out as the Head of every Department?—Yes, it has been so stated.

37356. You think that the system of daily travelling allowance is liable to considerable abuse?—Yes.

37357. Would you say it is liable to more abuse than the system of permanent travelling allowance?—Yes, decidedly in my experience.

37358. Is control over an officer's movements easier under the permanent travelling allowance?—Yes.

37359. When an officer has signed and sent in a daily travelling allowance bill claiming money, does not criticism become a little bit difficult, without making some imputation upon his character?—Quite so, that has been my experience.

37360. Whereas it is very much simpler to be able to say: "Your diary shows that you are not moving fast enough and you had better hurry up"?—Yes.

37361. (*Mr. Meyer.*) In the matter of travelling allowance you state that fixed travelling allowance was abused in a certain province by Commissioners. Without mentioning names, can you tell me how it was abused?—I know as a fact of a case, many years ago, of a Commissioner of a division who drew a fixed permanent travelling allowance of Rs. 250 a month and habitually travelled second class on public duty. Then I have known of other cases of Commissioners who neglected travelling.

37362. Who simply sat down and drew their travelling allowance without travelling at all?—Yes.

37363. Under the fixed travelling allowance system, the Commissioner would require to check the movements of his Collectors, to see that they were going about the districts properly, and it might also be necessary for the Government to be informed of the movements of the Commissioner?—Yes.

37364. The Commissioner does not now make any report as to his travelling to Government?—No.

37365. Supposing a fixed travelling allowance was in general application throughout, would you have a Commissioner send his particulars as to travelling to Government?—No, I would not.

37366. You would leave it to his honour?—Quite so; I think Commissioners should be trusted.

37367. And if you found a case of abuse such as you have mentioned, would you take serious notice of it?—Yes, undoubtedly, but the Commissioner should be addressed privately in the first instance.

37368. You said that the Bombay Government had directed that any communication to them from the Education Department should pass through the Commissioner, but I gather that the Bombay Government having said that, promptly forgot all about it and received communications direct?—That is so.

37369. And there might possibly be a similar lapse of memory again?—Quite so.

37370. In regard to Act V. of 1868, and its general application, that Act merely legalized, what was practically the condition of things in Sind?—I think that was largely the case.

37371. Whereas if you applied it to some other division, whether in Bombay or out of Bombay, you would be making an entirely new departure?—Yes.

37372. How would non-official opinion, rightly or wrongly, regard that?—It would certainly be criticized, and no doubt, adversely criticized.

37373. Is practically all the cultivation here carried on under irrigation?—Yes.

37374. And you fix the rates according to the character of the crop, so much per acre on sugar cane, so much on rice, and so on?—Yes. That is done at the settlement.

37375. Then you have a peculiar system of making allowances for fallows?—Yes.

37376. So that practically a man is charged on the amount he actually cultivates from year to year?—Yes.

37377. The Irrigation Officers have nothing to do with the assessment?—I will not say they have nothing to do with it; they do not settle it, but they have an opportunity of criticizing the settlement report before it is sanctioned; they have no deciding voice.

37378. When once the settlement is made, is all they are responsible for the conveying of water to the fields? They do not collect the assessment or anything of that sort?—No.

37379. Over and above that you have this *malkano*, that is a lump sum paid down at the beginning for the good will?—Yes, it is what in the Bombay Land Revenue Code is called the price of the occupancy right.

37380. Is that fixed usually by auction?—No, not in Sind.

37381. How is it fixed in Bombay proper?—By auction.

37382. Assuming there is more than one applicant?—Yes.

37383. Supposing there is only one applicant what then?—In that case the usual practice is, when an application is put in for a particular survey number, to put the land up to auction, and if there is no competition, the applicant gets it for nothing; there is no upset price.

37384. And if there is an auction, it may be bid for to any extent?—Yes.

37385. How do you apply that method in Sind?—We do not apply it at all; we have no auction at all and no competitive prices; the Collector has to fix the amount of the *malkano*.

37386. Are there certain general principles?—The circular says this: "*Malkano* should for practical purposes be taken to be that amount which any cultivator of reasonable intelligence, means and prudence, is willing and able to give for waste land which he desires to occupy and cultivate at a profit after payment of assessment (1) without incurring debt (2) after leaving in his hands sufficient capital to cover all the expenditure necessary for the irrigation and cultivation of the land and risk of failure of crops."

37387. Is there any rough and ready rule that the amount shall not exceed so many years assessment or anything of that sort?—In practice it does not exceed three times the assessment, and generally it is from 2 to 1½ times the assessment.

37388. When you speak of the Collector, do you mean the District Collector, or is the power delegated to the Sub-Divisional Officer?—The power to fix *malkano* is hardly ever delegated.

37389. Supposing there are two or more applicants for the same piece of land, would it be decided by auction as in the Presidency proper?—There is a provision that auction may be resorted to, but in practice it is never done. In practice where there is more than one applicant, it is decided by choice as to which is considered for various reasons to be the better candidate, either as having a better claim, or being a better class man, or on considerations of the right of frontage.

37390. Mr. Mules told us that in the matter of *malkano* the power of the local officers here, from the Commissioner downwards, has been reduced by orders of the Bombay Government; what did the Bombay Government do exactly?—In practice, I do not think there has been any lowering of powers. What actually occurred was this. In 1899 it came to the notice of the Government of Bombay that a grant of 300 acres of land, free of

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malkano, had been made,—not by the Commissioner in Sind but by one of his Collectors,—to the family of a *mukhtiarkar* who had been murdered in the execution of his duty. The abstract propriety of the particular grant was not criticized but the question raised was as to the desirability of Collectors being empowered to make such grants without the Commissioner's sanction. On this Government issued very stringent orders, seriously curtailing the powers of both Commissioner and Collectors, which, if literally carried out, would undoubtedly have had the effect, as was reported at the time by Mr. Mules, then Collector of Shikarpur, of "revolutionizing the whole system of land grants in Sind." These orders were based on a minute of the Hon'ble Sir Evan James, the then permanent Commissioner in Sind, while temporarily acting as Revenue Member of Council. On his return to Sind his attention was called to them; and, while accepting personal responsibility for what he characterized as "the looseness of the wording," he recorded certain amendments which he would have suggested to his colleagues had he seen the Resolution in print before issue. In regard to the order requiring the Commissioner in Sind to report to Government *for confirmation* every concession sanctioned by him in the nature of a reward for good service, he explained that the word "confirmation" was a misprint for "information." And, in respect of the order requiring the Commissioner's sanction to any sale of land exceeding 100 acres "for a sum materially below the price which would be obtainable *if the land were put up to auction*," he admitted that "the reference to auction was very unhappy." There is of course nothing in common between the Sind idea of *malkano* and a competition auction price. Government being at the time much occupied with plague and famine, Sir Evan James decided not to trouble them with an immediate reference, but took the responsibility (subsequently approved) of practically suspending the operation of these orders. In 1901 Mr. Giles, his successor, submitted the whole case to Government, with the result that they cancelled the orders of 1899 and substituted a simple order that any grant of land as a reward for good service must be sanctioned by the Commissioner, who should report, for the *information* of Government, in any such cases exceeding 100 acres. For the rest Government accepted the proposal of the Commissioner that he should himself issue a rule requiring his sanction to all grants in excess of 100 acres "for an amount materially below what the Collector considers to be an equitable price for it, after deducting a reasonable sum for the expenses of bringing it under cultivation." Thus the orders of 1899 were in fact never brought into force, and two years later were formally cancelled. The only restrictions which have actually been imposed are those introduced by the Resolution of 1901. They are now reproduced as Rules 21 and 22 in Special Circular No. 45. I understand that Mr. Mules objects, as he always has objected, to even these modified restrictions. In this I do not support him. I also gather that, when giving his evidence he was unaware, or oblivious, of the fact of the orders of 1899 having been modified by those of 1901. There is, moreover nothing in these orders which in any way affects the Collector's power of delegation to his subordinates. I am not aware of any orders either of Government or of the Commissioner in Sind which have the effect of hampering Collectors in this connection. Special Circular No. 870 of 1905 impresses on Collectors the desirability of giving larger powers in connection with the disposal of land to both Assistant Collectors and *mukhtiarkars*. References may doubtless be found scattered through many standing orders to the importance of exercising discrimination between experienced and raw assistants. But it is left entirely to the Collector to decide how far each of his Assistants is to be trusted; and I think it is universally recognized that the policy is to encourage delegation to them rather than the reverse.

37391. You post your own Assistant Collectors and Deputy Collectors?—Yes.

37392. Are they simply posted to Sind, and then do you dispose of them as you please?—Yes.

37393. Have you also considerable powers with regard to investing officers with magisterial functions under the Criminal Procedure Code?—Yes, I have practically absolute powers in that respect.

37394. Do those powers include making a man an ordinary Magistrate of the third class, the second class, and the first class?—Yes.

37395. You have all that power as well as the power of allowing them to take evidence in English and so on?—Yes; the only restriction to which it is subject is that I am expected to consult the Judicial Commissioner in each case. That of course does not apply to first appointments. I am not empowered to direct evidence to be taken in English; but in practice there is no occasion for such powers, as the record is invariably in Sindi, the language of the Courts.

37396. In regard to the posting of officers and the investment of magisterial powers, might not authority be given to ordinary Commissioners?—I think so.

37397. Would you be in favour of the Commissioner in Sind having a Public Works budget of his own?—It has been suggested that the provincial Public Works budget might be split up among divisions, with a certain amount kept at headquarters as a reserve, that a certain amount should be allotted to each Divisional Commissioner and against that he should have powers of financial sanction?—I should approve of that.

37398. Both in Sind and in divisions generally?—I think so.

37399. You say that Commissioners might be transferred into a Board of Revenue, and that you would have them meet as a Collective Board in important matters, but at the same time dealing with matters territorially. Mr. Curtis in Bombay went further than that and proposed the Madras system, under which each member dealt with particular subjects, and he said on the whole the system of subject members made more for efficiency—would you agree with him?—No, I should not.

37400. Would you prefer the territorial system?—Yes, as far as the Bombay Presidency is concerned.

37401. Would the Commissioner of Opium, Customs and Salt come into your scheme?—No, I think not; he would have to be outside it altogether.

37402. You say that the Commissioner in Sind hardly ever goes to Bombay; would it not be a good thing if it was recognized that he should go there once a year and meet the members of Government?—It is rather difficult to spare the time; it is a very long journey to Bombay.

37403. Might you not be able to explain things personally which might not be so well dealt with by letter?—There would be advantages in it, but, at the same time there are certain practical difficulties in the way.

37404. Might not the Governor and Members of Council come to Sind oftener?—Possibly.

37405. How often does the Governor come to Sind during his term of office as a rule?—I imagine, on an average, about twice during his five years of office.

37406. (*Chairman.*) Appeals stop at a certain point and then revision begins; what is the difference between the two?—The main difference is that an appeal is a thing which a man has a right to make, and a revision is a thing which he has no right to ask for.

37407. Is a revision generally asked for after an appeal has been dismissed?—After it has been dismissed by the lower appellate authority. The law lays down certain limits beyond which no man shall have a right to appeal, but at the same time there is a wide section, which possibly is necessary, reserving to Government an absolute right of interference where they may deem it necessary.

37408. The Local Government or the Supreme Government?—I am thinking particularly of the Bombay Land Revenue Code, which is purely a local Act, but I presume that the Government of India would similarly claim a right of interference

in the last resort in any case, for sufficient reason. It occasionally happens that a man who has no right to appeal, nevertheless sends up a petition to Government complaining of action against which no appeal lies, and Government interferes. The case to which I have referred came down from the Secretariat with the ordinary Secretariat endorsement. It was described as an appeal and was sent down for report; at the same time the petitioner was informed, in effect, that his appeal had been admitted, and eventually, after a long correspondence it was dismissed. It seems a fair presumption in a case of that sort, especially where the word appeal was used by the Secretariat, that an appeal had been irregularly admitted.

37409. Supposing you had pointed out to the Secretariat that no appeal could lie?—As a matter of fact, I did. I was informed that it was unnecessary to remind the Government of the fact.

37410. Who said that; the Secretary of the Department?—Yes, under orders of the Government, of course.

37411. But perhaps not under orders of the Government?—I am bound to assume that all these things are done under orders of the Government.

37412. So that the practice of revision has been allowed to override the law of appeal?—There is a tendency that way; I do not wish to say more than that.

37413. You say that there is great danger of selection being improperly resorted to; would you say that the same danger would exist if it were a case of selecting for the post of Collector?—Yes.

37414. Speaking generally, are you against any process of selection of officers?—Yes, for regular promotion.

37415. Should they all go on by seniority except in the case of certain special posts?—Yes, but subject to a very strict standard of fitness.

37416. Does not that practically amount to selection?—I do not think it does, because my point is that the next man on the list should be considered in his turn, and if he is rejected then the one below him should be considered.

37417. Then it would not be the selection of the fittest, but the rejection of the unfit?—Yes.

37418. You say that the Financial Department regards Assistant and Deputy Collectors as part of the Collector's office establishment, what does that mean? Do you refer to the Financial Department of the Government of Bombay?—No, I was referring to the Financial Code of the Government of India. By way of illustration of that—An Assistant Conservator of Forests who is placed in charge of a brother officer's division in addition to his own is allowed a charge allowance for holding it, but an Assistant Collector who is placed in charge of a neighbouring sub-division in addition to his own, is not allowed a charge allowance, because the theory is that he and the other Assistant Collector are merely members of the Collector's office establishment in the same way as if they were clerks.

37419. With regard to the conferences of Commissioners a witness told us that they were practically useless, and you yourself rather suggested that it was more or less time wasted?—I did not wish to suggest that. A great deal of their value is very often lost by their being hurried; but I do not think the time is wasted, and I would like to see more of them.

37420. You think there is not enough time devoted to them?—Quite so.

37421. And even if it was inconvenient for Commissioners to go to Poona, for the purpose of holding a conference, yet you think good work is done at them?—Certainly.

37422. Can you without much trouble put in a list of the delegations to the Commissioner in Sind under the Act?—Yes.

(*The witness withdrew.*)

Adjourned.

APPENDICES.

I.—Memorandum showing the organization of the Government of Bombay, filed by the Honourable Mr. Lamb, Chief Secretary.

II.—Statement of the views of the Government of Bombay on the subject of Decentralization.

III.—Memorandum showing the organization of the Local Government in Sind, filed by Mr. Younghusband, Commissioner in Sind.

IV.—Memorandum on the Karachi Port Trust, filed by Mr. Mules, Chairman of the Trust.

APPENDIX I.

Memorandum showing the Organization of the Government of Bombay.

The Government of Bombay consists of the Governor as President, and two ordinary Members selected from the Covenanted Civil Service. The Governor in Council is assisted in the discharge of his duties by seven Secretaries, who are in charge of the following Departments :—

(1) Chief Secretary ...	Revenue, Financial and Separate Departments.
(2) Secretary	Political, Judicial and Special Departments.
(3) Secretary	Legal Department.
(4) Secretary	General, Educational, Marine and Ecclesiastical Departments.
(5) Secretary	Public Works Department (Roads and Buildings).
(6) Joint Secretary ...	Public Works Department (Irrigation).
(7) Temporary Secretary	Public Works Department for the conduct of Railway business.

The Secretary, Legal Department, is also Remembrancer of Legal Affairs and the two Public Works Secretaries have also administrative duties as Chief Engineers. There is an Under-Secretary in each of the Departments Nos. 1, 2 and 5.

2. The business of the different departments is distributed between the members of the Government in the manner found most convenient from time to time. The Governor disposes of the business of the Political, Public Works, Marine and Ecclesiastical Departments, and the Medical and Police work of the General and Judicial Departments respectively. The work of the Judicial Department, exclusive of Police, of the Legal Department (excepting suit papers connected with the Revenue Department) and that of the General Department, which covers many subjects, the most important being Educational and Municipal, is allotted to the Member of the Board ordinarily entitled the Judicial Member ; whilst Revenue, Financial and Railway affairs are dealt with by the Revenue Member. Cases of a routine nature are disposed of by the Secretaries or Under-Secretaries in the different departments, and copies of the orders issued by them are submitted every week to the Member in charge. Other cases of minor importance are finally disposed of by the Member in charge of the department ; on those of greater importance and on cases involving new recurring Provincial charges in excess of Rs. 300 per annum, the opinion of a second Member is sought ; should there be a difference of opinion, the matter is settled in accordance with the vote of the majority either as recorded by the different members or after discussion at a meeting of the Executive Council. The Governor may direct, and a Member may request, that any paper should be brought before Council. All important communications to and from the Secretary of State and the Government of India and various other papers are submitted to His Excellency the Governor.

3. The Governor's Council, when sitting for the purpose of making Laws and Regulations, includes, in addition to the Members of the Executive Government, the Advocate-General and 20 other persons nominated by the Governor. Eight of these Additional Members are nominated on the recommendation of certain local bodies and associations.

4. The revenue administration of the Presidency proper is carried on by the following officers :— 3 Divisional Commissioners, the Commissioner of Customs, Salt, Opium and Abkári, 21 Collectors (including the Collector of Bombay and the Collector of Salt Revenue), the Settlement Commissioner and Director, Land Records, and the Director of Agriculture and Co-operative Credit Societies. The number of First and Second Assistant Collectors is fixed at 17 and 18, respectively, and there are 51 Supernumerary Assistants, but of these some are employed in the Judicial Branch or in Sind. All these officers are members of the Covenanted Civil Service, with the exception of 6 who belong to the old Statutory Service. On the retirement of these Statutory Civilians the appointments specified below* will be transferred to members of the Bombay Provincial Service. There are in addition 54 Deputy Collectors (including the Assistants to the Divisional Commissioners, and the Directors of Land Records and Agriculture, three City Magistrates and the Deputy Collector of Income Tax, Bombay City). They are divided into six grades and are, with the exception of the officers above mentioned, generally in charge of district treasuries or of sub-divisions of districts. Over each *taluka* there is an officer termed *mamlatdar*. The *mamlatdars*, whose total number is 196, are divided into four grades, on salaries rising from Rs. 150 to Rs. 250 per mensem. They are responsible for the treasury business and for the revenue and general administration of their *talukas*. They are also members of the Local Boards and the municipalities within their local limits, and are Magistrates of the 1st or 2nd Class. In the village the principal Government officers are the headman, usually one or more in each village, who is the head of the village for revenue and police purposes ; the accountant, either hereditary, usually one for a village, or stipendiary, usually, one for a group of villages, the *mahar*, who is the menial servant of the village and the village watchman. The offices and emoluments of the headman and inferior village servants are in most cases hereditary.

5. In Sind, under the Commissioner, the administration is carried on by four Collectors and two Deputy Commissioners and 19 Covenanted Assistant Collectors borne on the general list. One of the Collectors belongs to the old Sind Commission and three to the Covenanted Civil Service ; one of the Deputy Commissioners is a Covenanted Civilian and one belongs to the old Sind Commission, the appointments on which are being gradually absorbed into the general list. There are also 23 Deputy Collectors, 74 *mukhtiarkars* (*mamlatdars*) and a staff of village officers called *tappadars*, whose duties correspond to those of stipendiary village accountants, headmen and *pagis* (inferior village servants).

6. In Sind the Commissioner exercises many of the powers of the Local Government. In the Presidency proper the Divisional Commissioners are entrusted with the superintendence and control of the revenue administration and a general supervision of the other branches. They reside in their respective divisions and are constantly on tour during the fair season, for purposes of inspection. Appeals from the Collectors' decisions lie to them, and they are ordinarily the channel of communication between them and the Government. It is their duty to guide and direct the Collectors and to supply Government with information and advice.

7. There are 19 districts in the Presidency proper (exclusive of the Town and Island of Bombay) and 6 in Sind. The duties of superintending the realization of the land revenue, of recovering the excise and other special revenues, and of supervising the stamp revenue devolve in each district upon the Collector as executive Head of the district. He is also the District Registrar, Visitor of the District Jail, President of the District Local Board and in some Districts Political Agent for the adjoining Native States and President of the municipality at the headquarters of the district. He has important duties to perform in connection with the Land Acquisition Act (I of 1894) ; he is the Head of the forest administration in his district and he is required to take part in all matters of executive administration.

The Executive District Officers are, in addition to their revenue and general duties, invested with

* Two posts of Collectors and District Magistrates. Four Posts of Assistant Collectors.

magisterial powers. The Collector, as District Magistrate, controls the magistrates of all classes within the limits of his executive charge. The Court of the District Magistrate is also a Court of Appeal from the sentences of Magistrates of the Second or Third Class within the district. The District Magistrate is also the local Head of the police.

8. The other Heads of Departments are specified below with a brief note on the powers and duties of each.

The Commissioner of Customs, Salt, Opium and A'bkári is the Head of the Customs, Salt, Opium and A'bkári Departments in the Presidency proper. In Sind the four departments are under the Commissioner in Sind.

The Collector of Customs, now a member of the Imperial Customs Service, is in immediate charge of the customs administration of the Port of Bombay. He has under him six Assistant Collectors, two of whom, including the Covenanted Civilian Assistant, belong to the Imperial Customs Service.

The Chief Collector of Customs in Sind, with two Assistant Collectors, is in charge of the customs administration of the ports in the province of Sind.

The Collector of Salt Revenue is in charge of the Salt Department in the Presidency proper and of the customs administration of all ports except Bombay and those in Sind. He has under him ten Assistant Collectors together with a large staff of inspectors, *sarkarkuns* and minor officials.

The Assistant Commissioner of Excise, Salt and Opium in Sind is in charge of these departments in Sind. He has under him a staff of inspectors and minor officials.

The administration of the A'bkári and Opium Departments is vested in the Collectors of the district through their ordinary revenue and police establishments, assisted by a staff of Assistant Collectors of Excise and inspectors and sub-inspectors.

The Settlement Commissioner and Director of Land Records is in charge of the conduct of surveys, compilation and maintenance of Land Records, imposition of assessment, and in particular the preparation of the register of title or record-of-rights in land. He is also *Inspector-General of Registration* and as such has the control of registration operations under Act III. of 1877 and the Deccan Agriculturists' Relief Act, 1879, throughout the Presidency including Sind. For the purposes of registration the Presidency is divided into districts and sub-districts, which correspond in the main to the revenue collectorates and *talukas*. The Collector is Registrar of the district, and in matters affecting registration takes his orders from the Inspector-General of Registration.

The Director of Agriculture.—This officer directs the operations of the Agricultural Department in conducting experiments at agricultural stations, giving advice, disseminating information, and supplying seed for new crops. He has under him two Deputies, and he also controls the Agricultural College, which has a staff of one principal and professor of chemistry, one professor of agriculture, one economic botanist and three assistant professors. The Director of Agriculture is also the *Director of Co-operative Credit Societies*, of which a registrar is in direct charge, and the Controlling Officer of the Civil Veterinary Department, which is under the immediate supervision of the Superintendent, Civil Veterinary Department.

Conservator of Forests.—For the purposes of forest administration, the Presidency has been divided into four forest circles, three of which in the Presidency proper are in charge of Conservators and one in Sind of a Deputy Conservator. The imperial forest staff, in addition to the three Conservators, consists of 24 Deputy and Assistant Conservators and the provincial Forest Service comprises two Extra Deputy Conservators and 21 Extra Assistant Conservators. Except in technical and account matters the Conservators are subordinate to the Commissioners and the Divisional Forest Officers to the Collectors.

The Surgeon-General with the Government of Bombay is the Head of the Medical and Sanitary Departments. Under him are the Sanitary Commissioner, the Civil Surgeons of the different districts and the Presidency Surgeons and Medical Officers of the hospitals in the Presidency Town and the Health Officers of the Ports of Bombay, Karachi and Aden. The Surgeon-General is also President of the Sanitary Board, whose duties are to give advice and assistance to Local Boards, to municipalities and to all departments of Government in all matters relating to the public health, and, when required, to prepare or examine sanitary schemes.

The Sanitary Commissioner with five Deputies is in charge of the Sanitary Department. The duties of the Sanitary Commissioner and his Deputies are to superintend and encourage the sanitary measures in the districts and towns included in their charges, inspect dispensaries, and generally advise the District Officers. The Sanitary Commissioner is also entrusted with the supervision of vital statistics; and is in sole charge of vaccination.

The Director of Public Instruction is the chief controlling officer of the Educational Department. For educational purposes each district is provided with a deputy inspector, and there are four inspectors, one for each revenue division, and one for the province of Sind. There is one inspector for European schools in this Presidency and the Central Provinces.

The Inspector-General of Police is the Head of the Police Department outside the City of Bombay. In Sind the old arrangement, under which the Commissioner is the Head of the police, still continues. The Presidency districts are divided into two ranges, and a Deputy Inspector-General is appointed to each. Similarly, a Deputy Inspector-General exercises jurisdiction over Sind and another over the police on the four railway systems. The latter officer is also in immediate control of the Finger Print Bureau, Criminal Investigation, and (under the orders of the Secretary to Government, Special Department) of the Special Branch. The direction and regulation of the police throughout a district is vested in the District Superintendent as executive Head of the force under the command and control of the District Magistrate.

The Commissioner of Police is the Head of the police force in Bombay City. He is assisted by one Deputy and nine Superintendents.

The Inspector-General of Prisons exercises general control and supervision over all prisons situated in the Presidency.

The Talukdari Settlement Officer manages the estates of *talukdars* who apply for the benefit of the Gujarat Talukdars Act, VI. of 1888, as well as the estates attached by Government under certain provisions of that Act. He is subordinate to the Commissioner, N. D.

The Manager, Encumbered Estates in Sind, is the officer who does similar work in Sind under the control of the Commissioner.

9. For the administration of the Public Works Department, the Presidency, including Sind, has been divided into five divisions, each of which has been sub-divided into districts, the total number being 37. Each division has a Superintending Engineer in charge, on pay ranging between Rs. 1,500-2,000, and each district an Executive Engineer on pay ranging between Rs. 700 to 1,100. The number of permanent Executive Engineers is at present far below requirements and Assistant Engineers have been placed in charge of some districts. A Superintending Engineer is an officer next in rank to the Chief Engineer under whose orders he directs the executive operations within his division and controls all the details of business arising in his Division, subject to the supervision of the Chief Engineer. He is not concerned with the actual execution of works, with the disbursement of money, &c., but is responsible for the efficiency of the executive system throughout the districts in his charge and for the engineering character of every project. For this purpose he

is required to make tours of inspection. It is his special duty to see that the orders received from superior authority are promptly and efficiently carried out and that no unsanctioned outlay is incurred. He exercises the powers noted below.*

Besides the five Superintending Engineers, there are two officers holding the rank of Superintending Engineers. One of them is the Superintending Engineer, Indus River Commission, and the other is the Sanitary Engineer. In 1901 Government placed the management of the Indus under a body called the "Indus River Commission," consisting of the Commissioner in Sind as President, and two Divisional Superintending Engineers in Sind as members and a Secretary of the rank of Superintending Engineer. The Sanitary Engineer advises Government on all matters relating to sanitary works.

In addition to the above, Government have obtained from England an Architect who is styled "Consulting Architect to Government," and who is required to prepare or review designs and estimates for important buildings and to undertake the execution of such as may require special architectural supervision.

There is also an Executive Engineer 1st grade, holding the temporary rank of Superintending Engineer, who is engaged on the preparation of projects of public works suitable for famine relief. This appointment is temporary.

R. A. LAMB,
Chief Secretary to Government.

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* He exercises full control over the permanent Lower Subordinate Establishment, grants leave of all kinds to subordinates, transfers and posts within his division Assistant Engineers and members of the subordinate establishments, and sanctions advances under certain conditions and up to certain limits.

He sanctions plans and estimates for irrigation works under 42 and 43, grants allotments and sanctions re-appropriations under 43, under certain conditions and within certain limits; accepts tenders for these works up to Rs. 20,000 and orders canals closures for purposes of repairs whenever necessary.

He sanctions plans and estimates for civil works up to Rs. 2,500 and allots funds to the same extent for works and tools and plant.

He also accepts tenders up to Rs. 20,000 and sanctions re-appropriations between works in progress up to Rs. 2,500.

He sanctions necessary alterations in the constructive details of works during their execution provided the estimate is not exceeded by more than 5 per cent., fixes the rents of public buildings, sanctions the local purchase of European stores within certain limits, issues orders for the disposal of all unserviceable or surplus stores, sanctions the execution of contribution works within certain limits, sanctions the write off of measurement books, note-books, field-books, sanctions changes in the nomenclature of buildings and sanctions under certain conditions the utilization of provincial buildings which are not required for the purpose for which they were originally constructed.

APPENDIX II.

Views of the Government of Bombay on the subject of Decentralization.

PART I.—*Descriptive.*

Control now exercised by Government of India over this Government. Gazetteer description of this. Legal basis for control claimed and exercised Financial basis in provincial settlement. Working of the control illustrated in each department. Special aspect of control in Civil Service Regulations and Inspectors-General.

PART II.—*Critical.*

Recent development of control exercised by Central Government. Typical instances of excessive control in each department. Working of the Inspectors-General and cases of undue interference on their part. Recent tendency of Government of India to issue important orders affecting departments under control of this Government without previous consultation. Summary of ill-effects.

PART III.—*Constructive.*

Theory of proper spheres of activity and control for—

(1) Government of India.
(2) Local Government.

Proposed division of functions. Financial arrangements for scheme of devolution contemplated.

PART IV.

Principle governing further decentralization. Specific proposals for legal, financial and administrative devolution. Selection of officers. Secretariat appointments. Reduction of work. Restriction of appeals. Revision.

PART V.

Local Boards. Municipalities. Village Panchayats.

PART I.—*Descriptive.*

The functions of the Central Government and of Local Governments are thus described in the revised Imperial Gazetteer (Vol. IV., p. 16):—

> "The Governor-General in Council is responsible for the entire administration of British India, and for the control exercised in varying degrees over the Native States. The actual work of the administration is, however, divided between the Government of India and the Local Governments. The Government of India, that is to say, the Governor-General in Council retains in his own hands all matters relating to foreign relations, the defences of the countries, general taxation, currency, debt, tariffs, posts, telegraphs and railways. Ordinary internal administration; the assessment and collection of the revenues; education, medical and sanitary arrangements; and irrigation, buildings and roads fall to the share of the provincial Governments. But in all these matters the Government of India exercises a general and constant control. It lays down lines of general policy and tests their application from the administration reports, which are as a rule annually submitted to it, of the main departments under the Local Government (who submit monthly copies of all their printed proceedings to the Government of India). Besides the controlling officers for departments which it directly administers, such as Railways, Post Office, Telegraphs, the Survey of India and Geology, it employs a number of inspecting or advisory officers for those departments which are primarily left to the Local Governments, including Agriculture, Irrigation, Forests, Medical, Education and Archæology. Not only does it receive and when necessary modify the annual budgets of the Local Governments, but every new appointment of importance, every large addition even to minor establishments has to receive its specific sanction, with the practical result that no new departure in administration can be undertaken without its preliminary approval. There is, moreover, a wide field of appeal to the Government of India from officials or private persons who may deem themselves aggrieved by the action of a Local Government; . . ."

The above extract gives on the whole a fair idea of the interpretation by the Government of India of the extent and nature of their legitimate functions. This has the following support in law.

The control exercised by the Government of India over the Local Government of this Presidency rests primarily on various provisions of statute law passed when India was under the East India Company, but continued in force with necessary modifications under section 64 of the Government of India Act, 1858 (21 and 22 Vict. c. 106). The first of these is the Regulating Act of 1773 (13 Geo. 3, c. 63). Prior to this the three Presidencies of Bengal, Bombay and Madras were virtually independent of each other, the Government of each being absolute within their own limits, and responsible only to the Company in England.* But by section 9 of the Act of 1773, the supremacy of the Bengal Presidency over the other Presidencies was definitely declared. The section, however, does not give the Governor-General and Council a complete power of superintendence and control, but only a limited one in regard to the specific matters of commencing hostilities or levying war, or negotiating or concluding any treaty of peace or other treaty with any Indian Prince or State, and even as to these an exception was made for cases of sudden emergency or imminent danger. It was therefore only in regard to such matters that the President and Council of the other two Presidencies were enjoined "to pay due obedience to such orders as they shall receive from the said Governor-General and Council." But by the East India Company Act, 1793 (33 Geo. 3, c. 52), this control was considerably extended so as to cover (section 40) "all such points as shall relate to any negotiations or transactions with the country, powers or states or levying war or making peace or the collection or application of the revenues—or to the forces employed—or to the Civil or Military Government" of the two Presidencies: while section 41 further provided that notwithstanding any doubt as to whether any orders or instructions might be outside the scope of section 40, yet they were to be obeyed in all cases, if not repugnant to instructions from England. By section 44 the Presidential Governments were also required to send to the Governor-General in Council "true and exact copies of all orders, Resolutions and Acts in Council, and also advice and intelligence of all transactions and matters which shall come to their knowledge material to be communicated . . . or which the said Governor-General in Council shall from time to time require." Finally in section 39 of the Charter Act of 1833 (3 & 4 Will. 4, c. 85), it was definitely declared that "the superintendence, direction and control of the whole Civil and Military Government of all the said territories and revenues in India shall be and is hereby vested in a Governor-General and Counsellors, to be styled 'The Governor-General of India in Council.'" Sections 65 and 67 of the same Act also repeat in even wider language the provisions as to control over the Presidencies contained in the Act of 1793. In addition to these general statutory provisions there is of course the large body of special statutory provisions in Indian enactments requiring the sanction of the Government of India to a particular specific measure, in order to give it legal validity, or otherwise subjecting it to their control.

The Governor and Council of this Presidency were first invested with legislative power by the Government of India Act, 1800 (39 and 40 Geo. 3, c. 79) and subsequently by an Act of 1807 (47 Geo. 3, Sess. 2, c. 68). This power was extended and subjected to further control† by the East India Company Act, 1813 (53 Geo. 3, c. 155). It was under the authority of these Acts that the Bombay Regulations were enacted down to 1834, when the Government of India Act, 1833 (3 and 4 Will. 4, c. 85), swept away the existing legislative authorities in India, and placed legislative power in the hands of a single authority, namely, the Governor-General in Council. It was not till 1861 when the Indian Councils Act, 1861 (24 & 25 Vict., c. 67), was passed that provision was made for the re-establishment of the local legislatures, including that of this Presidency. Under this Act and the supplementary Act of 1892 (55 & 56 Vict., c. 14), the Government of India control provincial legislation in the following ways:—

(1) Formal assent of the Governor-General is required to an Act passed (Indian Councils Act, 1861, section 40).

(2) Certain subjects are excluded from legislation (*e.g.*, public debt, general taxation, &c.) except with the sanction of the Governor-General (Indian Councils Act, 1861, section 43).

(3) Repeal or amendment of Acts of other legislatures is forbidden except with the previous sanction of the Governor-General (Indian Councils Act, 1892, section 5).

(4) The regulations for the nomination of additional members are made by the Governor-General in Council (Indian Councils Act, 1892, section 1 (4)).

(5) The rules for legislative business are partly (Indian Councils Act, 1861, section 37) and the rules for discussion of the budget are wholly (Indian Councils Act, 1892, section 2) subject to the Governor-General's sanction.

(6) The initiation and subsequent conduct of legislation is fettered by continual reference to the Government of India under a series of despatches, letters, and Government Resolutions.

(*Vide* especially—

(*i*) *re penal clauses*—Despatch No. 35, dated 1st December, 1862, from the Secretary of State to the Government of India at page 76 of the Confidential Blue Book.

(*ii*) *re creating offices*—Despatch No. 51, dated 24th November, 1863, *ib.* page 82.

(*iii*) *re previous report to Secretary of State* and *report during progress*—Despatch No. 9, dated 31st March, 1874 (paragraphs 3 and 5), *ib.* page 88, and *cf.* page 91.

(*iv*) *re executive rules*,

ib. pp. 97-98 and 98—101 and pp. 161—166.)

Further justification for the claims advanced by the Government of India to control all branches of the administration is found in the financial system at present in force, which, under a settlement, described as *quasi*-permanent, of 1905, allows the Bombay Government an income of nearly 500 lakhs (including alienations and fixed assignments), from sources which are partly entirely provincial, partly half-provincial half-imperial, in regard to both receipts and expenditure. A short sketch of this settlement will be found in Appendix I. A reference to it will show that certain heads are entirely imperial, others entirely provincial, but that both revenue and expenditure under forests, assessed taxes, excise, stamps, and irrigation are divided. All land revenue expenditure is provincial. The receipts under land revenue, except for alienated revenue, are divided equally between the two Governments.

To enable this Government to meet its standard expenditure, the Government of India made to the Provincial Government a fixed assignment of 43 lakhs (since increased).

Two important results necessarily follow from the system on which this settlement has been drawn up:—

(1) Increased expenditure in excess of the resources derived from increases in the revenue can be met by this Government only out of funds allotted by the Government of India for the purpose.

(2) Government of India, in allotting such funds, consider themselves entitled to control over the expenditure of the sums so allotted.

In all cases, where the revenue and expenditure is divided between imperial and provincial, the Central Government consider they have a right to assert controlling powers.

* Ilbert's 'Government of India,' 1898, p. 44.

† This control does not however appear to have included any requirements of previous sanction, or even subsequent assent, by the Government of India.

Thus the Government of India, in addition to the legal justification for controlling all branches of the administration, can claim on financial grounds to make that control effective over many departments primarily the concern of the Local Government. The machinery by which the Central Government assert this financial control will now be explained.

Practically all expenditure which the Local Government desire to incur must be included in the annual budget of the Local Government. Power to transfer from one provincial or divided head to another similar head within the budget is not limited, but no excess over the total budget grant is permissible without the sanction of the Government of India. Outside of the rules and orders only items not exceeding Rs. 1,000 of non-recurring expenditure in any case can be sanctioned, and on these, unless they appear to the Accountant-General unobjectionable, the Government of India must be consulted if the Accountant-General so decides.

This budget is prepared with great care on estimates furnished by District Officers and Heads of Departments, no new item being entered until the approval of the Local Government has been obtained. The estimates are submitted to the Accountant-General, who compiles them and forwards each consolidated statement to Government with his criticism and advice. After examination by Government, the complete budget is discussed and approved in January, and submitted to the Government of India. Modifications may be made by the Local Government up to March 10th.

Once in the hands of the Government of India, the budget may be modified to any extent by that Government. The Local Government are bound to re-cast the financial provision in each department for the year by the figures received from the Government of India.

But the control of the Central Government by no means ends with the return of the budget thus revised. The maintenance of a minimum balance is prescribed. Accumulated balances may not be drawn on in excess of budget provision without the sanction of the Government of India. After budget sanction has been conveyed, expenditure is still liable to the further previous orders of the Government of India in such cases as the following :—

(1) The pay of a non-gazetted establishment of an imperial department may not be increased beyond Rs. 3,000 per annum.

(2) No appointment in such a department of over Rs. 50 per mensem may be created.

(3) No establishment in a provincial department may be re-organized at a cost exceeding Rs. 25,000 per annum.

(4) No appointment in such a department may be created at a salary of over Rs. 250 per mensem.

(5) No allowance may be given to the holder of such an appointment if the effect be to raise his emoluments to over Rs. 250 per mensem.

(6) No new or additional travelling allowance, however small, may be granted if of a permanent nature.

(7) No Civil Works can be undertaken costing over 10 lakhs, exclusive of establishment, tools and plant, if classed as provincial or famine, 4 lakhs if classed under the irrigation heads "42" and "43" or 2 lakhs if classed under "45—Imperial Civil," and this Government has no power to accept tenders exceeding these sums. No original irrigation works under the imperial heads 49—Productive Public Works or 35—Protective Irrigation Works can be undertaken, however small the cost.

In all such cases the Government of India must be addressed, with a view to obtaining their sanction to the expenditure proposed or their approval of the tenders.

In a multitude of subjects relating to the interpretation of standing orders and account rules the Accountant-General is empowered to insist on such references, however small the sum involved. In this manner, cases have occurred of the sanction of the Government of India being required to an expenditure of Rs. 8 (11 shillings) and to a daily allowance of 2 annas (2*d.*) a day.

Should the Government of India curtail the budget expenditure of a Local Government on the ground that it may not be worked up to, and should the Local Government find that the full expenditure estimated can actually be incurred in the year, the sanction of the Government of India must be obtained for restoring, from local balances, the amount cut out of the budget. Thus, the budget estimates of expenditure of this Government for 1907-08 were considerably curtailed by the Government of India. This Government may have to obtain permission to incur expenditure originally budgetted for, but struck out by the Central Government.

A common reason for the Accountant-General requiring a reference to the Government of India on matters of local importance lies in the desire of the Central Government that all questions of pay and allowances, pension, leave and the like connected with appointments under Government or local bodies controlled by Government, should, as far as possible, be decided on uniform principles for all India. Thus, all medical expenditure is provincial ; but a proposal to give an allowance to a Hospital Assistant, unless in conformity with an existing rule or order, must be referred to the central authority. A resolution of a municipality conferring a gratuity on the widow of an employé who has died of plague equally requires this sanction, however small the amount. A grant of Rs. 200 to a school mistress to enable her to undergo a special course of study at a training-college in Mysore must similarly be referred to the Government of India.

From this brief statement it will be evident that in matters of ordinary administration the Government of India must be constantly referred to, even though they are of purely local concern, and even when funds are available and have been provided in the budget for the proposed expenditure. The necessity of making such references throws a heavy burden of correspondence concerning petty expenditure on the local Secretariat, which is compelled to explain in detail matters lying wholly outside the cognizance of the Government of India. It also causes, at times, great delay.

There are two further causes which lead to interference by the Central Government in provincial affairs. The administrative control of the Central Government is increased by the very numerous orders that have issued from time to time requiring a reference to the latter before action is taken in minor matters formerly left entirely to the discretion of the Local Government. This strengthening of administrative control is neither the direct result of Acts of Parliament nor of the existing financial system. In examining the cases of administrative orders transferring powers to the Central Government, it is almost impossible to discover any governing principle, and in practice there appear to be no limits, to the control which the Government of India consider themselves called upon to exercise over the proceedings and policy of the Local Government. Nothing appears to be so trifling or so obviously a subject for the discretion of the local administration as to be excluded from the scope of orders issued by the Central Government.

A reasonable system of Government would necessarily relegate to local authorities questions such as—

(1) the status of a local fund vaccinator,

(2) the location of a rural liquor shop,

(3) the method of disposing of licenses to sell liquor,

(4) the number and distribution of police posts,

(5) the number of men to be posted to each,

(6) the fees to be drawn by Medical Officers attending Native gentlemen,

(7) a complaint of unsympathetic treatment in a Government hospital,

(8) the control of the movements of Chiefs of States included within the Presidency,

(9) the succession of Chiefs to Native States under provincial control,

(10) the leave concessions of a manager of a Government press,

(11) the retention or dismissal of an incompetent subordinate on Rs. 125 per mensem,

(12) the rent of a Government bungalow occupied by a Government servant,

(13) the execution of petty works required for a Government bungalow so occupied.

All these, and many similar questions, can be satisfactorily dealt with only by a responsible Local Government acting with a full knowledge of all the local conditions. All have come under the consideration of the Government of India, who cannot have the means of bringing an independent judgment to bear on them. In certain of these instances, orders have issued from the Government of India without even first consulting the Local Government actually affected by them. Thus, in 1906, by an order of the Government of India, it was directed that all vaccinators employed by local bodies, and hitherto borne on a provincial list, should, in future, be entertained only as servants of the local bodies concerned. It is irrelevant to the present issue how far such a change was desirable or practicable. Both the Surgeon-General and Sanitary Commissioner with this Government considered the innovation undesirable, and objected to its enforcement. The point of the illustration lies in the issue of the orders by the Central Government and without previous consultation with those who would have to apply them. It may be reasonably asserted that there is no act of this Government nor any branch of the administration for which it can feel finally responsible in view of the control now asserted by the Government of India. In this respect the Local Government compare unfavourably with the Bombay Corporation or the Improvement or Harbour Trusts, which are subject to far less interference at the hands of the Bombay Government than is imposed upon that Government by the Government of India. Thus, the Corporation of Bombay frames its own budget, regulates its taxation, creates appointments and reorganizes its departments to any extent without control within the limits prescribed by law. In none of such matters can this Government move without the approval of the Government of India, whose administrative control may, therefore, be said to be co-extensive with the whole sphere of operations of the provincial Government.

Administrative control by the Central Government has also been recently strengthened by the creation of numerous special centralized Directors or Inspectors-General of departments.

Since the year 1864 the Government of India have appointed Inspectors-General or Directors-General or officers with similar titles in the following departments:—

(1) Agriculture,
(2) Archæology,
(3) Cantonment Magistrates,
(4) Criminal Intelligence,
(5) Commercial Intelligence,
(6) Education,
(7) Excise and Salt,
(8) Explosives,
(9) Forests,
(10) Geology,
(11) Irrigation,
(12) Medical,
(13) Printing and Stationery,
(14) Sanitation.

Of these appointments all but five have been created in the last seven years.*

The nature of the functions of the majority of these officers can be gathered from the orders of the Government of India creating the most recent of these appointments, the Inspector-General of Excise and Salt.

The Government of India remark:—

"2. The functions of the Inspector-General be briefly stated as follows:—

(*a*) to keep the Government of India informed on matters of general administration relating to Excise and Salt;

(*b*) to furnish Local Governments in the provincial departments concerned with advice and information; and

(*c*) to bring the experience of one province to bear upon the problems of another so as to secure such co-ordination, as may be possible, of the system of the different provinces.

"In the discharge of the above duties, the Inspector-General will tour freely all over India and familiarise himself with the local conditions, the administrative methods, and the special problems of the various provinces. He will exercise no authority of any sort over provincial Excise and Salt Departments, and will not call for any returns or reports from them. He will, however, correspond and confer informally with the Heads of these Departments and with Local Governments on matters regarding Excise and Salt, in order that he may be in the most favourable favourable position to offer informed advice to the Governor-General in Council, who is ultimately responsible for the effective observance of the policy of Government in such matters.

"3. In their report (paragraph 297) the Excise Committee represented the advantages of appointing an imperial officer with a general knowledge of the different excise systems in India who would be made available for investigation, consultation and advice. The Government of India have fully accepted this view. They do not consider that Excise is a branch of administration in which uniformity is either possible or desirable; on the contrary, they are convinced that it must always belong essentially to the domain of the provincial Governments. At the same time it is a difficult and highly technical subject; it is now one of the most important branches of revenue; and its administration is subject to constant attacks and criticism. There is every reason to hope that the Inspector-General will, by his experience and friendly counsels, facilitate the reforms on which the different provinces are at present engaged; and the Governor-General in Council has full confidence that his appointment will be of the greatest assistance both to the Government of India and to the various Local Governments and Administrations." (*Vide* letter No. 6599-Exc., Home Department, dated October 28th, 1907.

It will be observed that in addition to informing and advising the Central and Local Governments, the Inspector-General is as far as possible to co-ordinate the systems of different provinces. It is more particularly in this direction that the Inspector-General tends greatly to increase the administrative control of the Government of India.

It will be considered elsewhere how far the tours of these officers place them in a better position to advise the Government of India than the Local Government, already fully informed by special officers, and how far advice in technical matters can be kept distinct from a certain measure of control and from a considerable measure of interference in matters of a non-technical nature.

It is sufficient to remark at this point that the apointment of these 14 officers has necessarily increased to a great extent the control which the Government of India exercise in matters purely of provincial importance, and has tended to destroy the responsibility of provincial officers. The most important result of these and similar appointments has been to substitute for the Local Government as a responsible authority in the departments concerned, the Government of India in one of its departments, acting on such information and advice as the Inspector-General can tender after a hasty cold weather tour. This is particularly

* *Vide* Appendix II.

the case in sanitation, education, commercial intelligence, and criminal intelligence (covering police administration). The control of the Government of India, therefore, which already has a substantial justification in legal enactments and in financial restrictions, is further greatly strengthened by a policy of co-ordination, depending on information acquired during the tours of these Inspectors-General or on any advice they may be inclined to tender.*

PART II.—*Critical.*

The nature and extent of the legal, financial and administrative control of the Government of India over the acts of the Local Government have now been explained. In order to illustrate how this control leads to unnecessary references on matters of small importance within the proper sphere and competence of a responsible Government, a list of cases taken from the various departments of this Government is submitted, *vide* Appendix III. The cases, which have been collected from the records of the last five years, serve to explain the trivial nature of much of the work that, under the existing system, has to be brought to the notice of the Government of India before orders disposing of it can be issued. They also show the steady absorption by the Government of India of powers originally exercised by this Government without control. The following are specially significant:—

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
		POLITICAL DEPARTMENT.	
1	Acceptance by Medical Officers of Government of fees for professional services rendered to Ruling Chiefs and their families or dependents, Indian gentlemen of high position in a Native State or Indian gentlemen of high position in British India.	Home Department, (Medical) Notification No. 437, dated 25th July, 1893, paragraph 2 (Bombay Government Resolution, Political Department, No. 6592, dated 4th November, 1893). Home Department, (Medical) Notification No. 607, dated 1st July, 1907 (Bombay Government Resolution, Political Department, No. 6171, dated 2nd September, 1907). Home Department (Medical) letter No. 987, dated 6th September, 1907.	The procedure has, under the orders of 1907, been revised and is as follows:— Fees calculated on the scale of Rs. 16 a visit or in certain cases Rs. 32 according to recognised custom, unless the total exceeds Rs. 160 during any one month, may be accepted without permission. Higher fees require the permission of the Director-General, Indian Medical Service. The application is to be made by the officers concerned through the Local Administrative Medical Officer, who is to consult the Local Government (without disclosing professional details) and to communicate their views to the Director-General. The decision of the Director-General, who has to consult the Government of India when he differs from the Local Government, is final. This Government was not consulted previous to the issue of the Government of India's orders of July, 1907.
		JUDICIAL DEPARTMENT.	
2	Application for sanction to the addition to the Presidency police force of policemen or *rámoshis* for employment in guarding public buildings.	City of Bombay Police Act, 1902 (Bombay Act IV. of 1902), Section 4.	The services of the *rámoshis* are treated as temporary and non-pensionable and cannot be entertained without sanction from the Government of India. An amendment of the section in question (which practically follows Section 7 of the old Act XIII. of 1856) authorising the Bombay Government to entertain the requisite number of *rámoshis* or policemen, or the grant of a general authority under that section to employ *rámoshis* or extra policemen within a fixed number, would greatly reduce the number of references which have to be made to the Government of India.
		GENERAL DEPARTMENT.	
3	Investments by Government servants other than those in immoveable property.	No. 11 of the Government Servants' Conduct Rules, 1904.	No. 11 of the Government Servants' Conduct Rules, 1904, prescribes (1) that a Government servant may not make any investment other than one in immoveable property permitted by Rule 9, which gives him a private interest in matters with which his public duties are connected, and (2) that subject to this condition he may hold shares in any company, including a mining or agricultural company, which has for its object the development of the resources of the country, provided that he will not be employed in any district in which the operations of any such company are conducted. No discretion is allowed to the Local Government in applying this rule.
		REVENUE DEPARTMENT.	
4	Notifications regarding disforestment of land in reserved forests.	Section 26 of the Indian Forest Act, 1878.	During five years 131 references were made to the Government of India and sanctioned by them. Section 26 of the Indian Forest Act requires that no land shall be disforested without the previous sanction of the Government of India.

* The question of Commissions appointed by the Government of India to consider reforms in branches of the provincial administration will form the subject of a separate note.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
		FINANCIAL DEPARTMENT.	
5	Proposal to fix Whit-Monday as a holiday under the Negotiable Instruments Act, 1881.	Letter from the Government of India, Home Department, No. 2354, dated 28th July, 1902.	Whit-Monday used to be locally notified in this Presidency as a Bank Holiday until 1902, when the Government of India in their letter quoted in column 3 considered that it was not necessary to give the holiday in Bombay as it had not been applied for or been considered necessary in the large majority of the other provinces, and as the number of Christian holidays in the different provinces required to be assimilated. Against this decision the Bombay Chamber of Commerce made a representation to the Government of India, who, however, rejected it.
		PUBLIC WORKS DEPARTMENT.	
6	Construction or purchase of a building for the occupation of a Government official, at a cost exceeding Rs. 5,000 when the proposed expenditure will be met from provincial funds, or Rs. 2,500 when it will be met from imperial funds, and when the rental calculated under the rules in paragraph 1068 of Public Works Department Code, Vol. I., exceeds 8 per cent. of the salary and local allowance, if any, of the official who will usually occupy it.	Public Works Department Code, clause II., and note under clause IV. of paragraph 1066.	In five out of twenty references the Government of India negatived the proposals of the Local Government.
7	Grant of rent-free quarters to a public servant whose salary exceeds Rs. 50 a month and who is not entitled to this concession under any general or special order of the Government of India.	Public Works Department Code, paragraph 1068, VI.	In one out of ten cases the Government of India negatived the proposal of the Local Government.

It is now necessary to refer briefly to certain classes of administrative acts on the part of the Government of India which render the position of the Local Government difficult, impair its responsibility for the administration of the province, and weaken its authority. These are:—

(1) The refusal to sanction schemes of reform advocated by this Government.

(2) The delaying of much-needed improvements owing to the time occupied in obtaining sanction from the Government of India.

(3) The issue of orders on important questions affecting the administration of the province without first consulting this Government.

(4) The pressing forward of schemes of reform undesirable or premature in the present conditions of this Presidency.

The following cases, of which full details will be found in Appendix IV., are submitted as illustrations under these four heads:—

A.—Cases in which measures considered desirable by the Local Government were blockd by the refusal of the Government of India to accept reforms:—

(1) A proposal to decentralize the provincial Administration by conferring extended powers upon Commissioners in 1895.

(2) A proposal for instituting a Civil Medical Service in 1903.

(3) A proposal to improve the position of Jail Warders in 1906.

(4) A proposal by the Bombay Corporation to borrow money for housing their employés.

B.—Cases in which reforms have been delayed through the necessity of procuring the approval of the Central Government:—

(1) The re-organization of the lower ranks of the police of the Presidency, already more than two years under correspondence.

(2) The re-organization of the Subordinate Forest Service under correspondence since 1888.

(3) The substitution of police for military guards over treasuries.

(4) The provision of house accommodation or allowance for officers in the Presidency Town.

(5) The revision of the pay of low-paid subordinates.

C.—Cases in which orders have been issued on important questions without previously consulting this Government:—

(1) The transfer of vaccinators from Provincial to Local Fund Service.

(2) The revision of fees earned by Medical Officers attending Native gentlemen.

(3) The position of the Sanitary Commissioner with the Government of India in corresponding with the Sanitary Commissioner of this Government.

(4) The appointment of Inspectors-General of Salt and Excise, of Printing and Stationery, &c.

(5) The prescription of an uniform system for the disposal of retail licenses for the sale of liquor in opposition to the recommendations of the Excise Committee.

D.—Cases in which this Government has been asked or pressed, if not actually required, to accept reforms premature or undesirable in the present conditions of the Presidency:—

(1) Introduction of a conscience clause into code of European Schools.

(2) Regulation of officers' investments in Agricultural Banks.

(3) The appointment of an Inspector-General of Museums.

(4) The revision of the Salt Administration in Sind.

(5) The alteration of the municipal octroi rates.

An impartial consideration of the cases above enumerated will lead to the conclusion that, in the present system of the administration, either the control of the Central Government is excessive, or the maintenance of a fully constituted Government such as that of Bombay is no longer justifiable. It may doubtless be argued that the Government of India are impressed with the belief that, by the constant exercise in detail of the authority vested in them, the most efficient discharge of the functions of Government can be secured, while at the same time the financial interests of the central exchequer can be most effectually safeguarded. In practice, however, even if it were true that their orders on these numerous questions tend to secure a higher efficiency, it is obvious that they must paralyse the Local Government, and deprive them of all sense of responsibility. In matters which cannot be fairly considered to be of imperial concern, the Local Government must either be trusted with the power to come to a final conclusion, or they must steadily diminish in prestige until they become little more than an office for registering the edicts of the Government of India. It is not possible, without unduly enlarging the scope of this note, to discuss in detail the cases that have been selected for consideration. It can, however, be shown that the time of this Government and its Secretariat establishment is unduly occupied by references on minor matters to the central authority,* that it is being reduced to a forwarding agency with consequent loss of responsibility, and that it is deprived of all initiative by the attempts to enforce an undesirable and impracticable standard of uniformity throughout the continent of India. A Government not entrusted with the power to decide whether one of its servants may make a certain investment without infringing the spirit of the Public Servants' Rules, or to settle whether a mining concession may be allowed in a Native State under its control, not permitted to appoint a watchman on Rs. 10, debarred from sanctioning a sum of Rs. 8 to meet expenses incurred by a lady doctor, deprived of final discretion in settling the number of police orderlies to be attached to its police school, and liable to be overruled on the situation of a staircase erected in a Government bungalow, and on the rent charge to be levied from the occupant, is evidently an expensive and useless excrescence upon the system of administration in India. It should either be given fuller powers, or abolished in favour of a single officer with limited authority. The steady absorption of the powers of this Government by the Government of India has now reached a point at which measures are required either to restore its authority in local matters, or to replace it by a less costly form of administration. If the unification of the Government of an area of 1,766,597 square miles and of a population of nearly 300 millions, in the most varied conditions geographical, racial, and economic, is deliberately contemplated as an object of imperial policy, the latter alternative must logically be adopted.

The main objection to the financial system described in Part I. is that it tends to reduce, and in many important matters has reduced, the Local Government to a nonentity. Originally, *i.e.*, at the time of the first provincial settlement in 1871-72 and until 1881-82, all heads of revenue and expenditure were either wholly provincial or wholly imperial. The provincial budget, framed by the Accountant-General, was sanctioned by the Local Government without reference to the Government of India. Since 1877, this measure of liberty has been withdrawn ; and the Local Government, unlike the Bombay Corporation, are not permitted to budget their annual resources and expenditure without control and revision. It is difficult to find adequate justification for thus controlling the budget, for forbidding the expenditure of sums out of balances, subject only to a minimum, and for requiring fresh sanction when items eliminated from the budget by the Government of India, and not available from re-appropriation, are restored. The excuse for these restrictions is the desire to exhibit expenditure under provincial heads in the imperial budget, to attain greater accuracy in budget figures compared with actuals and the question of ways and means. These seem matters of small importance compared to the delay and obstruction caused by so limiting the spending powers of this Government. It is also especially difficult to justify the recently adopted system of "financial doles" whereby the Central Government attempt to make good the loss of spending power on the part of the Local Government. In view of the existence of a fully constituted Government in Bombay, surplus funds not required by the central authority should be returned for expenditure on such provincial objects medical, educational, or the like, as the Local Government may select, after reviewing the needs of each department. Instead of this, the Government of India assign a sum of several lakhs to this Government for a specified object, and they are then called on to draw out a scheme of expenditure in full detail, for review by the Central Government. The scheme is subjected to examination by the latter, and no detail is so unimportant as to be accepted on the authority of this Government. The Government of India, in an educational scheme supported by doles, may and do object to the number or establishment of assistant educational inspectors in a district. In a police reform scheme, financed by doles, they may and do equally object to the number of police orderlies in a police school, or to the number of ponies in a police inspector's tonga.* In finding money which ought properly to be forthcoming from provincial resources the Central Government thus attempts, unaided by local knowledge or experience, to administer departments for which the Local Government should be and can alone be responsible. Such an experiment in a country the size of India, and containing the most heterogeneous population in the world, cannot conceivably be justified on any sound principles of administration, and is fraught with grave risks. It is sometimes alleged, in justification of this policy of doles, that all revenues raised in India are the property of the Government of India, and that, in allotting extra grants for special purposes to the Local Government, they are acting with great liberality. This is a fallacy similar in nature to the frequent assertion that the powers exercised by the Government of Bombay have been derived by devolution from the Government of India. It has been shown that, on the contrary, the Bombay Government once possessed very wide powers, which have been absorbed by the Government of India. Similarly, the Bombay Presidency yields a handsome revenue within its own borders, and in making these doles the Government of India are only restoring to the Local Government revenues to which the latter have a fair claim, in view of the local contributions to the income of India. Greater elasticity in framing the budget and revising it would lead to economy in the department of Public Works. At present Government in the Financial Department allot such funds for provincial Public Works as they think can be spared ; but after the issue of the budget, it may easily happen that the financial position is better than anticipated, and it may be possible to undertake various works which have been struck out from the list in the first instance from want of funds ; or the necessity may suddenly arise for new works not contemplated at the time the budget was under consideration. If the amount required cannot be met by reappropriation or from the reserve provided in the budget (not a large sum generally) a supplementary budget has to be prepared, and it rests with the Government of India to sanction it or not. The Local Government are acquainted with the local conditions and requirements, and they should have full power of sanctioning budgets and supplementary budgets of provincial expenditure without reference to any other authority as long as the provincial balance is not reduced

* The total number of such references in the year 1907 was 2,486.

* Expenditure incurred from such doles is required by the Central Government to be kept separate from that which is met from provincial sources, and this entails much extra work in the department concerned.

below a certain figure. Greater elasticity generally is required with regard to expenditure. Wages may rise, and it may be economical to curtail the expenditure on works; or, on the other hand, labour may be plentiful and it may be a sound measure, politically and economically, to employ as large a number of workers as possible. In the one case, the Government should be free not to spend the whole amount of the budget grant, and in the other they should be able to order increased expenditure drawing from their general reserve such portion of the balance as is available for expenditure.

Lastly, the methods adopted by the Government of India in distributing a surplus deserve careful consideration. The amount available having been estimated, a number of services spread over the whole continent of India are selected, and a provisional allocation is made at Simla, the views of the Local Governments being then asked as to the proposals. As the services differ widely in nature and in locality, it is obviously impossible to arrive at any approximation to their order of relative importance. The inevitable effect of this system and that of doles is a large waste of money upon services which are relatively unimportant, while necessary services are delayed. It may also occur that if one Local Government is more insistent than another, or if its needs happen to be better known in the Secretariat of the Government of India than those of other Governments, special advantages may be secured. Such methods are financially demoralizing.

The following typical case will serve to illustrate the evils arising from the working of the system of Inspectors-General:—

In Government of India Resolution 1273-1290, dated September 8th, 1904, the appointment of Sanitary Commissioner with the Government of India was created. In reference to the future relations of this officer with the Local Government and their sanitary officers, the Government of India made the following remarks:—

> It remains to define the relations of the new appointment to the provincial Governments. The Government of India have no intention of relieving Local Governments of the direct control and responsibility which they have hitherto exercised in sanitary matters, or of weakening their authority over provincial sanitary establishments. The views held by the Civil Members of the Plague Commission upon this point are entirely endorsed both by the Government of India and His Majesty's Government. The main functions of the Sanitary Commissioner will as heretofore be to advise the Government of India upon sanitary and bacteriological questions. He will not be permitted to encroach in any respect upon the authority of Local Governments over the officers under their control. But he will be empowered to consult and confer with them informally upon matters connected with sanitation and will in this respect occupy a position closely analogous to that of the Director-General of Education. He should also correspond unofficially with the Provincial Sanitary Commissioners and the Heads of the provincial laboratories upon points of departmental procedure, forms and statistics, and purely technical questions. The Government of India hope that this definition of his functions will promote harmonious and concerted action within the wide range covered by the operations of an efficient sanitary department.

It will be seen that the Sanitary Commissioner with the Government of India was originally intended to be an advisory officer to that Government, and was only empowered to correspond unofficially with the provincial Sanitary Commissioner.

Three years later the Government of India (No. 1573, Home Department, dated September 21st, 1907) issued, without previously consulting this Government, an order that correspondence between the Sanitary Commissioner with the Government of India and the provincial officer should in future be official. The reason given was that unofficial correspondence led to inconvenience. It was then discovered that the Sanitary Commissioner with the Government of India had been in the habit of corresponding *officially* with the Sanitary Commissioner, Bombay, since 1904. It was further found that the latter had been addressing the Sanitary Commissioner with the Government of India direct and officially regarding the pay and prospects of officers in the local Sanitary Department. The recent experience of this Government plainly shows that such officers as the Sanitary Commissioner with the Government of India, though appointed to advise the Government of India, very shortly come to regard themselves as the superiors of the Local Government and their officers. Thus, the Inspector-General of Printing and Stationery recently attempted to obtain the views of this Government on the leave rules of superintendents of Government presses—a matter entirely outside the scope of his advisory functions. In another department of the Government of India, a Director-General addressed this Government regarding a uniform scale and pattern of clothing for peons entertained by provincial officers throughout India. A third Director-General objected to the Local Government furnishing the public with commercial information in its possession on the ground that he had been constituted "the sole and central authority for receiving and answering commercial enquiries." This claim was subsequently withdrawn. A striking instance of the tendency to place the Director-General over the head of the Local Government is to be found in orders issued by the Government of India (618-619, July 1st, 1907) directing the opinion of the Local Government on questions of fees charged by Medical Officers to Native Chiefs and their families to be submitted to the Director-General, Indian Medical Service. One other instance is illuminating. In a letter No. 8655 of October 15th, 1906, the Inspector-General of Police under this Government addressed the Director-General of Criminal Intelligence with the Government of India and asked him to arrange for a conference of Inspectors-General of Police regarding the pension service of European Police Officers in the higher grades, *i.e.*, Superintendents, a matter entirely outside the sphere of the Director-General of Criminal Intelligence. It is clear from these cases that the appointment of an Inspector-General tends to destroy any small measure of autonomy previously enjoyed by the Local Government, and to substitute technical, and to a certain extent administrative, control by an officer located for more than half the year in a distant part of India. The extent of administrative interference depends upon the individuality of the officer concerned; but, as the office of the latter grows in numerical strength, an increase of such interference, together with fresh developments of correspondence, naturally follow. There are few matters, however unimportant, in provincial administration that have not a technical aspect, which may be used as a pretext for creating a technical adviser for all India. Even museums, which can scarcely be beyond the controlling powers of an Indian municipality, have been thought a fit subject for the care of a Director-General with the Government of India. The proposal to create such an appointment was abandoned by the Government of India in 1906 in deference to objections raised in Bombay and Madras.

One of the first acts of the newly appointed Inspector-General of Salt and Excise has been to advise the Collector of Salt Revenue, by means of informal correspondence, to take measures for the abolition of the Northern Frontier Preventive line north of Kharaghoda which the Inspector-General considers to be as "useless as the Great Wall of China." This advice is apparently based on the assumption that there are no salt deposits in the Runn of Cutch, though it is perfectly well-known to local officers that such deposits do exist and on a large scale. It is evident that, in such circumstances, the officer of a Local Government is placed in an awkward position. Either he must tell the Inspector-General that he knows nothing about the business, or he must fall in with the Inspector-General's views; and, as he knows that the

Inspector-General is in close touch with the Government of India, and that his work will be subjected to the Inspector-General's criticism, he will, unless a man of strong character, incline to the latter course. In course of time, the real control of the department concerned must tend to pass away from the Local Government to the Inspector-General. Meanwhile the Local Government will be continually engaged in struggling against proposals and meeting criticisms emanating from the Inspector-General.

To this Government it appears objectionable, as subversive of their authority over their own officers, that the Inspectors and Directors-General appointed to advise the Government of India and to "co-ordinate local experience" should in many instances develop into authorities claiming to be superior to the Local Government in the matters which form their special province.

Competent officers with special knowledge of forests, irrigation and agriculture may be capable of offering useful advice, although it must in many cases be doubtful whether the knowledge of the expert at Simla exceeds that of the provincial expert, or whether the greater of two experts cannot be more usefully employed in a locality where he is in direct touch with affairs than in a far distant office. In education, sanitation, commercial matters, salt, excise, medical questions, printing and stationery, the utility of the general expert, assuming him to exist, is not apparent. This Government is not aware of any special assistance received from the Inspectors and Directors of these branches of general administration, although the total cost thrown on public revenues by the entertainment of these officers and their establishments is heavy, and increasing. It is, however, conscious of a distinct attempt on the part of certain of these officers to undermine its authority with its own officials by entering into direct communication with them, sometimes in contravention of distinct orders, regarding their pay and prospects and other matters not of a technical nature. Such proceedings are evidently subversive of discipline in the provincial Services. It is significant that within the space of one year two Inspectors-General should have been addressed direct regarding pay, allowances of pension, that a Director-General should have claimed to supersede this Government entirely on all matters of commercial enquiry, and that the Director-General of another department has been constituted the critic of the Local Government on a petty matter of doctor's fees.

To all these acts of so-called advisory officers this Government takes the strongest objection, and it has already been driven in three cases to lodge official protests with the Government of India. There is the further objection that the tours of these Directors-General are seldom likely to lead to the acquisition of any local knowledge at all equal in value to that possessed already by officers of the Local Government. Ignorant of the language, and bound on a tour which allows a few days for visiting the whole territory of a Local Government, these officials can do little more than collect a few hasty scraps of information from subordinates in the department they are supposed to "inspect" or to "direct." It has been seen that they are commonly regarded by subordinates as instruments for obtaining concessions which the Local Government do not view favourably.

If it is considered desirable that these appointments should be continued in future, and if it is decided that the Government of Bombay should again become a great administrative unit, it seems essential that the Inspectors and Directors-General should be restricted to advising the Government of India, and the Local Governments when their opinions are asked. They should therefore reside at headquarters, and not be permitted either to visit the province of a Local Government unless invited, or to correspond with their officers unless approached by the Government concerned and authorized to correspond with such officers for any particular purpose.

It is a cardinal principle of good Government that when administrative business reaches an authority fully competent to deal with it, that authority should deal with it finally. Even when there is a higher authority equally competent, to pass the business on to it would at the best entail waste of power and the destruction of responsibility. And, further, it is a universal law that whenever business becomes greatly congested in a central body, power must fall into the hands of the lower ranks in the official hierarchy. This will occur even in homogeneous States; but, in India, where there are found more diversities of race, language, religion, customs and systems of land tenure than in the whole continent of Europe, there must come a point at which the higher authority is less competent than the lower, because it cannot by any possibility possess the requisite knowledge of all local conditions. Effective administration is ultimately subject to the limitations of the individual, varying with different capacities, but easily reached in every case.

It must be obvious that a Central Government for all India cannot possess knowledge and experience of all the various conditions prevailing in all the provinces of India; and it must therefore be an authority less competent to deal with matters of provincial administration than the provincial Governments, the members of which cannot be markedly inferior, and must generally be equal in ability, to those of the Central Government, while necessarily superior as a body in point of knowledge. The first consequence, therefore, of the excessive control exercised by the Central Government even in the smallest details is an immense increase in the labour of the provincial Governments and their officers. For the purpose of correspondence it cannot be assumed that the Central Government knows anything of local affairs. Everything has to be explained at full length and on paper to a distant official. Time which should be spent in direct administrative work and in studying local problems has to be employed in explaining facts well known to the local authorities, and in attempting to persuade the Central Government to accept proposals or to refrain from taking measures ill-adapted to local conditions. The length to which this process has been carried is almost incredible. The schemes for police reforms in some districts of this Presidency submitted to the Government of India towards the end of 1905 may serve as an example of the enormous amount of labour expended in elaborating proposals for the consideration of the Government of India. Hence arise interminable delays. To take a single instance, some of these police reports have but recently been returned, after the lapse of eleven months, with criticisms on minute details; while the reforms, so far from having been advanced, are as far off as ever. It is not surprising that there should be a tendency to shrink from the labour, the worry and annoyance involved in making proposals for reform or improvement. Administrations and officers subjected to a long course of this treatment must be reduced to the condition of oxen in an oil mill which tread their little circle unconsciously with blinded eyes. All sense of responsibility must disappear; since those who have no definite power can feel no responsibility. Already it is difficult to say where the responsibility for any particular action or decision lies. The effect on the people of the country is pernicious. They go to the local officers about a certain business, and find that it rests with the Local Government. If they get as far as the Local Government, they find that it is the affair of the Government of India. The Government of India is far off; and no one can tell who, in any particular matter, is for the moment the Government of India. They have no belief or trust in an impersonal Government which they cannot see or know or approach, and they regard it as a blindly moving machine propelled by an unknown force. Another inevitable result of close control by a Central Government is the enforcement of uniformity of system in all branches of the administration. It is inevitable because, without it, such control is impossible. The Central Government are not competent to deal with the multifarious conditions of the different provinces. Their only resource is

therefore to ignore discordant elements and to prescribe uniform systems to which everything must be forced to conform, in the vain belief that familiarity with rules and regulations will prove an efficient substitute for a knowledge of living facts. This Procrustean method of administration must ultimately fail, because the local conditions will not permit of being cut to standard shape; but, before the failure becomes conspicuous, irreparable mischief may be done. Much of the indifference to the authority of Government which is now growing up and spreading unrest throughout India may be traced to this source.

All this is done in the name of efficiency; but the efficiency is unreal. Schemes and systems affecting to create uniformity throughout the continent of India may appear complete and harmonious on paper, and would no doubt work excellently in some small homogeneous State specially created to suit them; but when they clash with discordant local conditions they must inevitably lead to inefficiency of administration, and to what is much worse than inefficiency, popular discontent. The idea that the population of India is a plastic mass, which can be moulded by authority into any forms therotically desirable, must be abandoned. New forces are arising and gathering strength which will make elasticity essential to the continuance of British Rule.

Part III.—*Constructive.*

It has now to be considered what practical remedy can be devised for removing unnecessary centralization in the Government of India. The solution of the problem lies in a definition of the functions that can with greatest advantage be exercised by a Central Government placed for the greater part of the year at a distance from all the great provinces of India, and those that can be entrusted to the local administrations, especially those of the status of the Bombay Government directly in touch with the working of the executive machine. It appears unnecessary to discuss the abolition of Local Governments at a time when the avowed object of the policy of His Majesty's Government is to bring the administration more into touch with native sentiment. Clearly a Government at Simla and Calcutta is less favourably situated in this respect than a Government in Bombay, in regard to the Bombay Presidency. If it be admitted that the transfer of the limited powers still exercised by the Government of Bombay to the Government of India is not a reasonable proposal, there remains the question how to divide between the Government of India and this Government the various administrative functions so as to remedy existing evils and to check the reduplication of work and the undermining of authority and of responsibility that has been brought about by excessive references to the Central Government.

Modern tendencies are evidently moving in the direction of forms of Government which place the fullest powers as low down in the administrative scale (*i.e.*, as near the section of the population immediately affected) as can safely be arranged, such powers alone being centralized as cannot be efficiently exercised otherwise. Local Governments cannot efficiently arrange for defence, for negotiations with foreign powers, or for any branch of the administration in which uniformity is the chief essential, *e.g.*, currency, postal arrangements, customs tariffs, merchant shipping laws and rules. On the other hand, where uniformity or central control is not clearly essential, or is impracticable, all centralization involves, and must necessarily involve, a serious sacrifice of elasticity. Further, by centralization all progress tends to be retarded, all initiative is liable to be checked, and the sense of responsibility of the local authorities is greatly impaired. Above all, centralization in a country so large and so populous as India, unless greatly circumscribed, must lead to inefficiency, and to the wielding of undue power by subordinates. No Government is overruled except with the concurrence of His Excellency the Viceroy and a Member of his Council. But it is obvious that the personal consideration which can be given by these high authorities to the innumerable questions coming before them must frequently be exceedingly slight. In practice, therefore, much power must rest with the officials of the Secretariat whose faculties are exercised chiefly in the way of criticism and fault finding.

All modern schemes of Government contemplate the governing of large masses, so far as possible, in harmony with the ideas of their leaders and representatives. In a country with a population so heterogeneous as India there is always grave risk of measures, excellent in theory, running wholly counter to the wishes and feelings of the people. Local needs, ideas and prejudices can best be understood by a sympathetic and active Collector. A Commissioner, in touch with his Collectors, will also understand them. A Local Government, if well advised by Commissioners and Collectors, and if its members are accessible to leading citizens, can hope to attain a reasonable grasp of local ideas. The Government of India, at a great distance from the provinces, possessing no representative character and frequently not containing a single member with any real personal knowledge of great territories such as Bombay or Madras, must inevitably be often out of touch with local public opinion in those areas. In so far as it lays down principles and adopts measures not already formulated by the Local Government or refuses to sanction measures deliberately recommended, it incurs a grave risk of running counter to local feeling. The dependence of a Local Government on such a distant central authority in matters of chiefly local concern tends to become an unmixed evil. The time has arrived for relieving the Local Governments in all matters that relate to provincial administration of a centralized control that must frequently tend thus to run counter to local opinion and requirements. Continents such as America and Australia have solved this problem by a definite allocation to a Central Government of functions that cannot be localized. India, more heterogeneous than either, and containing a population many times more numerous, has greater need for a similar organization of Government. Measures for conferring a representative character upon provincial Governments are about to be carried out. Such measures must evidently prove futile, and must lead to outbursts of political agitation if not accompanied by decentralization of administrative powers.

The functions that belong of necessity to the central and local executive may be brought under the following heads:—

Division of Administration.

Imperial functions for Central Government.

1. Banking and Bankruptcy.
2. Civil Works (Imperial).
3. Coinage.
4. Currency.
5. Customs.
6. Defence.
7. Ecclesiastical.
8. Foreign relations, including relations with Native States outside the province.
9. Immigration and Emigration.
10. Merchant Shipping.
11. Meteorology.
12. Opium (External).
13. Patents.
14. Post and Telegraphs.
15. Railways.
16. Salt.
17. Stamps.
18. Statistics, including census and bureaux for the collection and dissemination of information.
19. Superannuation (Imperial Services and other Home Charges).
20. Taxation (General).
21. Trade Marks.

Functions pertaining entirely to Local Government.

All functions not centralized, including full control of the following :—

1. Assessed Taxes.
2. Civil Works.
3. Courts of Law.
4. Education.
5. Excise.
6. Forest.
7. Irrigation.
8. Jails.
9. Land Revenue.
10. Marine (Local).
11. Medical.
12. Municipalities and District Boards.
13. Police.
14. Political relations with States in the Presidency.
15. Registration.
16. Scientific and Minor Departments, excluding Meteorology.
17. Stationery and Printing.
18. Superannuation (Provincial Services).

And any other matters not assigned to the Central Government.

In these Departments this Government should be subject to control not exceeding that exercised by the Secretary of State over the Government of India. In whatever way the established Services, imperial or provincial are recruited, it should at least be within the discretion of the Local Government to deal with all questions of housing, travelling and conveyance allowance, acting allowances, etc. All authority necessary for this purpose should be reserved to the Local Government.

On the adoption of this division of functions between the two Governments, it would seem desirable that some of the restrictions now imposed on the local Legislature should be removed. The formal assent of the Governor-General might still be retained as a necessary precedent to the validity of a provincial Act, corresponding to the Royal Assent to a Bill in England. This will sufficiently enable the Government of India to interfere in any case where such a course is considered necessary ; but otherwise, within the limits of the authority already exercised or to be conferred on the Governor in Council under the proposed scheme of decentralization, the provincial Legislature should be invested with full power to legislate and responsibility for the provisions of any enactment passed. Prior sanction or consent should only be required in cases where the proposed legislation will affect some branch of the administration, *e.g.*, defence or foreign relations, which falls among the functions allocated to the Central Government. The time has come when the restriction which prevents any provincial legislation affecting the jurisdiction of the High Court might be withdrawn. This has in the past led to inconvenience, and necessitated the passing of validating Acts by the Government of India, such as Acts XII. of 1888 and XIV. of 1904. Again, it seems necessary that the local Legislature should be allowed a free hand in framing its rules for the conduct of legislative business, the discussion of the budget, and the nomination of Additional Members, subject to such general principles as may be laid down by the central authority. The present system often entails the sacrifice of convenience to uniformity.

Assuming that the spheres of responsibility of the two Governments have been divided in the manner indicated above, the question arises how financial provision is to be made for the work of each.

There appear to be two possible alternatives :—

(1) Complete financial autonomy of the Local Government, who would provide for the requirements of the Central Government by allotments in proportion to the needs of the latter. This autonomy would include borrowing powers, and the power to raise and to revise local taxation of all descriptions.

(2) Decentralization of expenditure between the Local Government and the Government of India after due provision has been made for the requirements of the former, who would continue to act as agent for the Central Government in imperial departments.

As regards the first of these schemes, (1) this Government consider that if there were a *tabula-rasa* to work upon, the plan would have many advantages ; but its adoption would entail changes in the existing system of such a radical character that they could be carried into effect only by a gradual process.

Under the scheme (2) the Government of India would make as at present a *quasi*-permanent settlement with the Local Government. It is not possible to construct such a settlement without negotiation. Under such a settlement as is contemplated, this Government would be allowed a certain sum for the administration of the provincial services defined above, and the two existing safeguards against excessive depletion of resources owing to famine, the minimum land revenue guarantee, and the provision for famine expenditure would be maintained. This Government would then administer the provincial departments within the limit of the funds allotted, and the Central Government would exercise no control over any of this expenditure.

The financial effect of this division of functions would thus be complete liberty for the Local Government in framing the budget for the heads of provincial expenditure concerned, and power to spend in excess of budget provision on these departments, subject only to the maintenance of the minimum balance prescribed. All questions of pay and allowances, special leave provisions, etc., would be dealt with finally by this Government subject to the control already mentioned.

As a result of this liberation of the Local Government from the control of the Central Government in matters of purely provincial concern, it would be possible to bring the administration of the Presidency into harmony with local opinion and requirements. The enlargement of the Legislative Council and the creation of an Advisory Council, if carried out, cannot bring about the results expected unless scope is allowed to this Government for deferring to local opinion in sanitary, educational and similar matters of purely local concern. Under the existing system, which permits the Government of India to alter the budget of this Government and sanction to needed improvements, there is little latitude for devoting expenditure to schemes popularly approved, nor can the budget as presented to Council be modified. All this would be remedied under the improved scheme, and it would be possible, for instance, to divert large sums from medical relief to education or *vice versâ* if Government, after discussion in Council, were in favour of such a change.

Similarly, schemes for increasing the pay of schoolmasters or of Hospital Assistants or similar subordinates of this Government could be taken up, discussed, and finally disposed of in the local Council, and in harmony with the general feeling of that body. At present, as they might involve an expenditure exceeding Rs. 25,000, they could not usefully be considered in Council without the sanction of the Government of India, which for various reasons might not be forthcoming.

Under such a system of financial devolution, this Government might be entitled to borrow money for public purposes when necessary, and when the state of its finances permitted. In all but works of first class magnitude, such as great schemes of irrigation affecting the interests of more than one province, the intervention of the Government of India is undesirable. There is no adequate reason why provincial resources should not be utilized to cover large items of expenditure on matters falling under the heads allotted to this Government above, which cannot be undertaken out of current revenues. The only conditions that should be imposed to restrict borrowing are a maximum rate of interest, in order that local loans should not prove appreciably more expensive than imperial borrowing and the avoidance of competition with other Governments.

This Government recognizes that in many of the departments allotted to the Imperial Government in the above scheme, such as Customs and Salt, the latter, from its position, is unable to administer directly. Thus, in many petty questions of customs administration, the Local Government controls, and it acts as collecting agent of imperial revenues for the central authority. The need for local administration in the case of the Salt Department is greater than in that of Customs, and may be said to be imperative. It is desirable that such departments should be administered on the spot by the Local Government as agents of the Central Government, for the reasons already stated.

In such departments this Government would continue the exercise of a certain control in the interests of the Imperial Department concerned; but as agent of the Central Government it requires considerably wider powers than are at present exercised. In Imperial Departments, as has been pointed out, this Government cannot sanction a scheme costing over Rs. 3,000, a new post above Rs. 50, or civil works above Rs. 2,00,000 excluding tools and plant. If this agency work on behalf of the Central Government is to be continued, it is most desirable that the powers of the Local Government should be increased to the following:—

(1) power to sanction any scheme of reorganization up to Rs. 25,000;
(2) power to sanction any appointment up to Rs. 250;
(3) power to sanction any civil work up to Rs. 10,00,000;

on condition that budget provision has been made by the Imperial Government for such items.

The scheme above outlined falls far short of the possibilities suggested by Sir D. Barbour in the important evidence given before the Royal Commission on the "Administration of the Expenditure of India" in 1895. This scheme, in the opinion of the Government of Bombay, would go far to remedy the evils pointed out, and would constitute a real step in the direction of the more complete decentralization which will certainly be necessary to meet the new political conditions arising in India. The existing system of centralized administration is unknown in any other portion of the world of comparable area and diversity. Already this system is tending to break down under its own weight, while it inevitably prevents or delays progress, and destroys initiative and responsibility. Even if we had to deal with a purely passive population the drawbacks of the exaggerated centralization, which has been allowed to grow up without deliberate intention, are manifest. The forces which are now producing what is called "unrest" in India will unquestionably broaden and deepen with the years. While there is yet time, it is necessary to lay the foundation of a system of administration which will readily adapt itself to the new conditions without shock and dislocation, involving grave danger to the stability of British Rule in India.

Part IV.

It has been stated that the solution of the problem of decentralization between this Government and the Government of India lies in centralizing those powers alone which cannot be efficiently exercised otherwise. In dealing with the extent to which further powers should be allotted to the local officers, this Government is prepared to adopt the same principle. They are of opinion that the solution of the problem has been correctly indicated by the Committee of Commissioners which sat in 1901 to consider the reduction of unnecessary reports and wrote as follows:—

> "There are two ways in which the division of authority between Government and the local officers can be carried out. The first is to concede to the local officer only just so much authority as will save the administrative machine from getting clogged with work: the other is to delegate every power that is capable of delegation and to reserve to Government only such powers as it is absolutely necessary to centralize. We venture to think that the latter policy should be definitely adopted, and that officers should be encouraged to take responsibility, it being reckoned a greater fault to be constantly asking for orders than occasionally to make a mistake."

The necessity for thus leaving the fullest possible freedom to the officer on the spot was clearly stated by Mountstuart Elphinstone, writing nearly a century ago, in his "Report on the Territories conquered from the Paishwa." He remarks:—

> "It appears an objection to this plan, that it affords the *mamlatdar* an opportunity of collecting more than he brings to account; but in such a case the villagers will of course complain, as they always did when the money was taken from them unreasonably; and this abuse, like many others, must depend for a remedy on the vigilance of the Collector.
>
> "On this, indeed, it will have been long since observed, the whole system must depend, its object being to provide sufficient powers, and leave it to the principal officer to guard against the abuse of them. That he will always succeed, is more than I would promise; but perfection is not to be looked for, and we have only the choice of taking away from our agents the power to do good, or leaving them in some degree the power to do harm. Against this, even a system of check and limitation will not always guard: for a man may be careful not openly to commit irregularities, while he is secretly guilty of every sort of oppression. As long as the chief power in the district is in able hands, the good done by the inferiors, on this system, will far preponderate over the evil; and if the Collector be deficient, I am afraid that no distribution of powers would make up for his want of capacity, or do more than palliate or conceal the evils to which such a want would give rise."

It is certain that this principle of trusting District Officers with the widest possible powers has in recent years been frequently ignored, and that Collectors are now subject to an amount of control and restriction of powers which greatly impairs their value and efficiency. Legally, financially and administratively it has come to be considered more essential to provide numerous checks and counter checks on the possible errors of these officials than to place wide powers in their hands, and to risk an occasional incorrect decision.

In the absence of adequate independence on the part of the Commissioner and Collector due to this faulty distribution of power, this Government is called upon to deal with a mass of petty matters that should properly be removed entirely from its direct cognizance. In the opinion of this Government the time has come to invest Commissioners, Heads of Departments and Collectors with broader powers. Ten years ago this Government was prepared to legislate with that object, but the Government of India objected to the form of the proposed legislation, and little progress has therefore been made in reform. If permitted to do so, this Government is ready to undertake the legislation then disallowed, and to confer on the Revenue Commissioners the powers delegated to the Commissioner in Sind under Act V. of 1868. The experiment has proved most beneficial in Sind, and there is no reason why it should not work equally well elsewhere

Reports have been received from all Commissioners, Heads of Departments and Collectors showing the devolution that they desire. In Appendix V. will be found a complete list of the proposals received. This Government is not prepared to decide which of the proposals should be accepted, until they have been fully examined. According to the principle already laid down, it is the intention of Government to adopt every proposal in the absence of specific objections,

among which the risk of misuse of the power will not be allowed to carry undue weight. The fullest possible powers will thus be delegated to Commissioners, Heads of Departments and Collectors, whether by legislation, rule, or administrative order, as the case may require. Between Collectors and Assistants the Land Revenue Code of this Presidency already permits the fullest delegation of powers.

In connection with this proposed devolution of powers, this Government has recently initiated an experiment which is likely to afford valuable assistance in adopting measures of decentralization. Orders have been issued (*vide* Government Resolution No. 7569, dated the 17th December, 1907, given in Appendix VI.) conferring on Commissioners, Heads of Departments and certain Collectors power to anticipate sanctions of higher authority other than those required by law. A monthly tabulated statement of such sanctions is required to be submitted for the information of Government. It is proposed on the information thus made available to decentralize powers of sanction which Collectors and others are shown to anticipate without inconvenient results.

In finance this Government consider that a far greater latitude than at present allowed is required for all officers. The necessity of obtaining sanction to the expenditure of petty sums merely destroys responsibility without securing economy. A broad discretion is required for all officers, increasing as they rise in rank. The proposals specially favoured by this Government apart from those contained in Appendix V. are as follows :—

(1) An extension of the contract grant principle, and an increase in these grants.

(2) An extension of Article 278A of the Civil Account Code to allow of the power therein conferred being given to Commissioners, Heads of Departments, Collectors and others, by the Local Government up to a limit to be fixed by this Government in each case.

(3) Power to entertain temporary establishment up to six months within the following limits :—

	Rs. per mensem.
Commissioners and Heads of Departments, including Superintending Engineers ...	100
Collectors	50

Budget provision will be made by Government for such discretionary expenditure, and the total communicated to Commissioners and Heads of Departments for allotment in their divisions and departments.

The increase of Commissioners' and Collectors' powers to be effected by these changes involves two special considerations. These officers must be fit to exercise the fuller powers, and they must have the necessary leisure for doing so. Government are prepared to exercise greater rigour than hitherto in the selection of officers for these posts, should a more careful selection be found necessary, and to enforce the orders of the Secretary of State contained in his despatch No. 68, dated 11th July, 1879. The freeing of Collectors and Commissioners from much of the work that now occupies their time will to some extent be secured by the wider powers to be conferred on them, rendering applications for sanctions unnecessary.

Members of Council should tour freely in the Presidency ; and the Member in charge of the Revenue Department should be selected only from those who have held for at least three years the post of Collector or Commissioner. It is necessary to exact a special standard of fitness in appointing Commissioners, and these should be the fittest officers available and not merely those who are not unfit. All Collectors should be considered to be on probation for their first continuous year in charge of a district, and their confirmation as Collectors formally gazetted after one year in event of their proving capable. The hands of Government would be greatly strengthened if it were possible to retire officers of the Covenanted Civil Service unfit to rise above the grade of Assistant Collector or Assistant Judge, on reduced pension. This expedient should also be available in other departments, such as the Public Works Department.

The undue proportion of their service spent by certain officers in Secretariat appointments has frequently tended to encourage centralization, while depriving numerous officers of the opportunity of short Secretariat experience, which is undoubtedly of value. This Government is opposed to such lengthy tenure of Secretariat posts being permitted in the future. The tenure of these appointments should be limited to three years, and there should be an interval of three years between each Secretariat appointment. The evil could be permanently averted by constituting ten years' executive service, of which five should be in districts, a qualification for the posts of Secretary to a Local Government.

Much additional relief could be afforded by the widespread substitution of triennial or quinquennial annual reports in all branches of the administration. The annual record of comparatively unimportant details of municipal, Local Board or other purely local administrations gives occasion for a vast production of printed platitudes or hasty generalizations, and imposes a heavy demand on the time of Collectors and Commissioners without yielding results of commensurate importance. This Government are of opinion that such reports should be abolished in all cases where special reasons cannot be advanced for their retention. In their place, an annual submission by the office concerned, of the necessary statistical tables with explanatory foot-notes would be substituted, and it would be desirable, every third or fifth year, to suspend certain routine duties of the Collector to enable him to prepare a progress report for the intervening period. The periods put forward for the reports at present submitted annually by Collectors are shown in Appendix VII.

The present system of appeal is liable to no little abuse. It is, for example, possible for a petty matter of administration to be brought before the Assistant Collector, Collector, Commissioner and Government in succession on appeal. It would be desirable to limit such waste of officers' time in future by embodying in all legislation permitting appeals a proviso that when a question has been disposed of on second appeal, no further appeal shall lie unless by permission of the appellate authority, who shall certify that in his opinion there is a case for consideration by higher authority.

The distinction between an appeal and an application for revision allowed by law or by rules having the force of law should be emphasized and authoritatively laid down for the guidance of all appellate and revisional authorities. This might be effected by means of the General Clauses Act. If it is not held advisable to limit the exercise of revisional jurisdiction as strictly as in section 622 of the Code of Civil Procedure, at any rate a rule similar to that ordinarily followed in cases where the exercise of judicial discretion is in question might be adopted, *i.e.*, that a revisional authority should not interfere unless the order under revision is manifestly perverse, unjust or based on an erroneous opinion on a point of law.

PART V.

In the opinion of this Government the time has not arrived for increasing the powers of Local Boards and municipalities except in two directions, *viz.* :—

(1) the creation of appointments ;

(2) the imposition of a special cess for the purpose of guaranteeing the interest on or otherwise defraying the cost of a light railway, tramway, monorail or other means of conveyance.

The powers of District Local Boards and municipalities in connection with appointments are as follows:—

Under section 38 of Act I. of 1884 the District Local Boards can fix the staff to be employed, as well as their salaries, fees and allowances.

Under section 46 of Act III. of 1901 all such appointments made or allowances granted by a municipality require the sanction either of Government or the Commissioner.

This control is excessive in the case of municipalities, and such bodies may well be allowed to create appointments or grant allowances involving a charge on the municipal funds not exceeding Rs. 50 per mensem in each case without sanction. In case of abuse the power should be withdrawn by the Commissioner.

It seems probable that District Local Boards and municipalities could be given more interest in local administration, if they were allowed to entertain schemes for constructing light railways, tramways, etc. This could be done either by a guarantee to a company, or by departmental management. In either case a special cess should be allowed to provide a guarantee of the necessary funds. Such power might be, for preference, conferred by the Commissioner on well conducted municipalities, and the schemes would require his sanction before final adoption.

In the opinion of this Government the powers already exercised by the Harbour and Improvement Trusts and the Bombay Corporation are wide enough and give no cause for complaint of excessive control.

Finally, the question of resuscitating the village panchayat appears to this Government worthy of some attention. It is a well known fact that the social regulation of many caste and sub-caste divisions in this Presidency is largely confided to panchayats, whose decision carries respect. It is obvious that within the narrow bounds of village life a resident acting as a member of a panchayat is subject to the control of local opinion in a manner and to an extent that no *taluka* official ever experiences. The Government is not prepared to say with confidence that the reconstitution of panchayats in villages for the decisions of questions of petty importance, such as conviction for trivial assault and the right to possess property of small value, is a measure bound to yield satisfactory results. At the same time the experiment is worth trying. In many large villages of Gujarat the influence of the descendants of the original founders is still strong. In the Deccan and the Southern Maratha Country the members of the *watan* families are similarly influential. This Government is prepared to constitute in selected villages in these areas panchayats with petty civil and criminal powers, and to extend the system in event of its working satisfactorily. It has been suggested that such panchayats might also do useful work as wards of minors' estates and in controlling the exercise of forest privileges and possibly in connection with co-operative credit societies.

APPENDIX I.

Current Provincial Settlement.

The year 1905-06 was the first of the current provincial settlement, for which no period of duration has been fixed. The Government of India have, however, reserved to themselves the right to revise the settlement when necessity may demand, but this power will be exercised only when the variations from the initial relative standards of revenue and expenditure have, over a substantial term of years, been so great as to result in unfairness either to this Government or to the Government of India, or in the event of that Government being confronted with the alternative of either imposing general taxation or seeking assistance from the province.

2. The Government of India started the provincial account in 1905-06 with an opening balance of Rs. 76,73* made up of (i.) Rs. 20,00, the minimum balance which the Local Government have to maintain, and (ii.) special imperial contributions of (*a*) the initial grant of Rs. 50,00 made in accordance with the terms of the settlement and (*b*) Rs. 6,73 on account of the unexpended portions of the grant previously made for the completion of the St. George's Hospital, for reforms necessitated in connection with the Indian Universities Act, 1904, and for desirable objects of public utility. Out of the initial grant of Rs. 50,00 a sum of Rs. 36,00 is calculated to meet ordinary initial requirements and enable the Presidency to start the new settlement on a favourable footing, and the remaining Rs. 14,00 is a final allotment to cover plague charges falling under the head 24, Medical, except those on account of the Bombay Bacteriological Laboratory, for which a separate assignment has been allowed in the settlement. It is, however, open to the Local Government to utilise at their discretion any part of the sum of Rs. 14,00 for expenditure under any other head.

3. The revenue heads Land Revenue (except assessment of alienated lands, which is a wholly provincial book entry on both sides of the account), Stamps, Excise, Assessed Taxes (except income tax on surplus profits of railway companies, which goes to Imperial), Forests and Irrigation Major Works (direct receipts) and Minor Works, and the corresponding expenditure heads (including refunds, and assignments and compensations, but excluding Land Revenue, which is wholly provincial) are divided in equal proportions between imperial and provincial.

The following are wholly provincial transactions :—

(i.) Revenue and expenditure heads Registration (including refunds), Interest (Provincial Loan and Advance Account and receipts on account of a few Educational and Medical Charitable Funds), Courts of Law, Jails, Police, Marine, Education, Medical and Contributions between provincial and local ;

(ii.) Revenue and expenditure heads Stationery and Printing (except the value of Stationery supplied from the Central Stores to certain local funds and other independent bodies and the cost of stationery purchased for the stores) ;

(iii.) Revenue and expenditure heads Civil Works (except transactions connected with buildings belonging to Imperial Departments) ;

(iv.) Revenue and expenditure heads Superannuation and Miscellaneous (except a few items, such as subscriptions under the I. C. S. Family Pension Rules, Military and Bombay Civil Fund Pensions, extraordinary items exceeding Rs. 10 remittance of treasure, bills of exchange, etc.) ;

(v.) Revenue and expenditure heads Scientific and other Minor Departments (except charges on account of (i.) pay and allowances of officers on the cadre of the Civil Veterinary Department and (ii.) Census and Ethnographic Survey) ;

(vi.) Expenditure heads General Administration (*i. e.*, charges on account of His Excellency the Governor, the Members of Council, the Civil Secretariat, the Revenue Commissioners, Local Fund Audit and Collector's Local Fund Establishments) and Political (*i.e.*, Kathiawar, Cutch, Mahi Kantha, Palanpur, Kolhapur and Southern Maratha Country, Savantwadi and other Minor Agencies).

For Famine Relief a special settlement has been made since 1907-1908, under which an annual assignment of Rs. 13,70 will be made to provincial through the Land Revenue head to build up a reserve of credit up to a maximum of Rs. 80,00 ; *per contra* these assignments will be debited in the provincial account to the expenditure head "Reduction or Avoidance of Debt." A separate administrative or *pro forma* account will be kept of the accumulations to the credit of the Local Government. When famine occurs, the direct expenditure on actual measures of relief will be charged against imperial revenue under the expenditure head "Famine Relief" until the amount at the credit of the Local Government is exhausted, after which event further expenditure will be divided between imperial and provincial in equal shares. If a famine should be so widespread or severe as to reduce the provincial balance below one-half of the prescribed minimum of Rs. 20,00 the incidence of expenditure after that stage will be a subject for special arrangement at the time. If famine occurs during the first five years after the new scheme has been introduced, and before a sufficiently large reserve of credit has been accumulated, any expenditure incurred on relieving it will be treated as wholly imperial up to a limit equal to five years' assumed credits in the *pro forma* account.

4. The settlement is of a consolidated character and is based in the main on the figures of the budget for 1904-1905. The revenue and expenditure were estimated at Rs. 4,48,98 and Rs. 4,91,75 respectively, and in order to produce an equilibrium between revenue and expenditure the Government of India make a fixed assignment of Rs. 42,77 annually through the head "I.—Land Revenue." Furthermore, the Government of India have agreed that, if in any year the provincial share of divisible Land Revenue should fall below Rs. 1,89,25, the deficit will be made up from imperial resources. The fixed annual assignment has since been increased by Rs. 70 and Rs. 44 respectively in connection with the division of the Khandesh District and the revision of the Sind Sadar Court, for which separate assignments were contemplated but not finally fixed in the settlement as the schemes were under consideration.

5. The settlement does not take into account any contribution which the Government of India find desirable to make towards the expenditure rendered necessary by reforms which were in contemplation in the administration of police and education or towards the additional expenditure on irrigation which may result from the investigation of the Irrigation Commission. Since the terms of the settlement were fixed, certain items under the expenditure head "Assignments and Compensations" have been reclassified, the charges on account of Cantonment Magistrates have been transferred to the Military Department, and transactions on account of the Cantonment Police and Sind Village Officers' Cess have been provincialized. Pages 182-183 of the Civil Budget for 1907-1908 show a net imperial grant of Rs. 38,05 (exclusive of the fixed annual assignment of Rs. 42,77 on account of the adjustments between imperial and provincial for such services and other imperial grants-in-aid, all of which, except a few aggregating Rs. 14,63* (fixed for specified terms), are recurring items.

* The figures all refer to 000's of rupees.

* This amount includes Rs. 13,70 on account of famine relief.

Statement of Revenue and Expenditure fixed under the Bombay Provincial Settlement commencing from the year 1905–06.

(Thousands of rupees.)

Revenue		Expenditure.	
Heads of Revenue.	Settlement figure.	Heads of Expenditure.	Settlement figure.
I.—Land Revenue { Divided	1,92,22	1.—Refunds	2,50
{ Wholly Provincial	91,71	2.—Assignments	95,69
IV.—Stamps	30,75	3.—Land Revenue	66,43
V.—Excise	59,50	6.—Stamps	1,25
VIII.—Assessed Taxes	17,90	7.—Excise	2,52
IX.—Forests	12,65	10.—Assessed Taxes	36
X.—Registration	5,60	11.—Forests	9,40
	4,10,33	12.—Registration	3,00
XII.—Interest	5,56		1,81,15
		13.—Interest	6,76
XVI-A.—Courts of Law	4,26		
XVI-B.—Jails	2,25	18.—General Administration	14,59
XVII.—Police	4,20	19-A.—Courts of Law	48,68
XVIII.—Marine	67	19-B.—Jails	8,24
XIX.—Education	3,06	20.—Police	64,26
XX.—Medical	2,17	21.—Marine	43
XXI.—Scientific and other Minor Departments.	26	22.—Education	23,55
	16,87	24.—Medical	21,06
		25.—Political	4,22
XXII.—Superannuations, etc.	1,90	26.—Scientific and other Minor Departments.	2,96
XXIII.—Stationery and Printing	68		1,87,99
XXV.—Miscellaneous	63	29.—Superannuation allowances, etc. ...	22,90
	3,21	30.—Stationery and printing	11,35
		32.—Miscellaneous	2,73
XXIX.—Major Works—Direct Receipts ...	5,25		36,98
XXX.—Minor Works and Navigation ...	1,40	42.—Major Works—Working expenses ...	5,25
	6,65	Do. Interest	8,82
XXXII.—Civil Works	6,36	43.—Minor Works and Navigation ...	15,71
			29,78
Total Revenue ...	4,48,98		
Fixed Assignment ...	42,77	45.—Civil Works	40,00
		Contributions	9,09
Grand Total ...	4,91,75	Total Expenditure ...	4,91,75

APPENDIX II.

Appointment of Inspectors-General.

Serial No.	Designation.	Date of appointment.	Reasons for appointment.	Powers and duties of the officer.	Whether he is allowed correspondence, official or unofficial, with officers of the Local Government.
1	Inspector-General of Forests.	22nd March 1864.	In order to assist the Government of India in dealing with the forest business that comes before it.	The Inspector-General will be at liberty to offer suggestions on any subject connected with forest administration to any of the Local Governments, but it will entirely rest with those Governments to act on such suggestions or not, as they may think proper.	Official correspondence with the local officers and Governments is allowed.

Appointment of Inspectors-General—cont.

Serial No.	Designation.	Date of appointment.	Reasons for appointment.	Powers and duties of the officer.	Whether he is allowed correspondence, official or unofficial, with officers of the Local Government.
2	Inspector-General, Civil Veterinary Department.	18th February 1892.	To have at the head of the Department a consultative and advising officer.	To deal with all matters connected with military requirements, including the inspection of military stations, &c., and partly as a consulting officer on all matters of general administration which the Government of India may be required to deal with in communication with Local Governments.	Not stated in the order.
3	Director-General of the Indian Medical Service.	1st April 1896.	Amalgamation of the medical services of Bengal, Madras and Bombay into one service under the direct administrative control of the Government of India.	To propose transfers between the Military and Civil Departments, to recommend for promotion to the administrative grades and to advise the Government on all questions relating to the admission of officers and subordinates to the Indian Medical Service, to the conduct and services of Indian Medical Officers of all grades and to the supply of medical and surgical stores.	He is entitled to receive any information he desires from the Surgeon-Generals and to communicate with them in regard to the operation of departmental rules and orders.
4	Chief Inspector of Explosives with the Government of India.	5th September 1898.	The necessity for inspection and testing of nitro-compounds.	The duties of the Chief Inspector are to carry on the regular and systematic examination of all the important magazines in the country, to investigate and report on the causes of explosions and to give expert advice in all matters connected with the Administration of the Explosives Act and rules framed thereunder.	The local Chief Inspectors have been instructed to co-operate with the Chief Inspector to the Government of India and to render him such assistance as may be required. They have also to furnish that officer with copies of reports of all inspections made by them and to refer to him direct any technical questions on which his opinion or advice may be desired.
5	Inspector-General of Agriculture.	24th October 1901.	To have an adviser on matters connected with agriculture.	The duties of the Inspector-General are to guide and co-ordinate the experiments which are being made under the orders of Local Governments, and to publish and criticise their results, to indicate new lines which enquiry may profitably follow, and to respond to the requests of private investigators for assistance or advice.	He is authorized to correspond direct with the Heads of the Departments of Agriculture
6	Director-General of Indian Education.	6th November 1901.	To have an expert adviser in educational matters.	To visit the different Local Governments and administrations and confer occasionally with the Director of Public Instruction and thus establish between the Government of India and the Local Governments a better understanding on educational matters.	The mode of correspondence has not been specified.
7	Director-General of Archæology.	11th February 1902.	To provide an expert Head for the Archæological Department who could assist local effort with authoritative advice and guidance, and maintain a continuous record of the archæological needs of the various provinces and of the action taken to meet them.	The duties are to exercise a general supervision over all the archæological work of the country; to assist the provincial Surveyors in ascertaining and formulating the special requirements of each province; to advise the Government of India as to the operations for which special subsidies may be allotted from imperial funds and to visit all the important circles in each year, reporting the general results of his tour to the	Not stated.

Appointment of Inspectors-General—cont.

Serial No.	Designation.	Date of appointment.	Reasons for appointment.	Powers and duties of the officer.	Whether he is allowed correspondence, official or unofficial, with officers of the Local Government.
				Local Government of each province visited and offering any suggestion that he may have to make in connection with the buildings which he has inspected.	
8	Inspecting Officer of Cantonments.	4th June 1903. (Appointment made in the first instance for 5 years.)	To improve the prospects of the Cantonment Magistrates' Department and the standards of executive and sanitary work in Cantonments throughout India.	To examine the work of Cantonments, co-ordinating results, so that the experience gained in one place may be utilized elsewhere, and advising the military authorities generally in matters of Cantonment administration to acquaint himself with the financial position of Cantonments generally and to advise how that position may be improved; his inspection and report on Cantonment Magistrates to be confined to their executive work only, his concern with their judicial work being restricted entirely to the question of how far its nature or amount may interfere with their other duties.	Not stated.
9	Director, Criminal Intelligence.	30th June 1904.	In order to substitute for the Thagi and Dakaiti Department a Central Criminal Intelligence Department.	To collect and communicate information regarding such forms of organized crime as are committed by offenders operating along the railway system, criminal tribes, suspicious strangers, wandering gangs, dakaits, note-forgers, coiners and the like.	The Director is to correspond freely with the provincial Inspectors-General of Police about the classes of crime with which he is concerned.
10	Controller of Printing and Stationery.	1st July 1904	To improve the management and control of the Department of Stamps and Stationery in India and to introduce greater efficiency and economy in the adminstration of the Government printing presses.	To inspect, supervise, and control all printing presses under the Government of India and also to inspect presses under the Local Governments and administrations, advising them in matters connected with printing and stationery.	It is not stated how he is to correspond with Local Governments, but Local Governments have been asked to arrange to help him in his inspections and to pay due attention to his reports. In demi-official letter of 6th August 1904, the Secretary to the Government of India in the Finance Department stated that the Superintendent of Stationery in Bombay should be instructed to place himself in communication with the new Controller with a view to settling the most convenient procedure to be followed in arranging for the contracts for country stationery.
11	Sanitary Commissioner with the Government of India.	8th September 1904.	Provision of a sanitary adviser whose whole time can be devoted to sanitary work only and who can assist the Government of India with his counsel and at the same time supervise the existing sanitary machinery and direct and inspire the measures taken for its improvement.	The functions of the Sanitary Commissioner are to advise the Government of India upon sanitary and bacteriological questions and to organize and direct research throughout India.	By Home Department Resolution No. 1273–1290, dated the 8th September 1904, the Sanitary Commissioner with the Government of India was empowered to correspond *unofficially* with the provincial Sanitary Commissioners and the Heads of provincial laboratories upon points of departmental procedure, forms and statistics, and

Appointment of Inspectors-General—cont.

Serial No.	Designation.	Date of appointment.	Reasons for appointment.	Powers and duties of the officer.	Whether he is allowed correspondence, official or unofficial, with officers of the Local Government.
					purely technical questions. Recently, however, the Government of India have stated that the restriction to unofficial correspondence has produced considerable inconvenience and they have, therefore, directed that such reference should in future be made *officially*.
12	Director-General of Commercial Intelligence.	27th February 1905.	To take the place of the Director-General of Statistics (whose appointment was made in 1895) and to act as an intermediary between the Government of India and the mercantile public.	To collate and compile the statistics of all departments.	Not stated.
13	Inspector-General of Irrigation.	8th February 1906 (for a period of three years), as a whole time officer; but previously Joint and Deputy Secretary to the Government of India.	To make suitable and satisfactory arrangements for dealing with the vast number of important irrigation projects which have been sanctioned or proposed.	To inspect the various irrigation projects and discuss with the Local Governments the possible development of those water-ways in India which, in the interests of commerce, it is considered desirable to maintain or improve.	Not stated.
14	Inspector-General of Excise and Salt.	30th September 1907.	To facilitate reforms in the excise system prevailing in the different provinces.	To keep the Government of India informed on matters of general administration relating to excise and salt. To furnish Local Governments in the provincial Departments concerned with advice and information and to bring the experience of one province to bear upon the problems of another so as to secure such co-ordination, as may be possible, of the systems of the different provinces.	He is to correspond and confer informally with the Heads of the Departments and with Local Governments on matters regarding excise and salt, in order that he may be in the most favourable position to offer informed advice to the Governor-General in Council, who is ultimately responsible for the effective observance of the policy of Government in such matters.

APPENDIX III.

CASES SHOWING NEED FOR DECENTRALIZATION.

Political Department.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
	Foreign Service, &c.		
1	(*a*) Foreign Service, first and second kinds.	Civil Service Regulations. Foreign Department Resolution No. 1745-G., dated 18th August 1905 (Bombay Government Resolution, Political Department, No. 7649, dated 27th November 1905).	The rules relating to the transfer of officers to foreign service were revised by the Government of India in the year 1889 (Resolution of the Government of India in the Finance and Commerce Department, No. 169, dated the 7th January 1889). Before this revision the rules governing such transfers were those laid down in sections 8 to 11 of the Civil Pension Code. There was then no distinction between the three different kinds of foreign service, as at present, the broad rule in section 8 of the Civil Pension Code being that a reference to the Government of India was necessary when it was proposed to grant an officer in foreign service a net salary exceeding Rs. 250 per mensem. The records show that in some cases this Government sanctioned a transfer and then reported it to the Government of India for confirmation.

Political Department—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
			References to the Government of India are now necessary in the following cases :— (*i*) Where the officer to be lent to the Darbar has not ten years' qualifying service for pension under Government ; (*ii*) When it is proposed to be given in foreign service exceeds the limit laid down in Article 753 (*iv*) of the Civil Service Regulations ; or (*iii*) When it is proposed to give him any emoluments other than those specified in Rule III of Appendix 31, Civil Service Regulations. As regards (*i*) the restriction as to ten years' qualifying service for pension was imposed for the first time in 1889 (paragraph 3 of Government of India Resolution quoted above). If the powers at present exercised by the Government of India were delegated to the Bombay Government a great deal of correspondence would be saved. The Government of India in their Resolution No. 4622-I. B., dated the 5th December 1907, have revised their orders of August 1905 regarding the grant to officers of Government transferred, under foreign service conditions, to Native States, of any privileges and concessions in addition to substantive pay, and have indicated the concessions which may be sanctioned by a Local Government in those cases in which it has power under the rules in the Civil Service Regulations of sanctioning the transfer of an officer to service under a Native State.
	(*b*) Pensions from Native States.	Article 784 of the Civil Service Regulations.	The sanction of the Government of India is necessary to allow a Government or retired pensioned officer to receive a pension or gratuity from Native States. A question is at present under consideration whether an officer lent to a Native State can continue in the service of that State after retirement from Government service. The orders of the Government of India on this question are awaited in the Financial Department.
	(*c*) Employment of European pensioners in Native States.	Foreign Department Resolution No. 2245-G., dated 19th October 1905 (Bombay Government Resolution, Political Department, No. 7649, dated 27th November 1905).	*Cf.* Mr. Steele's case, the only case that has arisen since the Government of India's order of 1905 (Bombay Government letter No. 7725, dated the 29th November 1905). Mr. C. E. S. Steele is a European pensioner and retired from the post of Collector of Hyderabad, Sind. He has been appointed as Divan and Adviser to the Chief of Chhota Udepur for a period of three years with the Government of India's sanction. *Note.*—During 1902–1906 there were on the subject of Foreign Service generally 38 references from, and 44 to, the Government of India.
	Employment of Europeans in Native States.		
2	(*a*) Employment of Europeans generally.	Foreign Department Order No. 2847-I., dated 11th August 1886 (Government Resolution, Political Department, No. 5133, dated 2nd September 1886). Foreign Department letter No. 4692-I., dated 29th October 1887 (Bombay Government Resolution, Political Department, No. 7600, dated 21st November 1887). Foreign Department letter No. 3733-I.A., dated 1st October 1897 (Bombay Government Resolution, Political Department, No. 6587, dated 27th October 1897). Foreign Department letter No. 3086-I.B., dated 28th August 1904 (Bombay Government Resolution, Political Department, No. 5597, dated 10th September 1904). Foreign Department letter No. 421-I.A., dated the 30th January 1905 (Bombay Government Resolution, Political Department, No. 891, dated 8th February 1905). Foreign Department letter No. 408-G., dated the 13th February 1907.	In the year 1831 the Government of India for the first time prescribed a half-yearly return of officers, Europeans and East Indians, who were British subjects and were employed in the service of a Native State in Alliance with the British Government, whether they belonged to His Majesty or the Honourable Company's Service, or were without any Commission or rank in Her Majesty's Service (letter from the Chief Secretary to the Government of India dated the 26th August 1831). In 1867 the return was made annual (Government of India Circular No. 504, dated the 27th May 1867). Till the year 1886 there was no order requiring the previous sanction of the Government of India to such appointments, unless a reference was required by the rules relating to the transfer of British officers to foreign service in Chapter III of the Civil Pension Code. There were instances where the Bombay Government had sanctioned on their own authority the appointment of Europeans to positions of importance in Native States such as Companion and Adviser to a Prince, Guardian to a young Raja, State Engineer, &c. But in Foreign Department Resolution No. 2847-I.A., dated the 11th August 1886, the Government of India, when issuing revised orders for the submission of the annual return, interfered, for the first time, with the freedom of the Bombay Government in the matter. While authorising Local Governments to sanction the employment of Europeans (such as bandsmen, gardeners and mechanics) *in positions of minor importance* in Native States, they directed that in all other cases applications for leave to employ Europeans either temporarily or permanently should be submitted to the Government of India for sanction. The sanction is not to be anticipated and the term European includes Americans and Australians. Such applications are required to be made in a set form giving particulars as to the proposed employé's antecedents, &c. The annual return which is submitted to the Government of India is required by them for *reasons of policy* and is not necessarily connected with the provisions of Treaties.

Political Department—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
	(*b*) Extension of the period of their employment. (*c*) Increase in their salary. (*d*) Grant of other special privileges, &c.	.....	All these questions have also to be referred to the Government of India in cases where the original appointment is sanctioned by that authority.
	(*e*) Employment of European Lady Doctors.	Foreign Department letter No. 1043-I.A., dated 17th March 1897 (Bombay Government Resolution, Political Department, No. 2419, dated 9th April 1897).	The Government of India's orders require intimation of the wish or intention to employ a lady doctor within a Native State. The object of the reference is stated to be twofold— (1) To obtain the advice of the "National Association for providing Female Medical Aid to the Women of India"; and (2) To obtain useful information before permitting the employment. On the subject of employment of Europeans generally, including the return, there were during 1902–1906 19 references from, and 22 to, the Government of India.
3	Acceptance by Medical Officers of Government of fees for professional services rendered to Ruling Chiefs and their families or dependents, Indian gentlemen of high position in a Native State or Indian gentlemen of high position in British India.	Home Department (Medical) Notification No. 437, dated 25th July 1893, paragraph 2 (Bombay Government Resolution, Political Department, No. 6592, dated 4th November 1893). Home Department (Medical) Notification No. 607, dated 1st July 1907 (Bombay Government Resolution, Political Department, No. 6171, dated 2nd September 1907). Home Department (Medical) letter No. 987 dated 6th September 1907.	The first orders of the Government of India in the Home Department on the subject of the remuneration of Medical Officers for attendance on Native Chiefs were issued in December 1888. Previous to that date Medical Officers were allowed to accept fees under Clause IV of Foreign Department Notification No. 1299-G., dated the 20th June 1876, regarding acceptance of presents. This Government considered the question whether the fee was excessive. In September 1889 the Government of India in the Foreign Department ruled that the orders were of general application and that Medical Officers employed in the Political Department in Native States who were attendants on Native Chiefs were to be guided by the orders. In 1893 fresh orders were issued by the Home Department without reference to this Government. These orders were subsequently altered in October 1900, June 1901, and April 1904. In no case does this Government seem to have been consulted. In October 1901 the Government of India in the Foreign Department addressed this Government on the subject of the rules. They stated (*i*) that much uncertainty exists as to what are reasonable and proper fees, and (*ii*) that Local Governments have in some instances failed to realise the importance of strictly scrutinizing and controlling the proposals made, and have, therefore, passed on, and occasionally even recommended for sanction, fees which the Government of India have been compelled to regard as excessive and improper. They further observed as follows :— "Upon the first point it is obviously impossible to lay down any precise principles or definite regulations, but the existing rules prescribe that fees should not be out of proportion to the relief afforded or to the circumstances of the case. It may be added that they should also not be out of proportion to the rank, position and emoluments of the Medical Officer concerned, and though it may often be right that they should be liberal, they should not exceed, to an extent which may be deemed extravagant, the general standard of the fees which the Medical Officer accepts in his ordinary private practice. With regard to the second point, the Governor-General in Council desires to take this opportunity of reminding Local Governments of the duty that is imposed upon them by the rules of closely investigating the proposals made, not only when they sanction the fees themselves, but also when they forward their suggestions for the orders of superior authority. It should be understood that they are not expected to refer for orders every case in which the fee offered or claimed exceeds Rs. 2,000, but only those cases in which they desire to recommend that the fees should exceed that amount. It is only by the strict and conscientious discharge of this duty by Local Governments that the Government of India can be relieved of the disagreeable necessity of intervening at a difficult stage and under circumstances which are invidious to all concerned." They then proceeded to cite instances in which applications had been received by them for sanction to the payment of inordinate fees, and added that it could not be denied that the cases brought to notice indicated that there were instances in which a clearer understanding of the objects and wishes of the Government of India was desirable. As regards fees the procedure has under the orders of 1907 been revised and is as follows :— Fees calculated on the scale of Rs. 16 a visit or in certain cases Rs. 32 according to recognised custom, unless the total exceeds Rs. 160 during any one month, may be accepted without permission. Higher fees require the permission of the Director-General, India Medical Service. The application is to be made by the officers concerned through the local Administrative Medical Officer, who is to consult the local Government (without disclosing professional details) and to communicate their views to the Director-General. The decision of the Director-General, who has to consult the Government of India when he differs from the Local Government, is final. This Government was not consulted previous to the issue of the Government of India's orders of July 1907.

Political Department—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
4	Retension of presents by Government Officers.	Foreign Department Circular No. 1299-G., dated 20th June 1876 (Bombay Government Resolution, General Department, No. 2271, dated 25th July 1876).	The acceptance of any presents is prohibited by law (33 Geo. III, Chap. 52, Sec. 62). References are, however, made to the Government of India for permission to the retention by Political Officers of articles, such as silver trowels, silver keys, &c., presented to them on the occasions of the laying of foundation-stones, opening of public buildings, &c., and the permission is almost invariably given. General permission has been granted to the Commissioner in Sind to retain such mementoes (Foreign Department letter No. 8, dated the 3rd January 1905). In Bombay Government letter No. 725, dated the 16th February 1905 (General Department), it was suggested to the Government of India that the Bombay Government be authorized to dispose of all such references, a quarterly return of the orders passed being sent to the Government of India, if they desired it, for information and to enable them to exercise control, as in the case of memorials withheld. In reply they stated in Home Department letter No. 622, dated the 7th March 1905, that it did not appear to them that the quarterly lists would fully serve the purpose in view, and that they would prefer to make no change in the existing orders on the subject, which require that the permission of the Governor-General in Council should be obtained in each case. *Note.*—During 1902–1906 there were 20 references to and from the Government of India in the Political Department.
		Judicial Department.	
5	Application for sanction to the addition to the Presidency police force of policemen or *ramoshis* for employment in guarding public buildings.	City of Bombay Police Act, 1902 (Bombay Act IV of 1902), Section 4.	The services of the ramoshis are treated as temporary and non-pensionable. An amendment of the question (which practically follows Section 7 of the old Act XIII of 1856) so as to authorize the Bombay Government to entertain the requisite number of *ramoshis* or policemen, or the grant of a general authority under that section to employ *ramoshis* or extra policemen within a fixed number, would greatly reduce the number of references which have to be made to the Government of India. In 1904, in applying to the Government of India for sanction to the employment of a certain number of policemen, an enquiry was made as to whether they had any objection to the section of the Act referred to being amended so as to dispense with any previous sanction. In reply, however, they stated that the question of amending the section in the manner suggested by the Bombay Government would be considered in connection with the proposed General Police Act for India (*vide* Home Department Letter No. 191, dated the 4th March, 1905). The General Police Bill has, it is understood, been dropped. *Note.*—During 1902–06 ten references were made to the Government of India on this subject.
6	Application for sanction to removal of Hurs from one settlement to another.	Section 15 of the Criminal Tribes Act, 1871 (Act XXVII of 1871).	*Note.*—During 1902–06 two references were made to the Government of India on this subject.
7	Application for extension of certain portions of the Dekkhan Agriculturists' Relief Act, 1879, (XVII of 1879), to those parts of the Bombay Presidency to which they had not been already extended.	Dekkhan Agriculturists' Relief Act, 1879 (XVII of 1879), Section 1.	The sanction of the Government of India is required under Section 1 of the Act. The Act is a local one passed with a view to benefit the agriculturists of the Bombay Presidency. *Note.*—During 1902–06 four references were made to the Government of India on this subject.
8	Rules made by the High Court regarding (*a*) the fees chargeable for serving and executing processes issued by the High Court in its appellate jurisdiction and by the other Civil, Criminal and Revenue Courts subordinate to it, and (*b*) the remuneration of the peons and all other persons employed by leave of a Court in the service or execution of processes	Court Fees Act (VII of 1870), Section 20.	All such rules, alterations, and additions have to be published in the local Official Gazette after being confirmed by the Local Government and sanctioned by the Governor-General of India in Council.

Judicial Department—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
9	Proposal that the names of the Mehwasi Chiefs may be included among the personages, who, with their retainers, are exempted from the operation of the Arms Act under clause (9) of paragraph 1 of Home Department Notification No. 518, dated the 6th March 1879.	Section 27 of the Indian Arms Act, 1878 (XI of 1878).	*Note.*—During 1902–06 there were two references to the Government of India on this subject.
10	Proposal to exempt certain persons belonging to the Bhávnagar State Imperial Lancers, while temporarily residing or travelling in British India, from the operation of Sections 13 to 16 of the Indian Arms Act, 1878 (XI of 1878), in respect of the swords of honour which were presented to them by His Highness the Thakor Saheb Bhávnagar in recognition of their services in South Africa during the late War.	Section 27 of the Indian Arms Act, 1878 (XI of 1878).	There was only one reference to the Government of India on this subject during 1902–06.
11	Applications for sanction to the rules framed by the Bombay High Court under Section 2 of the Destruction of Records Act, 1879 (III of 1879).	Section 5 of the Destruction of Records Act, 1879 (III of 1879).	During 1902–06 there were four references to the Government of India on this subject.
12	Report about changes in the number of Subordinate Civil Courts.	The Bombay Civil Courts Act, XIV of 1869, Section 21.	Section 21 says that "there shall be in each district so many Civil Courts subordinate to the District Courts as the Governor of Bombay in Council, acting under the general control of the Governor-General of India in Council, shall from time to time direct." In accordance with these orders any reduction or increase in the number of Subordinate Civil Courts must be reported to the Government of India. During 1902–06 there were two references to the Government of India on this subject.
13	(*a*) Application for sanction to the extension of certain sections of the Bombay Civil Courts Act, 1869 (XIV of 1869), to the Province of Sind. (*b*) Proposal to extend to Sind, subject to certain restrictions and modifications, the Bombay District Police Act, 1890 (Bombay Act IV of 1890).	Scheduled Districts Act, 1874 (XIV of 1874), Sections 5 and 5-A.	During 1902–06 there were two references to the Government of India on this subject.
14	Proposals to put rifled arms in the hands of the police.	Letter from the Government of India, Military Department, No. 1986-D, dated the 2nd May 1894.	The sanction of the Government of India is necessary whenever it is proposed to put rifled arms in the hands of the police. In each of the thirteen cases referred to the Government of India for sanction during 1902–06, their sanction was given.

General Department.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
15	Remuneration of Government Officers who may be appointed to perform the duties of President or Assessor of the Tribunal of Appeal.	Article 81 of the Civil Service Regulations.	Under Section 48 (8) of the City Improvement Act the remuneration of the members of the Tribunal is to be fixed by this Government. When the President or Assessor is a Government officer, the sanction of the Government of India is required under Article 81 of the Civil Service Regulations to the grant to him of the remuneration. In this Department letter No. 3465, dated 18th June 1901, the sanction of the Government of India was asked for to the grant of certain remuneration to Messrs. McLeod and Kemball for doing duty as President and Assessor, respectively, of the Tribunal of Appeal. In the same letter the general sanction of that Government was requested to the payment of such remuneration as might be fixed from time to time by this Government under section 48 (8) of the City Improvement Act to any Government officer who might in future be appointed President or Assessor of the Tribunal. The Government of India remarked that the remuneration proposed was excessive and they called for further information. With reference to the question of the general sanction the Government of India stated that they preferred not to delegate the power asked for. In this Government letter No. 6420 of 13th November 1901, reasons were adduced in favour of the remuneration recommended by this Government, and the Government of India sanctioned it as a purely temporary arrangement having effect for a period of one year only. In 1902, 1903 and 1904 the sanction of that Government had to be obtained to the grant to the President of the same remuneration. In 1904 the Government of India stated that they had no objection to the continuance of the remuneration to any officer of Government whom this Government might select for the post subject to the condition that if in any period of six months an officer drew a remuneration greater than that to which he would have been entitled had Article 81 of the Civil Service Regulations been applied to his case, the matter should again be referred to them for orders. No subsequent reference has been made to the Government of India regarding the remuneration of the President. Subject to the same condition the Government of India also sanctioned the payment of the remuneration to any Government officer who might be appointed as Assessor. The fees received by the Assessor, Mr. R. J. Kent, for the period of six months from the date of his appointment—4th May 1904—was greatly in excess of the limit prescribed, and the Government of India were asked to allow that officer to retain the fee earned by him (letter No. 3150, dated 10th June 1905). The Government of India sanctioned the retention of the fees received by Mr. Kent, but re-opened the question of the fees payable to the Government Assessor (letter No. 101, dated 27th July 1905). Two more letters had to be written to the Government of India, and the question was not finally settled until June 1906. During 1902–1906 there were nine references to the Government of India on this subject.
16	Grant of remuneration to the Assistant Commissioner for taking Accounts and Assistant Taxing Officer, High Court, for doing duty as Taxing Officer of the Tribunal of Appeal.	Article 81 of the Civil Service Regulations.	The Government of India sanctioned the remuneration fixed by this Government on the condition that if in any period of six months the Assistant Commissioner drew a remuneration greater than that to which he would have been entitled had Article 81 of the Civil Service Regulations been applied to his case, the matter should be again referred to them for consideration. The fees received by the Taxing Officer during the period from 18th April 1904 to 30th September 1905 was within the limit allowed by Article 81 of the Civil Service Regulations, but the fees received during the period between 1st October 1905 and 1st April 1906 was above the the limit, and the Government of India's sanction was asked for to the retention of the fees earned by the Taxing Officer. The Government of India accorded the required sanction. Similarly, the fees earned by this officer during the period from 1st October 1906 to 31st March 1907 exceeded the prescribed limit by Rs. 60 only, and the sanction of the Government of India had again to be obtained to the retention of the excess by the officer concerned.
17	Examination of the octroi schedules of the District Municipalities in this Presidency with a view to ascertain whether the rates levied on articles for which sea customs are paid and the corresponding indigenous articles are higher than the rates prescribed by the Government of India.	Executive orders of the Government of India issue in 1899.	Under the Government of India's orders of 1868 the levy of octroi duties on articles liable to sea customs duty and imported into India by sea was prohibited. These orders became inoperative when the sea customs duties were abolished in the early eighties. When the sea customs duties were reimposed in 1894, the question of dealing with the existing local octroi schedules, which contained numerous articles then made liable to imperial taxation, came under the consideration of the Government of India and in 1899 they prescribed certain rates at which the levy of octroi upon articles liable to customs duties should be permitted. This Government was asked to examine the circumstances of each municipality in order to ascertain whether the rates levied on articles for which sea customs were paid and the corresponding indigenous articles were higher than the prescribed rates, and to report any exceptions as regards rates to them for consideration. The examination was commenced in 1900 and the orders issued in several cases were communicated from time to time* to the Government of India. In 1902 the results of the examination were summed up and certain suggestions were made to the Government of India regarding the modification of the rates prescribed by them. They were further informed that in six municipalities in the Northern Division it was found that immediate compliance with the orders of the Government of India would result in very serious derangement of the municipal finances and that accordingly these municipalities had been given a short period of grace in which to prepare and submit for the approval of Government such revised schemes of taxation as would enable the prescribed reduction of the rates to be effected without appreciable loss to the revenues of the Boards. The Government of India approved of the action of this Government. In their Resolution No. 179–185, dated

* Five letters were sent to the Government of India in 1900 and 1901.

General Department—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
			the 17th September 1903, the Government of India stated that they were constrained to come to the conclusion that the rates proscribed by them in 1899 were too low and they proposed accordingly more liberal rates and asked for the opinion of this Government whether the rates were suitable for final adoption. This Government proposed certain modifications in the rates for tobacco and ghi, but the Government of India did not accept them and confirmed their orders of 17th September 1903. Three letters have been sent to the Government of India in the current year in connection with the octroi schedules of the six municipalities in the Northern Division referred to above. The correspondence is now practically closed and no further action appears to be necessary. It may however be noted that some municipalities, *e.g.*, Surat, Broach and Ahmedabad were much exercised at devising ways and means to meet the deficit in their revenue caused by the reduction of the rates on ghi and sugar—articles which are consumed chiefly by the well-to-do people.
18	Grant of holidays in Government and other offices in this Presidency.	.....	Ever since 1858 it had been the practice in this Presidency to allow eleven special holidays in each year to each of the classes of office servants, viz., Christians, Hindus, Mahomedans, Pársis and Jews in addition to the four State holidays. The holidays under the Negotiable Instruments Act were selected by a Committee appointed by Government every year, consisting of the Chamber of Commerce, Bombay, the Secretary and Treasurer, Bank of Bombay, the Accountant-General, a representative of the Managers of the Exchange Banks and an officer nominated by the Chief Justice, and the days selected by the Committee were notified by Government as holidays under the Negotiable Instruments Act. In paragraphs 5 and 6 of their letter No. 5233, dated 16th September 1901, which was issued without prior consultation with this Government, the Government of India directed that certain holidays should be omitted from the list of holidays under the Negotiable Instruments Act, and that holidays for Eastertide should be restricted to four days and should not be notified for seven days as was done previously under the orders of this Government. They further directed that the number of special sectional holidays should be reduced. In his minute, dated 1st October 1901, the Honourable Sir Charles Ollivant remarked :— "The letter in spirit and terms is at once pedagogic and grandmotherly. Even in the most trivial things there must be the strictest conformity with one bureaucratic model. Little heed is paid to local circumstances and peculiarities, and it is conceivable that had our opinion been asked beforehand we might have deemed it reasonable and judicious to consult the Bombay Chamber of Commerce, the Bombay Piece Goods Association and other bodies. But we have not been asked and our duty now is simply except in regard to paragraphs 6 and 7 to obey and promulgate orders." With reference to the holidays under the Negotiable Instruments Act the Government of India were informed in Financial Department letter No. 4833, dated 21st December 1901, that "the matter is one which mainly concerns the commercial community, and it has been the practice to be guided by a Committee the members of which are in the best position to know what holidays would best suit the interests of that community. It will give rise to considerable dissatisfaction if Government decline to notify under the Negotiable Instruments Act days which a Committee so composed consider to be suitable Bank Holidays." Concerning the sectional holidays the Government of India were informed that this Government would be very unwilling to depart from the principle of allowing the same number of holidays to each community ; that the rule was eminently fair in its working and had been followed without question or complaint for over forty years ; and that Hindus and Mahomedans would have a right to complain if they were placed at a disadvantage as compared with Jews and Pársis. (Letter from General Department No. 1931 of 7th April 1902.) The Government of India agreed that one more day should be notified for the Christmas holidays, but declined to modify their orders as regards Whit-Monday and Ascension day and also their orders in connection with the sectional holidays. This Government accepted the orders of the Government of India and reduced the number of holidays granted to Mahomedans, Pársis and Jews. References have been made to the Government of India from the Financial Department regarding the notification of a holiday at Whitsuntide. This item is an instance of unnecessary interference in the interests of uniformity.
19	Imposition of taxes such as octroi, wheel-tax, water-tax, etc., in cantonments.	Section 17 of Cantonment Act XIII of 1889.	Section 17 of the Cantonments Act, 1889, prescribes that, with the previous sanction of the Governor-General in Council, the Local Government may impose in any cantonment which is not included in a municipality any tax which, under any enactment in force at the date of the notification, can be imposed in any municipality within the territories administered by such Government, and may abolish or modify any tax so imposed. The levy of taxes in municipalities is sanctioned by this Government and there is no reason why taxes in adjacent cantonments should not be sanctioned by them without reference to the Government of India. The Government of India have never refused their assent to the levy of the proposed taxes. If the power is delegated to this Government, the issue of about half a dozen letters every year may be avoided.
20	Retention of presents by Government officers.	Rule 2 of the Government Servants' Conduct Rules, 1904.	In February 1905 the Honourable Sir James Monteath, when presiding at the ceremony of closing the Industrial and Agricultural Exhibition held in Bombay, was presented with an album of photographs of the Exhibition. The Government of India were asked to sanction the retention of the album by the honourable member. They were at the same

General Department—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
			time asked to authorize this Government to dispose of all such references, and were told that a quarterly return of the orders passed by this Government would be sent to them, if they desired it, for information and to enable them to exercise control as in the case of memorials withheld. The Government of India sanctioned the retention by the Honourable Sir James Monteath of the album. Concerning the proposed delegation, they stated that it did not appear to them that the submission of quarterly lists would fully serve the purpose in view, and that they preferred to make no change in the existing orders on the subject, which required that the permission of the Governor-General in Council should be obtained in each case. In May 1905 the sanction of the Government of India had to be obtained to the acceptance by the Reverend Canon Hill of a testimonial presented to him by the congregation of the Cathedral. In 1906 a silver-key (value Rs. 16) was presented to the Honourable Mr. Fulton on the occasion of the opening of the New High School at Ahmedabad. The Government of India were addressed and they sanctioned the retention by the honourable member of the key. Similarly in April last they sanctioned the retention by the Honourable Mr. Muir Mackenzie of a curtain which was presented to him on the occasion of his opening the Industrial Exhibition held at Surat in March 1907. All these petty references can be avoided if this Government were empowered to deal with such cases. In 1905, the Government of India in the Foreign Department accepted the proposal made by this Government that the Commissioner in Sind should be permitted to accept mementoes presented to him at such functions.
21	Investments by Government Servants other than those in immovable property.	No. 11 of the Government Servants' Conduct Rules, 1904.	No. 11 of the Government Servants' Conduct Rules, 1904, prescribes (1) that a Government servant may not make any investment other than one in immovable property permitted by Rule 9, which gives him *a private interest in matters with which his public duties are connected*, and (2) that subject to this condition he may hold shares in any company, including a mining or agricultural company, which has for its object the development of the resources of the country, provided that he will not be employed in any district in which the operations of any such company are conducted. In 1905 Mr. A. R. Bonus, Collector of Sholápur, reported that he possessed ten orginal and ten partly paid extension shares in the Bársi Light Railway Company, Limited. It appeared to Government that if the rule in question was interpreted strictly as it stood, Mr. Bonus or any other officer who was found to own shares in any one or more Railway Companies or other Joint Stock Companies having for their object the development of the resources of the different parts of this Presidency would have either to be transferred to any other district or division in which the operations of such companies are not conducted or to be called upon to sever his connection with such companies by selling all the shares owned by him therein. This Government was of opinion that it would not be in the interest of the Public Service or of the officer concerned to adopt indiscriminately either of these courses, and that it would be more satisfactory to have the rule made more workable and precise by amending it so as to leave the Local Government free to deal with each case on its merits, simply bearing in mind the general principle, well understood in the Law Courts, that no one can deal officially with a case involving in any degree his own pecuniary interests. The stringency of the rule was brought to the notice of the Government of India and they were asked to sanction the relaxation of the rule in the case of Mr. Bonus, and to amend the rule by substituting for the words italicised in the rule as quoted above the following :— "Such private interest in matters with which his public duties are connected as would be likely in the opinion of the Local Government to embarrass or influence him in the discharge of such duties." The Government of India sanctioned the relaxation of the rule in the case of Mr. Bonus, but they declined to make the amendment of the rule proposed by this Government, and stated that they considered it desirable that individual cases of this character should be referred to them for orders. Subsequently two more references were made from the General Department to the Government of India for the relaxation of the rule in question.
22	Appointments of Indian Medical Service Officers and of Plague Doctors as Civil Surgeons.	.....	Up to 31st March 1895, leave of all kinds was granted to Indian Medical Service Officers and appointments to fill vacancies were made by this Government without reference to the Government of India. The abolition of the Presidential Army System from 1st April 1895 led to important changes in the constitution of, and the control of this Government over, officers of the Indian Medical Service. The post of Director-General, Indian Medical Service, was created by the Government of India and revised rules for the grant of leave to officers of the Service were introduced in the Civil Service Regulations —Article 861. According to these rules all applications for leave from Commissioned Medical Officers, except privilege leave and leave on medical certificate, are submitted by the Surgeon-General to Government through the Director-General who countersigns the applications if the state of the Public Service admits of the grant of leave. If the services of any officers are required to replace those on leave, this Government has to apply to the Government of India and, in doing so, it cannot even specify the name of any particular officer whom the Surgeon-General may consider suitable for the vacancy. Applications made by this Government and the Government of Madras to secure a separate Medical Service did not elicit a favourable reply from the Government of India as the Indian Medical Service is recruited on a basis of providing for military needs with a strong reserve liable to be called out to serve with troops upon emergencies and in the meantime employed upon civil duties. In their letter No. 539, dated 6th June 1904, the Government of India stated that they were not disposed to re-open the question of separating the Civil from the Military Service, on grounds both of policy and of the greatly increased expenditure which the arrangement would entail.

General Department—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
			During 1902–1906 about 17 references were made to the Government of India on the subject of leave and appointments of Indian Medical Service Officers. It is for consideration whether the question of separating the civil from the Military Service should again be taken up. The appointments of Plague Doctors to act as Civil Surgeons are reported to the Government of India for their formal sanction as the Civil Surgeoncies, with certain exceptions, are appointments reserved for Indian Medical Service Officers.
23	Grant of charge allowance to an Assistant Surgeon or Hospital Assistant for holding charge of the duties of Civil Surgeon, Jacobabad, in addition to his own duties.	.....	The Accountant-General held in 1898 that Article 142 of the Civil Service Regulations did not apply to the grant of charge allowance in this case, as the Civil Surgeoncy at Jacobabad was to be held by a Regimental Medical Officer along with a Military one, the allowance admissible to such an officer being Rs. 100 per mensem only. Since then the sanction of the Government of India has been obtained to the grant of the charge allowance to an Assistant Surgeon or a Hospital Assistant whenever he is appointed to act as Civil Surgeon. Four references were made to the Government of India on the subject during 1898–1907.
24	Increase in the cadre of Civil Assistant Surgeons.	.....	The minimum salary of an Assistant Surgeon is Rs. 100 plus Rs. 20 local allowance, and the maximum salary of a Senior Assistant Surgeon is Rs. 300 pay plus Rs. 50 local allowance. The sanction of the Government of India is necessary as the maximum salary exceeds Rs. 250 per mensem. Two references were made to the Government of India during 1902–1906.
25	Confirmation of the orders passed by this Government regarding the promotion of two Assistant Surgeons from the Third to the Second Grade.	.....	In these cases the Assistant Surgeons were given promotion from the dates on which they completed their seven years' service although they passed their grade examination some six months after, owing to no fault of theirs. The Accountant-General required the confirmation by the Government of India of these orders on the ground that, under the rules framed by the Government of India for the promotion of Assistant Surgeons, an Assistant Surgeon, before he became eligible for promotion from the Third to the Second Grade, must have (1) completed seven years' service, and (2) passed the usual examination, and that in the case of the two Assistant Surgeons in question the second condition had not been fulfilled on the dates from which promotion had been granted to them. The Government of India confirmed the orders.
26	Delegation to the Government of authority under the Epidemic Diseases Act of 1897 for dealing with a cholera epidemic at fairs.	.....	This authority was asked for to enable this Government to take special measures for dealing with epidemics of cholera on the occasion of the annual fairs at Pandharpur. What was wanted was the power to prohibit the gathering altogether The Government of India regretted their inability to sanction the proposed delegation of powers. The reasons, which led the Government of India to this decision, were that (1) the best protection against an outbreak of cholera at large assemblages is to be found, not in interference with the movements of the people, but in good sanitary arrangements both at the fair itself and on the routes taken by the pilgrims, and that, if proper arrangements for general conservancy are made and if the water-supply at the place, where the fair is held, is adequate and its purity effectually protected, there is little likelihood of any outbreak of cholera; and (2) that the provisions of the Municipal Act are sufficient to enable the desired protection to be secured. The Government of India further stated that if in spite of all endeavours cholera should be present in an epidemic form at any place at the time when a fair or festival was about to be held there, the Government of India would be prepared to consider the desirability of prohibiting the fair on that particular occasion and that an application from the Local Government would meet with due consideration.
27	Appointment of Europeans to offices on pay of Rs. 200 per mensem and upwards.	Article 773 (*a*) of the Civil Account Code, Volume II.	Under the orders issued in 1879 the sanction of the Secretary of State was necessary to such appointments. In 1892 it was decided that the sanction of the Government of India would be sufficient for the appointment of Europeans who were not Statutory Natives of India to offices carrying a salary of Rs. 200 a month and upwards. (Government Resolution, Revenue Department, No. 9499 of 3rd December 1892.) During 1901–1906 four references were made to the Government of India on the subject. In no case has that Government declined to sanction the appointments made by this Government and the references seem to be unnecessary in most cases.
28	Proposal that the special allowance of Rs. 25 per mensem drawn by the Hospital Assistant attached to the Bombay Bacteriological Laboratory for performing the duties of a tutor may be raised to Rs. 45 per mensem.	The sanction of the Government of India has been asked for in accordance with the orders cited in Government Resolution No. 273, dated the 29th January 1878.	Under the orders of the Government of India quoted in column 3 this Government is competent to sanction allowances to Hospital Assistants up to Rs. 25 a month. The Government of India may be asked to raise the limit to Rs. 50. The highest emoluments which this Government will then be able to sanction will be Rs. 120. (Rs. 70 pay of a Senior Hospital Assistant plus Rs. 50 the proposed allowance).

General Department—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
29	Proposed entertainment of a compounder on full pay in place of the one who has been granted combined leave of absence. (Letter to the Government of India, No. 5883, dated the 30th September 1907).	Under Article 147 (iii) of the Civil Service Regulations the Government of India have been asked to sanction the grant of the full pay of Rs. 20 to the substitute.	In paragraph 2 of the letter referred to in column 2 the Government of India have been informed as follows :— "I am further to suggest for the favourable consideration of the Government of India that in dealing with acting appointments in cases where the pay of the permanent holder does not exceed Rs. 50 per mensem, it might be left to the discretion of the Local Government to allow the full pay to the substitute when they are satisfied that the post cannot be filled by a competent man for less. It is not intended that the special rate of pay to be allowed in such cases should interfere in any way with the leave allowances of the substantive holder of the appointment."
30	Appointment of Assistant Surgeon Motiram N. Lalvani, L. M. & S., to perform the Civil and Railway Medical duties at Jacobabad as a temporary measure.	The appointment (Civil Surgeoncy of Jacobabad) is held by the Staff Surgeon at that station and the appointment of another officer requires the sanction of the Government of India.	The Government of India may be asked to authorize this Government to make such appointments without reference to them.

Educational Department.

31	Applications for sanction to the appointment of non-officials to act as professors in the Indian Educational Service.	.....	In 1901 this Government submitted to the Government of India a proposal that temporary vacancies in such appointments held by members of the Indian Educational Service as the Professorships in History, Philosophy and Political Economy should be filled by graduates from England. It was decided with the approval of the Secretary of State that all temporary vacancies in the Indian Educational Service of not less than a University year of about nine months which cannot be suitably filled in this country should be recruited for in England. Owing to shortness of notice or other causes the Secretary of State is unable to send out a temporary professor and local arrangements have to be made. In such cases and in cases of temporary vacancies of shorter duration when no suitable officer of the Provincial or Subordinate Educational Service is available, it becomes necessary to fill the temporary vacancies by gentlemen not in Government Service. The Government of India are asked by telegram to sanction such appointments and the sanction is accorded subject to the confirmation of the Secretary of State. During 1902–1906 two references were made to the Government of India. It would be convenient if this Government were allowed to make temporary appointments of outsiders to the Indian Educational Service when necessary on the condition that the pay of the outsider so employed should not exceed Rs. 250 a month, *i.e.*, half the minimum pay of the appointment admissible under Article 144, Civil Service Regulations.
32	Proposal to place certain officers of the Indian Educational Service on special duty in Europe and other foreign countries during a portion of their leave to study educational methods and systems.	.....	In paragraph 19 of Home Department letter No. 467, dated 16th November 1901, the Government of India expressed their readiness to consider favourably and to recommend to the Secretary of State proposals from Local Governments that individual inspectors and teachers in scientific and technical subjects should be permitted to enjoy portions of their furlough on special duty with the object of acquainting themselves with the more recent developments in all matters connected with teaching. In accordance with this policy which has been approved by the Secretary of State three applications have hitherto been made to the Government of India to place officers of the Indian Educational Service serving in this Presidency (Messrs J. G. Covernton, Fraser and Sharp) on special duty in England, Germany and Japan, and the results of their studies have been published in the "Occasional Reports" Series issued from the office of the Director-General of Education. In other cases of deputation on special duty in England, the Secretary of State is addressed direct by this Government (as in the recent case of Mr. Fern of the School of Art). In the above cases, the Government of India have reserved the power of recommendation to themselves in order probably to guard against the same subject being studied by different officers from different provinces. During 1902–1906 three such references were made to the Government of India.

Revenue and Financial Departments.

33	Notifications regarding disforestment of land in reserved forests.	Section 26 of the Indian Forest Act, 1878.	During five years 131 references were made to the Government of India and sanctioned by them. Section 26 of the Indian Forest Act requires that no land shall be disforested without the previous sanction of the Government of India. In accordance with this section the Local Government cannot order the disforestment of any area, however small, or whatever the purpose for which disforestment is rendered necessary. Before a plot included in a forest is made available for transfer when required by a

Revenue and Financial Departments—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
			Railway Company for extending a station yard or establishing a small depôt, or by the people of a village for a cemetery, the Government of India have to be approached for sanction to the disforestment. In the 131 cases mentioned above the area of disforested land amounted to— one acre or less in 25 cases, above 1 and below 10 acres in 48 cases, above 10 and below 25 acres in 28 cases, above 25 and below 50 acres in 13 cases, above 50 and below 100 acres in 6 cases, above 100 and below 500 acres in 8 cases, and between 600 and 3,400 acres in 3 cases. In 1899, in connection with the question of the delegation of powers to Commissioners (R. I. No. 1880-E.), it was suggested that the sanction of the Governor-General in Council might cease to be required to the exclusion of lands from reserved forests and that the Commissioners might be given the powers of the Local Government under certain conditions. The Honourable Mr. Nugent, however, minuted that it would be useless to address the Government of India, who would not abandon the power vested in them by law, and that it was absolutely certain that they would not confer that power on Commissioners or permit it to be delegated to them. In reply to a demi-official letter, dated 23rd July 1899, from this Government inquiring whether there was any chance of the Government of India agreeing to a proposal to dispense with the previous sanction of the Governor-General in Council and to allow the Local Government to delegate their powers to the Commissioners of Divisions and the Commissioner in Sind under certain conditions, the Secretary to the Government of India, Revenue and Agriculture Department, intimated that it was very unlikely that any modification of the procedure prescribed in Section 26 of the Indian Forest Act would be agreed to, that the matter had been under the consideration of the Government of India on several occasions and this view had always been maintained, that decentralization in the matter was no doubt inviting and the authority which would thereby be delegated to Local Governments would in the majority of cases be rightly exercised, but that cases had occurred which led to the belief that the only safe position was that secured by section 26 as it stood. When the question of delegation of powers to Commissioners was discussed in 1906 (R. I. No. 1606-E., the Honourable Mr. Muir Mackenzie minuted that although the Government of India might not regard it favourably, he was in favour of allowing the Local Government to sanction disforestation. Accordingly a proposal to grant powers to Commissioners under section 26 was embodied in the schedule which was prepared for submission to the Government of India, it being observed that not a single recommendation of this Government in the matter had ever been rejected by the Government of India, and that any supervision which the Government of India desired to exercise over forest work of the Local Government could be perfectly well attained by executive instructions without making it necessary under the law to obtain the sanction of the Government of India to every exclusion from reserved forest, however petty and insignificant, and this is the present opinion of Government.
34	Modification of rules under sections 31 and 41 of the Indian Forest Act, 1878.	Section 77 of the Indian Forest Act, 1878.	Under the proviso to section 77 of the Indian Forest Act all rules made by the Local Government under sections 27, 31 and 41 require the sanction of the Governor General in Council before they are finally published in the local *Official Gazette*. During the last five years five references were made to the Government of India. The amendments proposed in three cases were accepted, and in two cases modified, by that Government. In his note dated 16th January 1902 on the curtailment of reports and returns, Mr. Jackson observed that there seemed to be no reason why Local Governments should not have full power to make rules under sections 31 and 41. In dealing with this suggestion it was pointed out that in complying with the provisions of section 77 Government had experienced no serious inconvenience, although they had addressed the Government of India more than fifteen times between 1879 and 1900 in connection with the rules under sections 31 and 41. It was observed that the Government of India also did not deem it necessary to repeal or modify section 77 at the time of the amendment of the Act in 1889-1890 and in 1901, although the Burma Forest Act (India Act No. XIX of 1881 as amended by Act V of 1890) and the Madras Forest Act (V of 1882) gave unrestricted powers to the respective Local Governments to make rules to regulate similar matters, that the requisite rules under sections 31 and 41 had already been made for this Presidency, and that the need for modifying them or making fresh sets or rules for specified tracts would seldom arise. It was therefore suggested that Mr. Jackson's suggestion might be noted for consideration whenever the Government of India proposed to further amend the Act, and this course was approved by Government Resolution, Revenue Department, No. 21, dated 6th January 1903. Government consider that Mr. Jackson's suggestions should be carried out at once.
35	Transfer, revenue-free, of land— (*a*) to District Local Boards, municipalities, etc., for public purposes ; (*b*) for religious, charitable and educational purposes.	Resolution of the Government of India, Revenue Department, No. 1—142, dated 6th February 1872.	Paragraph 9 of the Resolution mentioned in column 3 states that as regards the gift or grant of lands, the previous sanction of the Government of India should be obtained in cases (i) where the value of the grant exceeds Rs. 3,000, when given as a site for the construction of Government schools, hospitals, dispensaries, or other public works, at the cost of recognized local funds, (ii) where the value exceeds Rs. 500, when the grant is made for any other public purpose, or to a private individual for services to be performed to the State, (iii) where the value exceeds Rs. 100, when the services are to be performed to the community, and (iv) where grants are made to individuals for their private benefit irrespective of any services to be performed. Twelve cases were referred to the Government of India during five years, in all of which the proposals of this Government were accepted. Of these, four cases related to the grant of land to the Municipalities of Bombay (value Rs. 24,000 each in three caaes) and Sholápur (value Rs. 4,000) for road purposes. In the other eight cases land was required for an orphanage at Sanjan in the Thána District (value

Revenue and Financial Departments—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
			Rs. 1,500), for a mosque and *musafarkhána* at Mátherán (value Rs. 1,500), for Hindu temples at Mátherán (value Rs. 2,000 and Rs. 2,400), for the extension of the Sir Dinsha Mánekji Petit Gymnasium in Bombay (value Rs. 11,000), for quarters for students of the Medical School at Hyderabad (value Rs. 40,000), for the extension of the Ranchhodlal and Victoria Jubilee Dispensaries at Ahmedabad (value Rs. 63,000), and for a hostel for the St. Xavier's College in Bombay (value Rs. 1,25,000). Whether the purpose for which a revenue-free grant of land is applied for is such as deserves liberal treatment from Government is best estimated by the Local Government and the sanction of the Government of India practically follows the recommendation of the Local Government. Moreover, all alienations of lands are reported to the Government of India in annual statements. The principles are now well understood and restrictions on the discretion of Local Governments ought to be removed particularly if the receipts under Land Revenue are wholly provincial.
36	Relaxation of No. 20 of the Mining Rules, which requires that the length of a block in respect of which a mining lease is granted should not exceed four times its breadth.	No. 20 of the Mining Rules prescribed in the Resolution of the Government of India, Revenue and Agriculture Department, No. 18—17-2, dated 20th May 1899.	The reasons for which a restriction has been imposed on the Local Government in the matter of relaxing Rule No. 20 are not apparent. Only one case (length 227 chains, breadth 40 chains) occurred during 5 years, and the proposal was sanctioned by the Government of India. This restriction might be abolished.
37	Additions to, and alterations in, the table of fees, payable under the Registration Act.	Section 78 of the Indian Registration Act, 1877.	Section 78 of the Registration Act states that, subject to the approval of the Governor General in Council, the Local Government shall prepare a table of fees payable— (*a*) for registration of documents, (*b*) for searching the registers, (*c*) for making or granting copies of reasons, entries or documents, before, on or after registration; and of extra or additional fees payable— (*a*) for every registration under section 30, (*b*) for the issue of commissions, (*c*) for filing translations, (*d*) for attending at private residences, (*e*) for the safe custody and return of documents, (*f*) and for such other matters as appear to the Local Government necessary to effect the purpose of the Act. The section also states that the Local Government may, from time to time, subject to like approval, alter such table. During five years three references were made to, and accepted by, the Government of India. Registration revenue is now wholly provincial as it was when the Act of 1877 was passed, although between 1882-83 and 1904-05 it was shared between provincial and imperial equally. The discretion in this matter should rest with the Local Government.
38	Limit up to which advances can be made to Co-operative Credit Societies in the Bombay Presidency.	Letters from the Government of India, Department of Revenue and Agriculture, No. 548—63-6, dated 29th April 1904 (Government Resolution, Revenue Department, No. 4073, dated 30th May 1904) and No. 291—70-2, dated 12th February 1907 (Government Resolution, Revenue Department, No. 2289, dated 4th March 1907).	In paragraph 5 of their letter dated 29th April 1904, the Government of India stated that it was not intended that advances to Co-operative Credit Societies should be made indefinitely, and that the total amount of such advances should not exceed, without further reference and sanction, the amounts shown in the margin. The advances to be made to each individual society are regulated by the amount contributed by the members to the working capital of the society, and are subject to a maximum of Rs. 2,000 in any case. No interest is charged during the first three years after registration of a society. In 1907, on a suggestion made by the Registrar, Co-operative Credit Societies, Government recommended to the Government of India that the limit of Rs. 50,000 for this Presidency be raised to one lákh. The recommendation was sanctioned by that Government. The transactions are included in the Provincial Loan and Advance Account, for which funds are provided by the Government of India on submission of annual estimates by the Local Government, interest being payable from provincial revenues to the Government of India as in the case of other transactions in the account, except during the first three years after registration of a society. The limit of advances in the case of each society may be maintained. The Local Government should determine the limits up to which advances should be made to their societies. Rs. Burma ... ... } 50,000 Bengal ... ... } Bombay ... ... } Punjab ... ... } Other Provinces 30,000
39	Grant of scholarships for the study of agriculture in England.	*Vide* column 4 ...	In 1902 the Government of India started a scheme for ten State technical scholarships (two of these being assigned to the Bombay Presidency) to enable Natives of India to pursue a course of study in Great Britain or other western countries. They also intended that such men should in future be trained in the higher branches of agriculture at the Research Institute and College at Pusa. As this institute was not expected to be open for some two years for more than a special training in a single branch, and as agriculture was excluded from the scheme of State technical scholarships, the sanction of the Government of India was obtained in 1905 and 1906 to two graduates, who had been awarded scholarships by the Bombay University for the study of agriculture in England, being awarded scholarships of £100 each (and free passage in

Revenue and Financial Departments—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
			one case) by Government for the same purpose, both the graduates having agreed to serve Government, if so required, on reasonable remuneration ror a specified term after obtaining the diploma for higher proficiency. The State technical scholarships are an imperial charge, but the agricultural scholarships in the two cases mentioned above are payable from provincial revenues. The Local Government should be empowered to grant such scholarships from provincial revenues.
40	Appointment of a person other than a native of India to an office carrying a salary of Rs. 200 a month or upwards outside specified departments.	Article 773 (*a*), Civil Account Code.	Three cases in five years, which were accepted by the Government of India, whose sanction has been prescribed by the rule since 1892 instead of that of the Secretary of State required by Lord Cranbrcok's despatch to this Government, No. 7 (Public), dated 10th July 1879. The three cases related to officers in the A'bkári Department, which is not one of the departments mentioned in Article 773 (*a*) to which Europeans on pay of Rs. 200 or more can be appointed without the previous sanction of the Government of India. In the case of one officer sanction was obtained when he was promoted in the department to be Chief Inspector on Rs. 200—20—300 and again when he was promoted to be Assistant Collector of A'bkári, the latter appointment being treated as a fresh appointment and the promotion being in a branch of the department which the officer had not joined before 1879. For the purposes of exchange compensation allowance the Government of India have since recognized the A'bkári Department as one in which a certain proportion of appointments should be held by Europeans. In two recent cases (one in the General Department in 1906 and the other in the Revenue Department in 1907) they have pointed out that their previous sanction should be obtained, except in very urgent cases, to the appointment of a person not a native of India to a post carrying a salary of Rs. 200 or upwards, as they attach great importance to the rule in Article 773 (*a*) of the Civil Account Code. Similar cases have occurred in other departments (*vide*, for instance, entry No. 53 *post*). The Local Government should have discretionary power to make such appointments, if not generally, at least (i) in the departments in which the necessity of having a proportion of European employés has been recognised by the Government of India for other purposes, and (ii) in cases in which a fresh appointment is made of an officer whose appointment to a post of Rs. 200 or upwards in another branch of the department has once been approved by the Government of India.
41	Appointment of a person other than a native of India to an office carrying a salary of Rs. 200 a month or upwards outside specified departments.	Article 773 (*a*), Civil Account Code.	In the Financial Department one case occurred in five years, and it was sanctioned by the Government of India. In this case the officer concerned was transferred from a department in which the employment of Europeans on pay of Rs. 200 or more without the sanction of the Government of India was permissible.
42	Transfer of certain Scholarship Funds to the custody of the Treasurer of Charitable Endowments in another province.	Section 12 of the Charitable Endowments Act, VI of 1890.	One case in five years. Section 12 of the Act says that if by reason of any alteration in the limits of the territories subject to a Local Government, or for any other reason, it appears to the Governor-General in Council that any property vested in a Treasurer of Charitable Endowments should be vested in another such treasurer, he may direct that the property shall be so vested. Such matters can be settled between the Local Governments themselves without interference by the Government of India except in case of disagreement. Decentralization in this direction would involve amendment of the law.
43	Relaxation of No. 11 of the Government Servants' Conduct Rules in the case of the Collector of Income Tax, Bombay.	No. 11 of the Government Servants' Conduct Rules, 1904.	One case in five years. The Government of India were unable to sanction the relaxation of the rule in respect of shares held in certain mills in Bombay City, but allowed it in respect of shares of the Bank of Bombay. Discretion should be allowed to the Local Government.
44	(*a*) Proposal to fix Whit-Monday as a holiday under the Negotiable Instruments Act, 1881.	Letter from the Government of India, Home Department, No. 2354, dated 28th July 1902.	Whit-Monday used to be locally notified in this Presidency as a Bank Holiday until 1902, when the Government of India in their letter quoted in column 3 considered that it was not necessary to give the holiday in Bombay as it had not been applied for or been considered necessary in the large majority of the other provinces, and as the number of Christian holidays in the different provinces required to be assimilated. Against this decision the Bombay Chamber of Commerce made a representation to the Government of India, who, however, rejected it.
	(*b*) Declaration of holidays under the Negotiable Instruments Act in connexion with the visit of Their Royal Highnesses the Prince and Princess of Wales to Karáchi.	*Vide* column 4	The Local Government's power of declaring Bank Holidays in Sind has been delegated to the Commissioner in Sind. In assenting to the delegation, the Government of India directed that the Commissioner should adhere strictly to the general principles regarding the grant of holidays prescribed in Home Department letters No. 5233, dated 16th September 1901, and No. 2354, dated 28th July 1902. It was doubtful whether the Local Government could sanction the holidays applied for by the Commissioner in Sind on the occasion of the Royal Visit. The Government of India on being asked if they had any objection approved of the holidays.

Revenue and Financial Departments—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
			The regulation of the number of holidays in a province is not a matter of such vital importance as to call for interference on the part of the Government of India and should be left to the discretion of the Local Government, especially as in the matter of Bank Holidays this Government usually proceed on the recommendations of a small committee which is annually appointed by Government and includes representatives of mercantile interests.
45	Acceptance by Government officers of a fee or honorarium for doing work which is special and outside the ordinary course of their duties.	Article 70, 72 or 74, Civil Service Regulations.	A recurring honorarium or fee requires the same sanction as an increase of salary. There were nine such cases sanctioned by the Government of India during five years. The references related to the— (*a*) acceptance by certain Gazetted Officers of the Railway Department of an allowance of Rs. 150 per mensem from the Cutch Darbar for performing the duties of Consulting Engineer to the Darbar in connection with the Bhuj-Anjar-Tuna Railway in addition to their own duties; (*b*) appointment of the Assistant Civil Surgeon, Poona, as Consulting Officer of Health to the Poona City Municipality, in addition to his own duties, on an allowance of Rs. 200 per mensem payable by the municipality; (*c*) appointment of Mr. C. L. Burns and Mr. Brett as Curator, Victoria and Albert Museum, Bombay, in addition to their own duties at the Sir J. J. School of Art, on an allowance of Rs. 200 per mensem payable by the Bombay Municipal Corporation; (*d*) appointment of Mr. F. M. Dastur, Professor of Mathematics, Elphinstone College, as Registrar, Bombay University, in addition to his own duties, on a salary of Rs. 360 per mensem *plus* an honorarium of Rs. 500 per annum payable by the University. In two more cases the sanction of higher authorities was recently obtained for the grant of an honorarium of Rs. 1,500 per annum (for 100 visits at Rs. 15 per visit) to Mr. G. Wittet, temporary Assistant Architect (pay Rs. 400 per mensem) and of Rs. 180 per annum to Mr. S. D. Bharucha, Demonstrator in Anatomy, Grant Medical College (pay Rs. 200 + local allowance Rs. 50 per mensem), for giving lectures at the School of Art in addition to their own duties. In both these cases the sanction is limited in time. In five years there were seven cases relating to non-recurring honoraria, four of which were sanctioned by the Government of India and three (involving expenditure exceeding Rs. 1,000 in each case) by the Secretary of State. In the recent case of Mr. D. R. Bhandarkar, Assistant Archæological Surveyor, Bombay Circle, an honorarium of Rs. 656 for editing "Tarkabhasha" for the Bombay Sanskrit Series has been proposed to the Government of India. The editors of books for the Bombay Sanskrit Series receive honoraria at the rate of Rs. 30 per forme of 16 pages octavo when the books are printed. They have to defray the expenses of buying, copying or collating MSS. The books become the property of the Government Central Book Depôt, which has just been abolished, its funds (formerly dealt with as a Local Fund) being absorbed in the provincial accounts. The Local Government have the power to sanction an honorarium up to any amount calculated at the rate mentioned above when the editor is a private person, and up to Rs. 500 when the editor is a Government officer. The Director of Public Instruction has been recently empowered to sanction, within the limits of budget provision, honoraria to persons who are not in Government service up to a limit of Rs. 500 in each case. It is difficult to calculate accurately the space a MS. will take in print, and the amount of the honorarium in such cases can only be roughly estimated for the purpose of obtaining the sanction of competent authority. Although the scale of remuneration has been communicated to the Government of India, their sanction is necessary when the expenditure exceeds Rs. 500. The Director of Public Instruction has recently suggested that the limit up to which he may sanction honoraria to Government officers may be raised from Rs. 100 to Rs. 500 in any one case. Any such increase of power will presumably be applicable to Heads of Departments generally. In May 1906 the Government of India proposed to prescribe certain rules and principles for regulating the receipt by Government officers of fees for extraneous work. They proposed *inter alia* that no fee should be payable to an officer for work done for Government or any local authority, and that in the case of work done for any other person or body the Local Government should prescribe the scale of fees to be levied and the proportion (not exceeding one-half, except in the case of examination papers) of such fees payable to the officer doing the work. The Local Government in submitting their opinion on the subject in Financial Department letter No. 4056, dated 17th October 1907, have expressed their doubts as to the expediency of prescribing general rules as proposed by the Government of India, and have suggested *inter alia* that if the rules are framed, the Local Government may have power to allow District Officers to sanction the taking of a fee up to Rs. 100, and Heads of Departments up to Rs. 500, the sanction of the Local Government being required only in cases in which the fee exceeds Rs. 500.
46	Sanction to temporary appointments and deputation involving payment of more than Rs. 250 a month for a period exceeding 6 months.	Articles 79 and 80, Civil Service Regulations.	Thirteen cases in five years, out of which eight were sanctioned by the Secretary of State and five by the Government of India. About one-half of the total number involved payments exceeding Rs. 500 per mensem in each case. In two cases the expenditure was recoverable from public bodies and in the remaining cases it was chargeable wholly or partly to provincial revenues. The Local Government can sanction expenditure chargeable wholly or partly to provincial revenues for any specified period when the salary, or salary and deputation allowance, does not exceed Rs. 250 per mensem, and for six months if this money limit is exceeded. They can also sanction expenditure chargeable to imperial revenues in the Public Works Department when the payment does not exceed Rs. 250 per mensem. Other cases require the sanction of the Government of India, who, under recent orders of the Secretary of State, have enlarged powers to sanction temporary appointments or deputation for any specified period if the payment does not exceed Rs. 500 per mensem (the former limit was Rs. 250 per mensem), or for two years (the former limit

Revenue and Financial Departments—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
			was one year) if the limit of Rs. 500 per mensem is exceeded. The sanction of the Secretary of State is necessary in all other cases. In a recent case (R. I. No. 1633 F.) it was decided to ask for (i) the extension from six months to one year of the period up to which the Local Government have power to sanction temporary appointments and deputation costing more than Rs. 250 per mensem, and (ii) similar powers in regard to appointments in Imperial Departments under their administrative control. The submission of an application to the Government of India on the subject has however been held over in view of the formation of the Decentralization Commission. The powers of the Government of India have since been enlarged as stated above, and the Local Government should be authorised to exercise the powers of the Government of India in the matter of expenditure chargeable to provincial (wholly or in part) or local revenues, or recoverable from public or private bodies. Indeed it is questionable whether any limit should be placed on the powers of the Local Government in these matters.
47	Grant of a deputation allowance of Rs. 15 per diem to the Sanitary Engineer to Government on special duty in connection with the improvement of the sanitation of Aden.	Article 81, Civil Service Regulations.	The allowance which was payable by the Aden Settlement Fund and was not to be paid beyond one month was sanctioned by the Government of India. The rate of the allowance exceeded the limit (one-fifth of salary or Rs. 10 per diem, whichever is less) up to which the Local Government could sanction under Article 81. The Local Government should be allowed discretion in these matters. They will not exceed the limit without sufficient reason.
48	Grant of salary (including allowance in excess of the limit of one-fifth of salary admissible for deputation allowance under Article 81, Civil Service Regulations) to officers on special duty or holding temporary appointments carrying emoluments exceeding Rs. 250 per mensem.	Government of India, Home Department letter No. 1747 (Sanitary—Plague), dated 22nd May 1899.	In Home Department letter mentioned in column 3 the Government of India observed that the Local Government should not create special appointments with emoluments largely in excess of what the holder would have drawn if placed on deputation under Article 81, Civil Service Regulations. In Home Department letter No. 57, dated 31st March 1902, it was ruled that temporary appointments which are of the nature of deputation and are filled by officers in Government Service should not carry, without the sanction of the Government of India, remuneration in excess of the limit prescribed in Article 81, if the total emoluments exceed Rs. 250 per mensem or if any special orders of that Government in respect of the remuneration to be allowed to a particular class of officers on a particular class of duties are infringed. There were three references during 1902–1906 which were accepted by the Government of India. In none of these cases did the expenditure exceed Rs. 500 per mensem, and in two the difference between the limit of emoluments admissible under the rules and that proposed by the Local Government was not large. The Local Government should be allowed unfettered discretion.
49	(*a*) Grant of allowance to two non-gazetted officers deputed on duty in connection with the revision of vernacular text books.	Article 81, Civil Service Regulations, and Articles 283, Rule 4 (3) (*b*), and 287, Civil Account Code.	In case (*a*) mentioned in column 2 the pay (Rs. 200) and deputation allowance (Rs. 40) being insufficient for expenses in Bombay City, to which the officers in question were transferred from Sind and Ahmedabad, the grant to each of them of a house-rent allowance of Rs. 50 per mensem was proposed by the Local Government. The Government of India, however, preferred to give an increased deputation allowance, which was proposed by the Local Government at Rs. 75 and sanctioned by the Government of India. The Local Government should have been allowed to decide the case.
	(*b*) Grant of daily allowances at certain rates to European constables and Native head constables and constables of the District Police deputed to Bombay in connection with the Royal Visit.	Article 81, Civil Service Regulations, and Article 278A (*a*) (3), Civil Account Code.	In case (*b*) the Accountant-General held that the allowances were of the nature of a deputation allowance, that the rates fixed were in excess of the limit of one-fifth of salary admissible under Article 81 of the Civil Service Regulations, and that the total amount exceeded the limit of Rs. 1,000 up to which only the Local Government could authorise the expenditure under Article 278A, Civil Account Code. The Government of India sanctioned the grant of the allowances. The Local Government should have been allowed to decide the case without reference.
50	Payment to certain Government and municipal employés of an allowance of Re. 1 per diem for extra enumeration work in connection with the last census of Bombay City, the total expenditure amounting to Rs. 443-14-8.	In the opinion of the Accountant-General the sanction of the Government of India was required as (i) the grant of such honoraria was not admissible under Article 72 (*a*) of the Civil Service Regulations, (ii) in some cases the additional remuneration exceeded the rate of one-fifth of pay admissible under Article 81, and (iii) the principle of granting remuneration for the work in question had not been recognized by the Government of India.	The expenditure in question was incurred in fulfilment of a promise made by the head of the office at a time of urgent need and was sanctioned by the Government of India as a special case, census expenditure being imperial and being shared with the Municipality in Bombay City. Apparently the case did not fall within the power of the Local Government to dispose of under Article 278A, Civil Account Code. Although the expenditure was imperial, sanction in such petty cases should rest with the Local Government.

Revenue and Financial Departments—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
51	Payment of more than half the pay of an appointment carrying not less than Rs. 100 per mensem to officers not holding any substantive appointment.	Article 144, Civil Service Regulations.	Three references during 1902—06, which were sanctioned by the Government of India. In one of these cases sanction was obtained to the payment of the minimum pay of the appointment, *viz.*, Rs. 100 per mensem, to an outsider appointed to act as steward in the Cama Hospital during a leave vacancy. In another case, an assistant teacher in the Poona High School (pay Rs. 100 per mensem) having, in consequence of a vacancy in the higher grade, been appointed to act as first assistant in the school, an outsider was appointed to act for him on a salary of Rs. 60 per mensem, the allowance of half the pay, *viz.*, Rs. 50, admissible under rule being considered insufficient for a man of his qualifications. In a third case the instructor in the sub-overseers' class in the College of Science, Poona, having been appointed to act as lecturer in engineering in that college during a privilege leave vacancy for one month, an outsider was appointed to act on Rs. 100 per mensem (the full pay of the appointment), as the services of a suitable graduate could not be obtained for less than that amount and as he had to go over the studies of different classes. Government deprecated the references to the Government of India in such small matters, and requested the Director of Public Instruction to arrange temporary appointments in such a way as to avoid objections under Articles 144 and 145, Civil Service Regulations. In the case of certain appointments in the Bombay Veterinary College and the Cama Hospital, the general sanction of the Government of India was obtained some years ago to give full pay to outsiders appointed to act in those appointments. In General Department letter to the Government of India, No. 5883, dated 30th September 1907, it has been proposed that in dealing with acting appointments in cases where the pay of the permanent holder does not exceed Rs. 50 per mensem, it may be left to the discretion of the Local Government to allow full pay to the substitute without interfering with the leave allowances of the substantive holder when they are satisfied that the post cannot be filled by a competent man for less. The Local Government should be allowed discretion to fix the pay of the appointment without limit.
52	Grant of an acting allowance of Rs. 500 a month to Lieutenant-Colonel G. B. O'Donnell, Political Agent, Mahi Kántha, for holding charge of the Idar State, in addition to his own duties, during the absence of His Highness the Mahárája in Europe.	The Accountant-General considered the case to be one of so exceptional a nature as to require a report to the Government of India.	The Government of India ordered the allowance to be regarded as local, and an appropriate entry to be made in the annual return of officers on foreign service in Native States under the Bombay Government. The Local Government should have been allowed to decide this case.
53	Extension by five days of the joining time admissible to an Hospital Assistant who went off the direct route and was unable, owing to washing away of the railway line by heavy floods, to take up his appointment as arranged by him within the joining time permissible under rule.	Article 181, Civil Service Regulations.	The extension was sanctioned by this Government. The Accountant-General was, however, of opinion that the case did not fall within the conditions mentioned in Article 180 of the Civil Service Regulations, and requested that it might be reported to the Government of India under Article 181. The case was reported and the Government of India sanctioned the extension. The Local Government should have been allowed to sanction.
54	Grant of privilege leave allowance for one month to a lady doctor in temporary employ on the Bombay Port Health Staff.	As a substitute was engaged during absence on privilege leave, the allowance was not admissible under Article 242 (*a*), Civil Service Regulations.	The lady doctor had been in temporary employ for some eight years and it was hard for her to forego the leave allowance during her short absence on privilege leave caused by illness. The Local Government's recommendation to grant the allowance was sanctioned by the Government of India, but the reference ought not to have been necessary.
55	Applications for counting service with an inferior designation as superior service.	Article 402 (*a*), Civil Service Regulations.	Seven cases in five years, which were sanctioned by the Government of India. Article 402 (*a*) requires that when the regular duties of an officer whose pay exceeds Rs. 10 but who bears an inferior designation are really such as are ordinarily performed by a superior servant, his claim to pension on the superior scale should be specially referred to the Government of India. The reference however appears quite unnecessary.
56	Proposals to treat head constables sent to the Police Training School as on deputation, drawing only the pay of their grade and counting time for pension, and to allow probationers not in Government service to count their period of training in the school as service, if confirmed at the end of the period.	Article 411, Civil Service Regulations.	The proposals were sanctioned by the Government of India, but the reference was really unnecessary. Local Governments are perfectly competent to decide a point of this kind.

Revenue and Financial Departments—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
57	Condonation of interruptions or deficiency in qualifying service.	Articles 422 and 423, Civil Service Regulations.	Three cases in five years concerning condonation of interruptions in service, two of which were sanctioned by the Secretary of State and the third by the Government of India. Two cases related to retired *mukhtyarkars* whose pension amounted to about Rs. 100 per mensem, and in the third case there was a break of 3½ years in the service of a head interpreter of Arabic in the Aden Residency who had put in a long period of service before the break and had not retired. During five years there were six cases of condonation of deficiency in service, which were sanctioned by the Government of India. In all these cases the pensions granted varied between Rs. 3 and Rs. 10 per mensem. Service pension charges paid in this Presidency are debitable to provincial revenues. Under Article 422, the Local Government (in the case of provincial pensions whatever the duration of interruption, and otherwise up to 12 months in all) and the Government of India (in all cases) can condone interruptions in service if the proposed pension does not exceed Rs. 50 per mensem. When this money limit is exceeded, the Government of India may condone interruptions up to 12 months and the Local Government up to 3 months. When the pension is a provincial charge, the Local Government can under Article 423 condone a deficiency of three months in an officer's qualifying service, and also a deficiency not exceeding one-half of non-qualifying service, or of inferior service when pension for superior service is claimed, and not exceeding twelve months in all. The decision on all questions of condonation should be left to the Local Government.
58	Grant of pension on the scale admissible before the pension rules of 1887 in lieu of the pension admissible under the rules now in force.	Resolutions of the Government of India, Finance and Commerce Department, No. 2568–P., dated 12th May 1903, and No. 6333–P., dated 22nd October 1903.	Between the date of the orders mentioned in column 3 and June 1907, twenty-seven cases were sanctioned by the Government of India. These cases are routine matter and involve invariably small additional expenditure chargeable to provincial revenues, and should be left to the Local Government to decide.
59	Grant of compassionate gratuities to the families of deceased Government servants left in indigent circumstances.	Letter from the Government of India, Finance and Commerce Department, No. 754–P., dated 10th February 1902.	Ten cases in five years, out of which nine were sanctioned by the Government of India in full and one with certain modifications. The conditions under which the grants are made have been prescribed in the orders issued on the subject, the grant being limited to a maximum of Rs. 5,000 and being permissible in the case of officers whose salary did not exceed Rs. 750 per mensem. The powers of the Government of India are limited to an annual expenditure of Rs. 22,500, or, when the unspent balance of one year is carried forward, to Rs. 45,000. There is no reason why Local Governments should not be invested with these powers within a limit of annual expenditure say Rs. 2,500.
60	Re-employment of a pensioner (receiving a superannuation pension of Rs. 6 per mensem) by the District Local Board, Hyderabad, to look after roadside trees on a salary of Rs. 8 per mensem.	Article 520, Civil Service Regulations.	Under Article 520 the Local Government can grant sanction *on strong public grounds* to the re-employment of pensioners in service paid from local funds. In this case there were no strong public grounds, but Government considered it hard that a man in the pensioner's position should be precluded from earning a trifling sum as a labourer merely because he was a pensioner. His re-employment was sanctioned by the Government of India. Local Governments should be allowed to sanction these cases on public grounds.
61	Grant of extraordinary pensions or gratuity to families of officers who were killed in the execution of duty or whose death was due to devotion to duty.	Articles 740 and 743, Civil Service Regulations.	Fourteen cases in five years, which were sanctioned by the Government of India with the reduction of pension from Rs. 15 to Rs. 10 per mensem in one case. The Local Government have power to grant a pension up to Rs. 10 per mensem, and the Government of India up to Rs. 25 per mensem, to the family of an officer killed in the execution of duty. The Government of India can also grant in any case not covered by the rules a gratuity not exceeding Rs. 1,000, or when injury or death is due to devotion to duty, a pension up to Rs. 25 per mensem or a gratuity of equivalent amount. In the case of death due to plague duty, the Local Government has no power to sanction any gratuity or pension to families of officers other than policemen, howsoever petty the charge, whether it falls on provincial or local funds. The Local Government should be invested with at least the powers of the Government of India.
62	Transfer of extraordinary pensions granted for the support of the family of a deceased officer from one member of the family to another.	Article 742, Civil Service Regulations, and letter from the Government of India, Finance and Commerce Department, No. P.–325, dated 22nd January 1897 (Government Resolution, Financial Department, No. 880, dated 24th February 1897).	Eight cases in five years, which were sanctioned by the Government of India. Under the rules each pension is granted, for the support of the family, to the eldest surviving member in the prescribed order of relationship to the deceased and when such recipient dies before the term of pension expires, or ceases to receive the pension, *e.g.*, on re-marriage, the object of supporting the family is frustrated. In such cases the Government of India have to be asked for sanction to the continuance of the grant till the end of the original term. In two cases the sanction of the Government of India was obtained in view of a departure from the prescribed order of relationship, which was necessary as the persons strictly eligible under the rule were not well disposed towards the rest of the family.

Revenue and Financial Departments—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
			In 1897 the Government of India informed the Government of Madras of their decision, after full consideration, not to alter Article 742 so as to permit the transfer, without reference to the Government of India, of a pension from one member of the family to another on the death of the original grantee. The grants are usually of small amounts, and are charged to provincial revenues. The pension to a female is for life or until marriage. If a male is under six years of age, he is eligible for the grant till he is 18 years old; if he is above six and under 50 years, the grant is made for 12 years; if he is not under 50 years, the grant is made for life. The decision might be safely left to Local Governments.
63	(*a*) Creation, abolition or continuance of appointments of officers on pay and allowances exceeding Rs. 250 per mensem in foreign service of the third kind. (*b*) Proposal to treat the appointment of Medical Officer at Sávantvádi as an appointment in foreign service of the first kind with a salary of Rs. 350—20—450 per mensem.	Article 750, Civil Service Regulations, and Article 283, Rule 4 (3) and (4), and Article 287, Civil Account Code. The terms of the appointment fixed by the Resolution of the Government of India, Foreign Department, No. 974, dated 8th June 1868, required to be modified.	In case (*a*) mentioned in column 2 there were seven references during 1902—1906 which related to employment of officers in Political Agencies. The proposals were sanctioned by the Government of India in six cases, and in one case sanction was given as a temporary measure. Reference in such cases is quite unnecessary. In case (*b*) the proposed salary was accepted by the Government of India, who, however, classed the appointment as one in foreign service of the third kind instead of first kind. The reference in such cases is unnecessary.
64	(*a*) Transfer of services of Mr. G. M. Mirza clerk on Rs. 25 per mensem in the Revenue Department, to the Lárkána Madressah on foreign service of the first kind with effect from the date of his appointment to the institution, and recovery of arrears of his pension contribution. (*b*) Exemption from leave and pension contribution of a subordinate officer transferred to foreign service of the first kind. (*c*) Retention of increments of pay received from time to time by an assistant master of the Shikárpur High School (pay Rs. 45 per mensem) on foreign service of the first kind (pay Rs. 50, subsequently increased to Rs. 65 per mensem.	Article 753 (*iii*) (*a*), Civil Service Regulations. The contribution due under Article 755 (*a*) (ii), Civil Service Regulations, could not be foregone without reference to the Government of India. Article 753 (*iv*) (*c*) (2), Civil Service Regulations.	In case (*a*) the sanction of the Government of India was obtained as Mr. Mirza was allowed, without sanction of competent authority, to join the Madressah while on long leave without pay and had put in six years' qualifying service before transfer to the Madressah instead of ten years' service as required by Article 753 (*iii*) (*a*). In case (*b*) an officer of the Karáchi Municipality (pay Rs. 80) was transferred temporarily to British Service for employment in the Government Experimental Farm in Sind on pay of Rs. 125. In return the services of a Government servant on Rs. 75 were lent to the Municipality, who declined to pay his leave and pension contribution in addition to the pay of Rs. 80. The transfer was made purely in Government interests, and exemption from the contribution was recommended to, and sanctioned by, the Government of India. In case (*c*) the increments were received in advance of the period of three years specified in the rule quoted in column 3, and the Government of India sanctioned the proposal of this Government. All these cases might with safety have been left to the decision of the Local Government.
65	Proposal to allow certain officers to reckon their foreign service as counting towards increments of pay in British Service.	Article 787, Civil Service Regulations.	Two cases in five years, which were sanctioned by the Government of India. Reference is quite unnecessary.
66	Remission of pension contribution of a non-gazetted officer for the period he was paid from the Indian Famine Charitable Relief Fund whilst employed on duty under the Special Famine Officer in Káthiáwár.	Article 795, Civil Service Regulations.	The remission was sanctioned by the Government of India. The case might have been decided by the Local Government.

Revenue and Financial Departments—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
67	Grant of Rs. 350 in excess of the annual contract allowance of Rs. 2,000 sanctioned for the entertainment of a temporary survey establishment under the Superintendent, Marátha States Survey.	As the limit of Rs. 2,000 fixed by the Government of India in Foreign Department letter No. 4651-A, dated 7th October 1903, was exceeded, the Accountant-General considered that their sanction was necessary to the increased expenditure.	The annual contract allowance of Rs. 2,000 was fixed on the recommendation of the Local Government as the strength, scale of pay, and period of employment of temporary hands entertained as required could not be fixed beforehand, and depended on the amount of work to be done at a time. The expenditure is wholly recoverable, the establishment in question being treated as in foreign service of the third kind. The application for the excess charge of Rs. 350 was sanctioned by the Government of India, but the sanction of the Local Government ought to have been sufficient.
68	Application of the Rule of Proportions to service partly under an Excluded Local Fund. [For a definition of the Rule of Proportions, *vide* Article 45, Civil Service Regulations.]	Article 801, Rule 1, Civil Service Regulations.	Fifteen cases in five years, which were sanctioned by the Government of India. References in such cases is quite unnecessary.
69	Grant of special pensions up to a limit of Rs. 10 per mensem.	Article 924 (*b*), Civil Service Regulations.	Three cases in five years, out of which two were sanctioned by the Government of India in full. In the third case a warder had rendered inferior qualifying service of 23 years, and Government recommended the full pension of Rs. 4 per mensem admissible for 30 years' service, as he had been permanently invalided owing to hardship of sentry duty in the open in a convict gang. The Government of India sanctioned a pension of Rs. 3-8-0 per mensem, which was admissible for a qualifying superior service of 23 years. The Local Government ought to have power to sanction.
70	(*a*) Payment to Mr. C. V. Vernon, I.C.S., of a sum of Rs. 75-12-0 on account of travelling expenses incurred by him in connection with the settlement of a dispute with the Limbdi Darbár.	The case was not covered by Article 1000, Civil Service Regulations, as Mr. Vernon drew permanent travelling allowance as Assistant Collector, of which duty he had not been relieved.	In case (*a*) the Government of India sanctioned the payment as a special case as requested by the Local Government. In case (*b*) the journey to Delhi was a long one, it was essential that officers should take tents and horses, and the occasion was exceptional. The proposal of the Local Government was sanctioned by the Government of India, subject to certain limitations. In case (*c*) the occasion was exceptional, and the grant was sanctioned by the Government of India. The Local Government ought to have power to deal with special cases in such a way as to enable officers to be recouped their expenses.
	(*b*) Grant of certain concessions regarding travelling allowances to certain Gazetted Officers drawing permanent travelling allowances who proceeded to Delhi on duty in connection with the Coronation Darbár.	The concessions were not covered by Article 1000, Civil Service Regulations.	
	(*c*) Grant of special daily allowances to the Political Officers who were summoned to Bombay on duty in connection with the Royal Visit in 1905.	As special rates of daily allowance were proposed, sanction of the Government of India was necessary.	
71	Classification of First Inspector of Factories (pay Rs. 400-20-500) and Second Inspector of Factories (pay Rs. 300-20-400) as First Class Officers for the purposes of travelling allowance regulations.	The proposal involved an amendment of Article 1002, Civil Service Regulations.	The Government of India assented to the Local Government's proposal in favour of the First Inspector only, and considered that sufficient grounds had not been shown in support of the proposal for the Second Inspector. The Local Government ought to have been allowed to decide this case.
72	Proposal to allow constables and head constables of all grades travelling on transfer or on escort duty the	The Accountant-General asked for a reference to the Government of India for decision whether in the case of policemen it was intended that the actual	The Local Government recommended that constables and head constables of all grades travelling on transfer might be allowed the actual cost of conveying their baggage and their families, if they have one, up to a limit equal to the ordinary rate per mile for cart-hire in the districts in which the journeys are performed. The recommendation was sanctioned by the Government of India. Reference was unnecessary.

Revenue and Financial Departments—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
	actual cost of conveying their baggage and their families up to a certain limit.	charges of conveyance of baggage should be allowed without any restriction, or whether the maximum limit should be held to be subject to the mileage rate laid down in Article 1034, Civil Service Regulations.	
73	(*a*) Grant of travelling allowance at Rs. 25 per mensem for about 14 months to the 3rd Interpreter, Arabic Branch, Aden Residency. (*b*) Grant of permanent travelling allowance to an Assistant Deputy Inspector of Schools. (*c*) Grant or alteration of permanent travelling allowances. (*d*) Payment in excess of the permanent travelling allowance admissible under rule.	Article 1048, Civil Service Regulations.	The proposals in cases (*a*) and (*b*) were sanctioned by the Government of India. Out of ten references in five years in case (*c*), eight were sanctioned in full and two with modifications. In case (*d*) the permanent travelling allowance of Rs. 10 per mensem was quite insufficient for a chief constable who had been deputed on special duty which required him to move rapidly from place to place. The payment of the travelling expenses (Rs. 40) claimed by him was recommended to, and sanctioned by, the Government of India. Under Article 1048 permanent monthly allowances can be sanctioned only by the Government of India. Case (*b*) involved the amendment of an entry in Appendix No. 22 to the Civil Service Regulations owing to change in designation of appointment without involving any change in duties, and the reference to the Government of India was purely formal. All these references were unnecessary subject to the prescribed general principles. Local Governments should be allowed to decide cases in which permanent travelling allowances shall be given, when excess over the prescribed scale is necessary in case of all classes of travelling and conveyance allowance, etc.
74	Increase by 25 per cent. of the permanent travelling allowance admissible to the Extra - Assistant Conservator of Forests in charge of the Kolába Division.	Article 1049, Civil Service Regulations.	One case in five years, which was sanctioned by the Government of India. See No. 73.
75	(*a*) Increase in the daily travelling allowance of the Deputy Sanitary Commissioners from Rs. 6 to Rs. 7-8-0. (*b*) Grant to the Chaplain of Mount Abu of actual travelling expenses for visiting Abu Road Station on duty. (*c*) Grant to the Inspector of Boilers in Sind of actual conveyance expenses incurred by him in inspecting boilers at Karáchi. (*d*) Grant of daily allowance to village officers.	The proposed allowances exceeded the daily allowance admissible under Article 1063 (i), Civil Service Regulations. The case was not covered by Articles 1080-1082, Civil Service Regulations. *Vide* Col. 4.	In case (*a*) the Government of India declined to sanction the increase, as in their opinion the halting allowance of Rs. 6 per diem plus tentage allowance of Rs. 20 per mensem for the whole year, was sufficient to cover travelling expenses. In case (*b*) the travelling allowance admissible under the rule was Rs. 10 for the double journey on the occasion of each visit. The actual cost was, however, Rs. 20, and travelling allowance up to this limit, but not exceeding the actual expenditure, was sanctioned by the Government of India. See No. 73. In case (*c*) the Government of India sanctioned the proposal. Similar authority was obtained from them in 1899 for the grant of actual conveyance expenses to the junior Inspector of Boilers in Bombay City. In case (*d*) the Revenue Department letter No. 10781, dated 2nd November 1907, the grant of a daily allowance of two annas a head has been recommended to the Government of India in the case of hereditary village accountants who are required to undergo a course of training in survey work for a short period at places outside their *tálukas*, as the Accountant General held that Article 1063 (iv), Civil Service Regulations, did not apply to these officers who were not in receipt of pay but of cash allowances. Under Article 1056 a daily allowance may not be drawn for more than ten days' halt at one place, and a general exemption from the operation of this rule has also been recommended in the case of these officers, as well as members of establishments of the district survey offices in certain districts, circle inspectors, Probationary Deputy Collectors, and Junior Civilians who are required to undergo a few weeks' instruction in survey at the headquarters of the division in which they are serving. These cases should be within the competence of the Local Government to decide.
76	Grant of new, or alteration of existing, conveyance allowances.	Article 1075, Civil Service Regulations.	Twenty-nine cases in five years, which were sanctioned by the Government of India with reduction of the proposed allowance from Rs. 50 to Rs. 35 in one case. Some of these cases related to Gazetted Officers and officers serving in Imperial Departments. The principles regarding the grant of conveyance allowances and suitable scales of allowances for ordinary, special and occasional cases have been prescribed in the Resolution of the Government of India, Finance and Commerce Department, No. 1705, dated 30th March 1888. The Local Government have been empowered to grant conveyance allowances up to Rs. 50 per mensem to officers on plague duty. In a

Revenue and Financial Departments—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
			recent case (R. I. No. 1633-F.) it was decided to ask the Government of India to delegate to the Local Government power to sanction conveyance allowances to subordinate officers up to a limit to be defined, but the application to the Government of India has been kept back owing to the formation of the Decentralization Commission. All such questions ought to be left to the Local Government.
77	(*a*) Grant to the Cutch Darbár Medical Officer of a fee of Rs. 5 per visit, as conveyance allowance, for attendance on the Political Agent, Cutch, when no Medical Officer attached to the troops in Bhuj is available.	There is no rule under which a Medical Officer who is not in Government service can receive conveyance allowance for attending on a Government officer at Government expense.	The orders of the Local Government were approved by the Government of India in case (*a*) mentioned in column 2. Case (*b*) was sanctioned by the Government of India. Presumably action can be taken by the Local Government under Article 278A, Civil Account Code, in similar cases in future. Local Governments should be allowed to decide unimportant cases which do not fall within any rule.
	(*b*) Payment of travelling allowance (Rs. 4½) and fee for professional visits (Rs. 9) to an Hospital Assistant (on military establishment) sent on duty to treat an Arab Chief.	There is no rule under which the travelling allowance of a Military Hospital Assistant can be debited to the Civil Department.	
78	Increase in the scale of mileage or daily allowance in any specified district or locality in which travelling is specially expensive.	Article 1139, Civil Service Regulations.	There were six cases in five years, which related to subordinate revenue, judicial and police establishments in Sind, to inspectors and other subordinate officers of the Salt Department stationed along the Goa Frontier, and to the Dangs Diwan (a third class officer). Five of these cases were sanctioned by the Government of India, and in the sixth case they pointed out that the recent amalgamation of the Bombay Forest Survey Party (for which enhanced rates were recommended by the Local Government) with the rest of the Forest Survey Branch rendered the party eligible for the liberal concession admissible under Article 1070, and that the provisions of that Article were sufficient. Article 1139 prescribes certain limitations to the increase by the Local Government of the ordinary rates of daily allowance or mileage, and requires also the previous sanction of the Government of India to the increase. *See* Case No. 77.
79	Sanction to hotel charges preferred by Dr. (Miss) Graham while in transit from Perim to Bombay.	Hotel charges are not included in travelling expenses permissible under Part XI of the Civil Service Regulations.	Miss Graham (salary Rs. 400 per mensem) was entitled to free passage for herself and servant. While returning from Perim she had to wait for two days at Aden for a steamer to bring her to Bombay and consequently she incurred an expenditure of Rs. 8–4–0 on account of hotel charges for herself and servant. The Government of India sanctioned the charge. *See* Case No. 77.
80	Proposals for the delegation of powers to certain Heads of offices in the following matters :— (*a*) Commissioners, and other Heads of Departments whom the Local Government may select, to entertain temporary establishments on pay not exceeding Rs. 50 per mensem for not more than three months in each year and subject to the limit of budget provisions ; (*b*) Collectors to fix the headquarters of officers serving under them (Article 55, Civil Service Regulations) ; (*c*) Commissioners and Surgeon-General with the Government of Bombay (in the case of Hospital Assistants, Inspectors of Sanitation and Vaccination, Vaccinators and clerical establishments) to suspend under Article 89, Civil Service Regulations, the lien of an officer transferred to other duty when he retains no connection with his own appointment and the duty is not likely to terminate within three years ;	The proposals required to be authorised by the Government of India. *Vide* also rules mentioned in column 2 in the cases concerned.	With reference to case (*a*) it is observed that a few Heads of Departments had been already authorized in past years to entertain temporary establishments in specified circumstances. In October 1905 the Accountant-General raised the question of the confirmation by the Government of India of these orders of the Local Government, and it was accorded by the Government of India in Finance Department letter No. 6671-Ex., dated 29th November 1906. Proposal (*b*) is a departure from Article 55, Civil Service Regulations, under which the headquarters of an officer can be declared by the authority which appoints him. The sanction of Government in such cases is formal. Proposal (*c*) is a corollary to the power (already delegated) of sanctioning the transfer of certain non-gazetted officers to foreign service. Delegation of power in cases (*a*) to (*c*) is calculated to secure, in the aggregate, an appreciable saving of routine correspondence. Heads of Departments may be trusted to exercise their discretion properly within the prescribed limitations. When proposals (*a*) to (*c*) were submitted in Financial Department letter No. 1734, dated 16th May 1903, for the approval of the Government of India, they considered it undesirable to sanction (*c*), and regretted their inability to sanction (*a*) to (*d*), observing that the proposals are generally applicable to all Local Governments, and the Government of India thought it inadvisable to relax them in the case of Bombay only. The reasons for the rejection of these proposals do not appear adequate. If relaxation is considered advisable on general grounds, the concession may

Revenue and Financial Departments—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
	(*d*) Commissioners, and other Heads of Departments whom the Local Government may select, to exercise, in the case of non-gazetted officers, the powers of the Local Government in the matter of— (i) joining time within the limitations regarding period and circumstances prescribed in Article 180 (*a*), Civil Service Regulations; (ii) exemption from loss of appointment caused by overstaying leave and grant of allowances due during subsidiary leave if there had been no absence after the end of the leave (Article 230, Civil Service Regulations); (iii) exemption from interruption of duty caused by absence at the end of privilege or examination leave, or by suspension from office (Articles 253, 254 and 258, Civil Service Regulations); (iv) grant to an officer holding charge of two separate appointments of permanent travelling allowances subject to the conditions stated in Article 1009, Civil Service Regulations; (v) grant to inferior servants accompanying an officer whose jurisdiction extends beyond a single district of a daily allowance of two annas (Article 1063, Exception (*c*), Civil Service Regulations); (vi) grant to an officer (on pay less than Rs. 200 per mensem), on transfer, of passage money for any members of his family who are prevented by good cause from travelling with him (Article 1097 (*b*), Civil Service Regulations); (*e*) Commissioners, and other officers authorized to sanction pensions, to have also the power to commute absence without leave into leave without allowance (Article 421, Civil Service Regulations).		be allowed in other provinces, as well as in this Presidency. Accordingly it was recently decided (R. I. No. 1633–F.) to press again for the devolution of the powers in question, but the application to the Government of India on the subject has been held over in view of the formation of the Decentralization Commission. It is generally on the retirement of low paid servants, such as policemen, that the occasion arises for the exercise of the power mentioned in proposal (*e*). Such power is exercised by the Board of Revenue and the Inspector-General of Police, Madras, in the case of their subordinates drawing Rs. 20 a month and less. The devolution of all these powers is desirable.
81	Grant to mounted policemen of grain compensation allowance in excess of the prescribed limit of Re. 1 per mensem for the extra cost of feeding their horse or camel.	Article 72 (III), Civil Account Code.	Two references in five years, which were sanctioned by the Government of India. High prices of fodder prevailed in certain districts in 1906 and rendered necessary the grant, for a limited period, of extra allowance beyond the scale of Re. 1 per mensem authorized in Article 72 (III). *See* No. 77.
82	Revision of establishments involving additional expenditure of more than Rs. 25,000 a year.	Article 277 (4), Civil Account Code.	Under Article 277 (4), revisions of establishments costing more than Rs. 25,000 a year required till recently the sanction of the Secretary of State, the limit being applied to net extra expenditure in the case of establishments, such as process-serving establishments, the scale and remuneration of which are determined by Courts of Law under rules having the force of law. Accordingly, such sanction was applied for since 1902 in the case of (i) excise establishments in the Presidency proper, (ii) graded Political Service, (iii) kanungo establishments in Sind, (iv) the division of Khándesh, (v) the Sadar Court in Sind, (vi) the Administrator-General and Official Trustee, (vii) the subordinate veterinary service, (viii) police reorganization and reforms, (ix) schemes for expenditure on account of primary education and technical instruction, (x) subordinate revenue establishments in the Presidency proper, and (xi) revenue and magisterial establishments in Sind. In all these cases except (i) to (iii) funds were provided more or less from imperial grants-in-aid, and in four cases the expenditure was less than Rs. 50,000 a year. In two more cases of expenditure less than Rs. 25,000 a year the sanction of the Secretary of State was obtained as the proposals formed a sequel to schemes previously sanctioned by him in connection with the constitution of the Lárkána Collectorate and the revision of establishments in Sind. Correspondence is still going on with the Government of India in connection with the scheme for the revision of the Subordinate Forest Service. The Secretary of State has recently raised the limit of Rs. 25,000 to Rs. 50,000 a year, up to which the Government of India can dispose of such cases. The Local Government's power of sanctioning such cases involving provincial expenditure up to Rs. 25,000 a year remains unchanged.
83	Grant of house-rent allowances to certain officers of the Indian Educational Service.	Article 277, exception (*c*), and Article 283, Rule 4 (3) (*a*), Civil Account Code.	Three cases in five years, which were sanctioned by the Government of India. The references to that Government related to officers serving in Bombay and were necessary because their emoluments exceeded the limit of Rs. 250 per mensem. The Secretary of State has recently approved of (i) the grant to certain Gazetted Officers stationed in Calcutta of house-rent allowances on a scale varying with the rate of salary

Revenue and Financial Departments—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
			and with the period of the year for which it is drawn, and (ii) the provision of official residences by which the house-rent allowances will be gradually superseded. A similar problem in respect of Gazetted Officers in Bombay City has been referred by Government to a local committee, whose report is awaited. When a scale is eventually sanctioned for Bombay City, it will presumably govern cases of the kind mentioned in this entry. Local Governments should be allowed to decide all questions relating to house-rent allowance.
84	(*a*) Creation of permanent appointments on pay exceeding Rs. 250 a month, and increases or decreases in the pay of such appointments.	Articles 277 (1) and 283, Rule 4 (3) and (4), Civil Account Code.	In case (*a*) mentioned in column 2 there were twenty-five references in five years, which were sanctioned in full, except in two cases, one of which was partly sanctioned and the other disallowed.
	(*b*) Grant of allowances to holders of appointments the pay and allowances of which would, after the addition, exceed Rs. 250 a month.	Articles 277 (2) and 283, Rule 4 (3) (*a*), Civil Account Code.	In case (*b*) there were twenty-one references in five years, which were all sanctioned by the Government of India, except that (i) in one case the incremental personal allowance of Rs. 20-20-100 proposed by the Local Government for the superintendent of the Yeravda reformatory (pay Rs. 200–10–250) appeared to the Government of India an unusual scale and was reduced to a fixed allowance of Rs. 50 ; (ii) in another case the Government of India declined to sanction the grant of house-rent allowance to Civil Assistant Surgeons placed on general duty in Bombay as no such allowance was given to similar officers in Madras and Calcutta ; and (iii) in a third case of overtime allowance to the Superintendent of the Commissioner in Sind's press for printing examination papers, final orders have been held over by the Government of India until the Controller of Printing visited the press and examined the question on the spot. The Government of India have recently been authorized by the Secretary of State to create new permanent appointments (other than those ordinarily held by a gazetted officer recruited in England) of which the salary or maximum salary does not exceed Rs. 500 per mensem, and to raise the salary of such an appointment to an amount not exceeding Rs. 750 per mensem. The Local Government's power to incur such expenditure from provincial or local revenues up to Rs. 250 per mensem remains unchanged for the present. Occasionally it has happened that the Local Government are unable to sanction new or revised salaries within the limit of Rs. 250 per mensem when even one item exceeding this limit is involved and has to be submitted for approval of higher authorities. In such cases the existing procedure seems to hamper the Local Government a good deal, and it is for consideration whether it should not be relaxed so as to avoid interference with their discretion in minor matters and to restrict control only to specific items which are beyond their powers of sanction.
85	Applications for foregoing the recovery of leave allowances overdrawn but checked in audit within six months of payment.	Article 279A, Civil Account Code.	Two cases in five years, which were sanctioned by the Government of India. In both cases privilege leave allowances were overdrawn by non-gazetted officers (a forester, and a District Judge's head clerk) who were retired by orders of their superiors at the end of the leave. The amounts overdrawn were small and reference to the Government of India could not be avoided by action under Article 278A, Civil Account Code, which has been held to be inapplicable in cases falling under Article 279A. In all unimportant cases the Local Government should have full discretion. *See* No. 77.
86	(*a*) Revision (including increase or decrease of pay and allowances) of a class or grade of officers.	Article 283, Rule 4 (5), Civil Account Code.	In case (*a*) mentioned in column 2 there were eleven references in five years, which were sanctioned by the Government of India. Two of these cases related to the provincial Educational Service, in which the salaries range from Rs. 200 to 700 per mensem ; in one no additional expenditure was involved by the revision of salaries, and in the other, two appointments were removed from the cadre and replaced by two appointments on higher pay which existed outside the cadre. The remaining nine cases involved revision of rates of pay or allowances in graded services of non-gazetted officers, such as sub-registrars, *thánadárs* in Káthiáwár (with a saving of expenditure as the net result), circle inspectors, police *sowars*, and ábkári inspectors. The circle inspectors' grades have since been merged in the district and *táluka* establishments.
	(*b*) Grant of an allowance of Rs. 20 per mensem to the Hospital Assistant attached to the Civil Hospital, Ahmedabad, for performing the duties of teacher of materia medica and pharmacy at the medical school in that city.	The Accountant-General held that the performance of teachers' duties did not come under the category of "special important charges" for which the orders of the Government of India (Home Department, No. 16-1-17 of 9th January 1878) permitted the grant of allowances to Hospital Assistants.	In case (*b*) mentioned in column 2 the allowance was sanctioned by the Government of India. In a recent case the Local Government have proposed to the Government of India the grant of a special allowance of Rs. 45 per mensem in addition to free quarters to the Hospital Assistant attached to the Bombay Bacteriological Laboratory for performing the duties of a tutor at the laboratory. The orders of the Government of India are awaited. The maximum allowance permissible by the Local Government to Hospital Assistants is Rs. 25 per mensem and any increase of this allowance requires the sanction of the Government of India. *See* No. 77.

Revenue and Financial Departments—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
87	(*a*) Proposal to credit to Cantonment Funds fines levied under the Bombay Public Conveyance Act, VI of 1863, in connection with offences committed in Cantonments. (*b*) Proposal to credit to Municipalities which are willing to pay the cost of the establishment of Honorary Magistrates fines levied in municipal cases. (*c*) Proposal to credit a moiety or the whole of the fines levied under the Prevention of Cruelty to Animals Act, 1890, to societies for the prevention of cruelty to animals.	Artiele 283, Rule (4) (9), Civil Account Code. *Vide* also Government of India, Home Department, letter No. 67, dated 4th May 1895. (Bombay Government Resolution, Judicial Department, No. 3784, dated 7th June 1895.)	Five references in five years. In case (*a*) mentioned in column 2 the Deputy Adjutant-General, Western Command, asked for the credit of the fines in question to Cantonment Funds. The Local Government made no definite recommendation on the subject, and the Government of India did not sanction the proposal in the absence of valid reasons. In case (*b*) general sanction, and in case (*c*) sanction for a limited term, was given by the Government of India. In the Home Department letter mentioned in the preceding column the Government of India observed that under standing orders any alienation of general revenues requires their sanction. The fines in question concern provincial revenues, a portion being credited to public bodies in consideration of their co-operation in the matter. In all these cases the Local Government should decide.
88	Scheme for the establishment of Government grain depôts at selected centres in the Thána District for the sale of grain at fixed prices to selected cultivators.	Article 283, Rule 4 (11), Civil Account Code.	The scheme contemplated the protection of ignorant and improvident cultivators against oppressive practices of local grain-dealers, and involved an advance of Rs. 2,400 for the purchase and storage of grain, the amount being recoverable by credit to advances and debit to the provincial Loan and Advance Account as *takávi* when the cultivators were supplied with grain from the stores. Any profit or return in excess of the usual interest charge on *takávi* was to go to a separate fund for each depôt, from which the Government advance for the continuance of the experiment was repayable by degrees. The Accountant-General held that the business was not a recognised duty of Government and that the constitution of a separate fund for each depot required sanction of the Comptroller General. The Government of India cordially approved of the scheme and confirmed the action of the Local Government, but the sanction of the Government of India should not have been necessary.
89	(*a*) Application for a temporary withdrawal of Rs. 1,500 from the Police Officers' Provident Fund.	The case did not fulfil the conditions prescribed in the rules of the fund.	Under (*a*) there was one case in five years, which was specially sanctioned by the Government of India, the withdrawal of deposit being due to the unexpected bankruptcy of the officer's bankers. Withdrawals are at present permissible, under the orders of the Local Government, to provide for passage money of the depositor or a member of his family. An additional rule should be framed enabling the Local Government to authorise withdrawals up to a specified limit in exceptional cases due to causes beyond the control of a depositor.
	(*b*) Permission to pay arrears of subscription to the Police Officers' Provident Fund.	The rules of the fund do not provide for the acceptance of such arrears.	In case (*b*) the officer in question was temporarily exempted by the Local Government from the payment of his subscriptions while absent on long leave as he could not afford to pay them. His request to pay up the arrears subsequently was sanctioned by the Government of India. If the Local Government can temporarily exempt an officer from payment, they should also have the power to vary such order and allow the receipt of subscriptions in arrears.
90	Grant of permission to pay arrears of subscription to the Bombay City Police Superannuation Fund so as to enable a police constable to count service on the superior instead of the inferior scale.	Letter from the Government of India, Department of Finance and Commerce, No. 3717, dated 2nd October 1884 (Government Resolution, Judicial Department, No. 7244, dated 15th October 1884).	One reference in five years. The letter from the Government of India quoted in the preceding column permitted certain employés in the cattle pound at Bombay to count their service for pension on paying up arrears of subscription to the Bombay City Police Superannuation Fund. In the case in question failure to pay the arrears resulted in the grant of a smaller pension, the service having been counted on the inferior scale. The amount involved was Rs. 32 and the Government of India sanctioned as a special case the acceptance of this sum so as to allow the grant of an enhanced pension.
91	(*a*) Writing-off of irrecoverable forest revenue in excess of Rs. 10,000.	Section 108 (iii), Forest Department Code.	One case was reported to the Government of India in five years under section 108 (iii) of the Forest Department Code, which requires that when the amount of irrecoverable forest revenue written off by the Local Government exceeds Rs. 10,000, it should be reported to the Government of India. This seems quite unnecessary, especially if forest revenue is made provincial.

Revenue and Financial Departments—cont.

No.	Nature of case.	Law, rule or order under which reference to the Government of India is necessary.	Particulars of case.
	(*b*) Reports to the Government of India regarding additional forest expenditure sanctioned by the Local Government in order to earn a corresponding increase of revenue.	Section 130 (i), Forest Department Code.	Under (*b*), three cases in five years involving expenditure of Rs. 63,000, Rs. 37,000 and Rs. 2,000 were reported to the Government of India. The rule quoted in the preceding column is an exception to the account rule under which additional expenditure not provided for in the budget is met from additional grants or re-appropriations, of existing grants, and not from additional revenue resulting from the expenditure. Forest expenditure and revenue are now shared equally between imperial and provincial. But if they are provincialised, and even though they may not be, the reference seems unnecessary.
92	Permission to raise loans in the open market for the purpose of repaying previous loans.	Some doubt was entertained whether the raising of the loans in question could be sanctioned by the Local Government under the Local Authorities Loans Act, 1879.	Out of two references made to the Government of India during five years, one involved repayment of a previous loan which carried a higher interest charge than the loan intended to pay off the former loan, and was sanctioned by that Government. The other application was refused on the ground that the provisions of the Local Authorities Loans Act, XI of 1879, do not authorize the borrowing of money by a local body for the purposes of relief from financial embarrassment consequent on its failure to meet interest and repayment of instalments to a private loan. Under the rules in force up to 1st November 1907 sanction of the Local Government was ordinarily sufficient for the raising by district municipalities and local boards of loans under Act XI of 1879 in the open market, but under recent orders (Government of India Resolution, Finance Department, No. 6564-A, dated 24th October 1907) this power has been taken away from Local Governments, as the Government of India desire to be informed beforehand of all proposals by local authorities for the flotations of loans so as to prevent them from clashing with the operations of State loans which must have precedence in the demands upon the money market in India. Under the existing law, all loans raised by the Bombay Municipality, the City Improvement Trust and the Port Trusts require the assent of the Government of India. Some city municipalities in the *mufassil* have in the past raised loans exceeding one lákh of rupees at a time in the open market under Act XI of 1879. In a few cases district municipalities have raised smaller loans. The sanction of the Government of India seems unnecessary to small loans. Nothing under 20 lákhs or it might be safe to say 50 lákhs would affect the demands of the Secretary of State. Conversion operations ought to be legalised.
93	Grant of loans under the Local Authorities (Emergency) Loans Act (XII of 1897).	Section 2 of Act XII of 1897.	Four cases in five years. In three cases the loans asked for were sanctioned by the Government of India, and in the fourth case one-fifth of the loan asked for was converted by them into a grant-in-aid, the amounts of the sanctioned loans varying between Rs. 8,000 and Rs. 800 in the four cases. Under Act XII of 1897 a local body cannot borrow money for plague or famine expenditure without the previous sanction of the Government of India. The principles on which borrowing should be allowed for plague purposes at least are well understood and loans are no longer very frequently required. An amendment of the law enabling the Local Government to dispose of such applications was therefore recommended by this Government, but refused by the Government of India in Finance Department letter No. 4022-A, dated 24th July 1906, on the grounds that the loans are no longer of frequent occurrence and questions of policy may arise in some cases in respect of which they should have an opportunity of expressing their views. The loans in question fall under the provincial Advance and Loan Account, for which the Government of India provide the necessary capital, and charge interest at $3\frac{1}{2}$ per cent. on the mean balance outstanding at the commencement and at the end of the financial year. So long as the amount of the loan can be found from the allotments under the provincial Advance and Loan Account there is no justification for the reference to the Government of India.
94	Grant of advances to certain Kolis of Vesava for rebuilding houses which had been destroyed by fire.	The Kolis not being agriculturists, no advances can be made to them under the rules under the Agriculturists' Loans Act, 1884.	One case in five years, which was sanctioned by the Government of India. The question of delegating to the Local Government authority to make advances to poorer classes of non-agriculturists in the case of serious calamity was raised by the Government of India in Finance Department letter No. 4496-A, dated 10th August 1906. This Government replied in Financial Department letter No. 3762, dated 3rd October 1906, that the power to grant such loans would be found of great use in this Presidency, and as an instance in point referred to the case mentioned in column 2. The final orders of the Government of India have not yet been received. The authority in question ought certainly to be delegated.

Public Works Department.

Serial No.	Nature of case.	Existing rule or order under which reference is now made to the Government of India.	Particulars and number of references in five years.
95	Construction or purchase of a residential building when it is not obligatory on Government to construct or purchase it, and, when the cost involved, though within 8 per cent. limit, is chargeable to imperial funds and is in excess of Rs. 10,000, exclusive of charges on account of Establishment and Tools and Plant.	Public Works Department Code, clause (iv) under paragraph 1063.	2. In one out of these two cases the Government of India negatived the proposal of the Local Government. In the 7th Edition of Public Works Department Code, Vol. I, issued in 1894, clause (iv) of paragraph 1063 was not in existence, and it is evident from this that till some time after 1894 this Government was at liberty to construct residential buildings from imperial funds up to any limit within their power of sanction to the construction of any other buildings, provided the 8 per cent. limit was not exceeded.
96	Construction or purchase of a building for the occupation of a Government official, at a cost exceeding Rs. 5,000 when the proposed expenditure will be met from provincial funds, or Rs. 2,500 when it will be met from Imperial funds, and when the rental calculated under the rules in paragraph 1068 of Public Works Department Code, Vol. I, exceeds 8 per cent. of the salary and local allowance, if any, of the official who will usually occupy it.	Public Works Department Code, clause II, and note under clause IV of paragraph 1066.	20. In five out of these twenty references the Government of India negatived the proposals of the Local Government.
97	Additions to, or improvements of, the existing residential buildings (the cost of which is properly chargeable to the capital account of the buildings concerned) where the capital cost is beyond the 8 per cent. limit and where the amount involved is in excess of Rs. 200 and the total capital cost with the additions, &c., proposed also exceeds Rs. 5,000 in the case of provincial buildings, or Rs. 2,500 in the case of imperial buildings.	Public Works Department Code, clause IV of paragraph 1066 and the note thereunder.	31. In two cases the proposals of the Local Government were negatived by the Government of India.
98	Write-off of a portion of the capital cost of a residential building when it is considered to be greatly in excess of its real value, so as to involve the assessment of a rental far above the accommodation provided.	Public Works Department Code, paragraph 1068 I (*g*).	2. In one out of these two cases the Government of India negatived the proposal of the Local Government.
99	Reduction of rent for a residential building provided for a public servant whose salary exceeds Rs. 50 a month and who is not entitled to the concession under any general or special order of the Government of India, for whom cannot be granted by the Local Government any concession beyond that laid down in paragraph 1068 IV (*b*) of Public Works Department Code, Volume I.	Public Works Department Code, paragraph 1068 VI.	42. Only in six cases the proposals of this Government were negatived by the Government of India.
100	Grant of rent-free quarters to a public servant whose salary exceeds Rs. 50 a month and who is not entitled to this concession under any general or special order of the Government of India.	Public Works Department Code, paragraph 1068 VI.	10. In one out of these ten cases the Government of India negatived the proposal of the Local Government.

Public Works Department—cont.

Serial No.	Nature of case.	Existing rule or order under which reference is now made to the Government of India.	Particulars and number of references in five years.
101	Permitting public officers and others to occupy Government buildings rent-free on condition of keeping them in repair.	Public Works Department Code, paragraph 1068, Rule XII.	1.
102	Purchase of articles of foreign manufacture, which are not actually in the country at the time of order, from local agents or firms in India.	Public Works Department Code, Appendix 30, Rule 2 (i).	7. In one out of these seven cases the Government of India negatived the proposal of the Local Government.
103	Sanction to estimates for Provincial Civil Works estimated to cost over Rs. 10,00,000 exclusive of Establishment and Tools and Plant charges.	Public Works Department Code, paragraph 2167.	
104	Sanction to estimates for Imperial Civil Works estimated to cost over Rs. 2,00,000 exclusive of Establishment and Tools and Plant charges.	Public Works Department Code, paragraph 2167.	2.
105	Proposals for expenditure on buildings occupied by the Head of the Local Government over Rs. 15,000 annually.	Public Works Department Code, paragraph 2174.	4.
106	Acceptance of tenders over Rs. 10,00,000 in the case of Provincial Works and Rs. 2,00,000 in the case of Imperial Works.	Public Works Department Code, paragraph 900.	4.
107	Sanction to estimates under "33—Famine Relief."	Public Works Department Code, paragraph 2167.	9. The present power to sanction estimates is limited to Rs. 10,00,000.
108	Appointments of temporary officers and subordinates on rates of pay above certain limits of pay.	Articles 79 and 80 of the Civil Service Regulations.	16.
109	Permanent conveyance allowance to officers who have a large amount of travelling at or within a short distance from headquarters.	Articles 1074 and 1075 of the Civil Service Regulations.	6. In all cases except one the Government of India have refused to sanction the allowance *vide* No. 88.
110	Grant of charge allowance to temporary Engineers (drawing pay less than that of Assistant Engineers, 1st Grade) in the shape of an increase to their pay when they are placed in charge of districts.	Article 163 and Appendix 6, Civil Service Regulations.	3. The rules (*viz.*, those mentioned in column 3) regarding the grant of charge allowance to permanent Engineers are not applicable in the case of temporary Engineers and hence the sanction of the Government of India is necessary in such cases.

Public Works Department—cont.

Serial No.	Nature of case.	Existing rule or order under which reference is now made to the Government of India.	Particulars and number of references in five years.
111	Grant of certain concessions* to subordinates employed on Famine Relief Works.	Government of India, Public Works Department, letter No. 94-E., dated 21st January 1907.	1. The concessions mentioned in column 2 were sanctioned by the Government of India in the famines of 1900 and 1905–06.
112	Presidency allowance, &c., to temporary Engineers under yearly sanctions granted in the shape of an increase to their pay.	Public Works Department Code, paragraphs 33 and 36, and letters of the Government of India laying down the terms of appointments of temporary Engineers.	1. The rules regarding the grant of Presidency allowance and house-rent to permanent Engineers are not applicable in the case of temporary Engineers, and hence the sanction of the Government of India is necessary to grant the allowance to them in the shape of an increase to their pay. The Government of India were requested in paragraph 2 of this Government letter No. E.–81, dated 15th January 1907, to empower this Government to grant a suitable increase in pay, not exceeding the Presidency allowance and house-rent admissible to permanent officers, to any temporary Engineer under the yearly sanction whom it may be found necessary to employ at the Presidency town. In reply to this the Government of India stated that they considered it undesirable to ask the Secretary of State to place temporary Engineers engaged locally on the same footing as permanent Engineers in regard to local allowances, and added as under :— "Each case in which it is proposed to grant a temporary Engineer, transferred to a Presidency town, a temporary increase of pay, must therefore continue to be submitted for sanction and report to the Secretary of State as at present."

* *Viz.*—(i) Increased sub-divisional allowance at the rate of 50 per cent. above the ordinary rates to Upper Subordinates below the rank of Sub-Engineer, 1st Grade.
(ii) Local allowance of Rs. 5 a month to Lower Subordinates not drawing subdivisional allowance.
(iii) Increased horse allowance at the rate of 50 per cent. over the ordinary rates to Upper and Lower Subordinates.

Public Works (Irrigation).

113	Revised or Supplementary Estimates in connection with Irrigation Projects classified as Productive Public Works.	Public Works Department Code, paragraphs 2132, 2134, 2138.	5. Sanction is required from the Government of India, thus encouraging over-estimates.
114	Revised estimates for works classed under Protective Irrigation.	.....	*See* 113.
115	The classification of Irrigation Works costing over Rs. 50,000 under the head "Works for which only Revenue Accounts are kept" or "Works for which neither Capital nor Revenue Accounts are kept."	Public Works Department Code, paragraph 2207.	10.
116	Extension of dates for the completion of works sanctioned by the Government of India or the Secretary of State under the Open Capital Account rules for irrigation works.	Public Works Department Code, paragraphs 2155–VI and 2209–VI.	7.

APPENDIX IV.

Proposals for decentralization of 1895.

1. The sanction of the Government of India was asked in August 1895 to the introduction in the Local Legislative Council of a Bill for the purpose of delegating to the Divisional Commissioners powers exercised by the Local Government under certain Acts in the same manner and to the same extent as has been done in the case of the Commissioner in Sind under Act V of 1868. In March 1896 the Government of India refused the sanction, observing that the position of the Commissioner in Sind was quite exceptional and that there were strong objections to taking by legislation wider powers of delegation than were needed and could be used, and that, as in 1868, legislation should be undertaken in the Supreme Council specifying the powers which should be delegated. A schedule of such powers was at the same time invited from the Local Government.

Proposal to start a Civil Medical Service.

2. In their letter No. 196-Public, dated the 15th February 1899, the Government of Madras drew the attention of the Government of India to the defects in the arrangements made for providing officers to meet the Civil Medical Administration in that Presidency. They remarked that, so far as the Madras Government was concerned, the practical result of the unification of the Indian Medical Service was to seriously embarrass the medical organization in that Presidency ; that although the responsibility for the efficiency of Medical Administration remained unaltered, yet in regard to the chief factor in the maintenance of efficiency, namely the provision of a sufficient staff of officers, that Government had been left practically no voice ; that not only had the service in Madras been almost consistently undetermined, but that medical work had been hampered by the inability of that Government to estimate with any degree of certainty the probability at any given time of additions to or reductions in the number of officers available for duty ; that vacancies caused by the retirements or absence on leave of Medical Officers remained unfilled, and that although officers reverted to military duty no corresponding transfer to the Civil Department was effected. In order to remedy this state of affairs they proposed that they should have at their disposal not only an establishment of officers corresponding in number to the sanctioned posts, but also a sufficient reserve from which officers could be drawn to fill leave vacancies. The whole of the officers forming this staff should, they considered, be definitely set apart for service in the Civil Medical Department in that Presidency, and they should not be liable to be transferred to military duty, or to be removed for service elsewhere without reference to that Government or, in the case of permanent removal from the Presidency, until arrangements had been made for the transferring instead to the Madras list the number of officers sufficient to raise it to its full strength. They were also of opinion that the whole of the officers forming this list should be under their orders in regard to leave and duty and that the individual officer returning from leave or from temporary military duty for which his services had been lent should, as a matter of course, revert to service under them. They remarked that by the acceptance of these proposals they would have at their disposal a medical staff which would ordinarily be fixed and sufficient in place of one which was fluctuating and inadequate, and that the maintenance of a definite policy in Medical Administration, which of late it had been found necessary to abandon in many important details, would be again possible.

The Government of India did not approve of these proposals. They said :

"The Governor-General in Council regrets that he is unable to entertain the suggestion which was considered and negatived before the orders for the amalgamation of the Indian Medical Service were issued, that a separate reserve of officers should be set apart for service in the Madras Presidency. It is not possible to treat the Madras Presidency differently from the rest of India in this matter, and to split up the reserve into small portions at the disposal of the different Local Governments would be inconsistent with the scheme of a unified medical service for military and civil duty throughout India. Not only would considerable extra expenditure be involved, but the proposal would lead to grave difficulty and inconvenience in the administration of the Indian Medical Service, and in the supply of Medical Officers to meet military or civil emergencies.

In communicating a copy of this letter to the Bombay Government, the Government of India stated that the position of the Government of Bombay in the matter of the administration of the India Medical Service was similar to that of the Government of Madras, and that the following general principles laid down in their letter to the Madras Government applied also to this Presidency :

(1) The present system, under which there is one Indian Medical Service reserve for leave and casualities for the whole of India, must be maintained ; separate reserves cannot be allotted to each Local Government.

(2) It follows that the procedure prescribed in Article 935 of the Civil Service Regulations, under which the Director-General of the Indian Medical Service countersigns applications for leave from officers of the Indian Medical Service, is necessary.

(3) The orders of 1884, requiring Local Governments to report the occurrence of a vacancy, leaving the Government of India to select a suitable officer, and to abstain from confirming an officiating officer without first obtaining the orders of the Government of India permanently transferring him, must regulate appointments to civil employ throughout India, including the Madras and Bombay Presidencies. The Governor-General in Council will, however, have no objection to the Government of Bombay nominating any officer for civil employ who served in Bombay Presidency before the 1st April 1895.

(4) When special departments are formed in the Civil Medical Service with a view to secure officers of special qualifications and training for specialised work, the orders of June 1896 regarding appointments to the Jail Department will apply to such departments. They therefore apply to appointments in the Chemical Examiner's Department. Home Department Circular No. 8-Jails 343—351, dated the 22nd June 1896

(5) With the exception of correspondence which relates to professional matters, to statistics, or to the operation of departmental rules or orders, all communications regarding the Civil Medical Department will be addressed by the Government of India to the Government of Bombay and not by the Director-General, Indian Medical Service, to the Surgeon-General with the Government of Bombay."

In 1903 the Government of India were addressed by the Government on the subject of the supply of Medical Officers for Civil appointments in this Presidency. It was represented that during the past seven years the cadre of officers of the Indian Medical Service had been at various times under strength and that there was uncertainty as to the supply of officers in the future, and suggestions were made as to the best means of any deficiency that might take place in the number of officers required to fill the reserved posts. One of the suggestions was that some of the doctors on plague duty might be re-engaged for general service or that one or two men might be specially chosen and sent out from England. In the concluding paragraph of the letter this Government remarked as follows :

"Although in the earlier part of this letter this Government have made various suggestions based on the suppositions that the existing system is to remain in force, or be but slightly modified, the Governor in Council feels bound to record his opinion that none of the changes he has suggested adequately meet the requirements of the situation. In the opinion of this Government certain posts should, for the sake of efficiency, be held by officers of the class recruited for by the Indian Medical Service. The basis of that service is, at present, a military one, and civil needs are subordinated to military exigencies to the inevitable detriment of the former. Experience has shown that the estimated civil requirements are not, in practice, met ; and the Governor in Council would ask the Government of India to consider the possibility of separating the Civil from the Military Service."

In reply the Government of India explained the causes why the Indian Medical Service was at various times under strength and remarked that the position of Bombay as regards Commissioned Medical Officers had been in no respect worse than that of the other Local Governments. With regard to the question of the Employment of English practitioners for general duty, the Government of India stated that should this Government find it necessary to re-engage some of the medical men employed on plague duty or to requisition others from England they would be prepared to deal with each proposal on its merits. They remarked that although the power of sanctioning renewed engagements for plague duty had been delegated to this Government, any proposals to re-engage medical men for any other purpose should be referred to them when the occasion arose. They added that they were not disposed to reopen the question of separating the Civil from the Military Service, on grounds both of policy and of the greatly increased expenditure which the arrangements would entail.

Improvement of the position of Jail Warders.

3. The Inspector-General of Prisons submitted a scheme for improving the position of the Warder

Establishment of the Bombay Prisons. The reforms advocated were—

(*a*) that service as a warder in any grade should be regarded as qualifying for pension on the superior scale ;

(*b*) that good conduct pay should be granted in accordance with the certain rules proposed by the Inspector-General of Prisons ;

(*c*) that the pay of chief warders and head warders should be increased ;

(*d*) that further accommodation should be provided for jail warders.

The Bombay Government undertook to deal with the last proposal and submitted the remaining three for the favourable consideration of the Government of India.

The Government of India rejected (*a*) giving it as their opinion that the first measure of reform to be undertaken was to increase the number of the warder establishments so as to reduce the hours of duty of each individual. They accordingly requested that the subject might be further considered and the conclusions reported for their orders, and they postponed the consideration of the other proposals put forward, *viz.*, (*b*) and (*c*) pending the reply of this Government.

This Government then pointed out that the suggestion that the preferable course would be to improve the conditions of service by rendering them less onerous instead of making the service as warder qualify for pension on the superior scale, had been fully considered before the Government of India was addressed and that it was not regarded as feasible owing to the cost and also because it would probably fail to accomplish the chief object of the proposals, *i.e.*, to secure an improvement in the quality of the warder establishment. The Government of India replied that they were unable to withdraw their objections to the service of all warders being regarded as superior, as the proposal was wrong in principle, and they thought that the remedy lay in a complete revision of the staff. They therefore requested that matured proposals for an increase of the staff may be submitted together with such modified proposals with regard to the grant of good conduct pay and the pay of chief and head warders as may be thought necessary.

The Inspector-General of Prisons has accordingly submitted a revised scheme which is now under the consideration of this Government.

Bombay Municipal loan for housing subordinates.

4. In 1893 the Municipal Commissioner for the City of Bombay submitted an application to raise a loan of Rs. 25¼ lákhs for the construction of drainage and water-works and roads, and stables and *chawls* costing Rs. 2 lákhs. The application was sent to the Government of India, who sanctioned the raising of a loan of 23¼ lákhs and stated that they were unable to sanction the raising of the two lákhs required for the construction of stables and *chawls*. The Municipal Commissioner was accordingly informed by Government Resolution No. 809, dated 3rd March 1894. The ground on which the Government of India refused to sanction the two lákhs was that clause (*a*) of section 190 of the City of Bombay Municipal Act, 1888, prescribed that money should not be borrowed for the execution of any work other than a permanent work, including under this expression any work of which the cost ought in the opinion of Government to be spread over a term of years. The Municipal Commissioner and the President of the Municipal Corporation, Bombay, requested that for the reasons stated by them the Government of India might be moved to reconsider their decision. The Corporation denied that the works were of a recurrent nature or formed an ordinary incident of municipal expenditure. They were works of a permanent character, quite as much so, for instance, as water mains or markets, and the Corporation protested against their being compelled to throw them upon revenues or rates of one or two years. The Municipal Commissioner stated that it was an object of importance to erect *chawls* and stables for scavengers, *halálkhors* and bullocks of the Health Department because (1) it was economical, (2) the human beings and animals were better housed, (3) the buildings were of great value as models, and (4) because the result of it was an improvement and economy of work by the establishments being located more conveniently than otherwise with reference to their sphere of operations. This Government concurred in the views set forth by the Municipal Corporation and the Municipal Commissioner, and the Government of India were informed that the necessity for the construction of *chawls* and stables was undoubted, that the total expenditure required was greater than the municipality could meet out of its current revenue within any reasonable time, and that the difficulty of obtaining suitable sites prevented the Municipality from undertaking the construction of all the necessary buildings at one time. In reply the Government of India stated that they had given full consideration to the arguments urged in support of the proposal and in doing so had examined the principles and practice applicable to similar cases in England, that they were not prepared to admit that works of this class should be reckoned, as regards the burden of payment thrown upon future years, in the same category as works connected with water-supply or drainage, and that if they were casual requirements only, would consider that they should be regarded as fair charges upon the revenue of the years in which they were undertaken. As, however, it was brought to their notice that the proposals in question were only part of a scheme for general construction of chawls and stables in connection with the Municipal establishments, the Government of India admitted that it was reasonable to throw forward on future years part of the expenditure on them, and on this ground they were prepared to sanction short term loans (say for ten or fifteen years) if they had before them the full proposals of the municipality in respect of such buildings, but they were of opinion that unremunerative expenditure of this kind should not be undertaken unless the present generation of rate-payers was willing to that extent to meet the burden of it (letter No. A-5351, dated 23rd October 1894).

The Municipal Corporation have recently submitted a representation on the subject of raising a long term loan to enable them to provide dwelling accommodation for their scavengers.

Police Re-organization.

5. In their letter No. 288, dated 31st March 1905, the Government of India requested that duly verified proposition statements for the revision of the police establishments in Bombay on the general lines approved by the Government of India in their decision upon the recommendations of the Police Commission, may be submitted. Such statements were accordingly prepared for the districts in the Presidency proper and in Sind and for the railways and submitted for the sanction of the Government of India. These have all been returned by the Government of India for revision of details in accordance with their views which involve considerable modifications in the proposed strength of the forces, both for regular police duties and for clerical work.

In the case of the police training-school the Government of India declined to sanction the full number of head constables and constables proposed by this Government as orderlies for the principal and the probationary assistant superintendents, and cut down the number of head constables from 5 to 4 and of constables from 9 to 3.

Re-organization of Subordinate Forest Establishment.

6. The question of the re-organization of the subordinate forest establishments in the Bombay Presidency has been under the consideration of the Local Government since 1888. On the recommendation of a local committee a scheme costing additional Rs. 2 lákhs a year was submitted in May 1890 to the Government of India, at whose desire it was discussed in a Forest Conference, (including the Inspector-General of Forests) in March 1891. In July 1891 the Local Government intimated their inability to adopt the proposals of the conference. In August 1892 the Government of India forwarded a scheme by the Inspector-General of Forests, and in December 1892 the Local Government expressed their inability to adopt it. Meanwhile certain forest matters, including tripartite classification of forests, came under inquiry, and proposals for reorganisation of establishments submitted by each Conservator in 1896 were returned by the Local Government in January 1897 for consideration on a uniform plan. In May 1897 the Government of India invited proposals in the matter. Plague and famine intervened, and it was not until 1902 when the

tripartite classification business had sufficiently advanced that fresh proposals were invited by the Local Government through the Senior Conservator, who submitted them in November 1902. After further inquiries, the scheme involving an extra annual cost of Rs. 1,69,000 as modified by the Local Government went up to the Government of India in June 1905. In March 1906 the Government of India suggested certain modifications, and intimated their readiness, if this Government so desired, to submit such modified proposals for the Secretary of State's approval pending collection of further information desired by that Government on certain other points. The Local Government's reply on the subject (on consideration of further reports of Conservators) together with proposition statements will shortly go to the Government of India.

Substitution of Police for Military Guards over Treasuries, &c.

7. The Government of India made considerable reductions in the strength of the police force proposed by this Government for the relief of military guards and asked for revised proposals, which have now been submitted. In the similar scheme for Aden which was submitted to the Government of India separately they sanctioned only 4 *havâldârs* and 24 constables in lieu of 4 *havâldârs* and 40 men proposed by this Government.

House accommodation for officers.

8. In April 1905 the Local Government communicated their remarks to the Government of India on the report (received in November 1904) of a committee appointed by that Government to inquire into the question of house accommodation for officers stationed at Calcutta and Bombay. In August 1906 the Government of India submitted for the Secretary of State's approval a scheme for the provision of house accommodation and for the extended grant of house-rent allowances to Government officers in Calcutta only. After receipt of sanction to the Calcutta scheme, the Government of India informed this Government in January 1907 that it was open to the Local Government to proceed with a similar scheme for Bombay. The question was entrusted by this Government in May 1907 to a local committee for report, which is awaited. Meanwhile the Local Government's recommendations (submitted in January 1907) for the grant of a house-rent allowance of Rs. 50 per mensem to Assistant Collectors of Customs in Bombay who have not been admitted into the Imperial Customs Service have been held over by the Government of India for consideration along with the general question instead of being sanctioned, to the relief of a class of officers badly in want of it, provisionally and subject to such modification as might afterwards have been found necessary.

Revision of pay of low-paid subordinates.

9. In May 1907 certain proposals for raising to Rs. 15 per mensem the minimum pay of clerical appointments in all branches of the Public Service (Imperial as well as Provincial) in this Presidency at an annual cost of Rs. 20,800 were submitted for the sanction of the Government of India as required by Article 283, Rule 4 (8), of the Civil Account Code. In June 1907 the Government of India invited an abridged proposition statement in Account Code Form No. 5–A and a statement of the reasons necessitating the revision in the whole Presidency. Proposition statements invited by Government in August 1907 from all Heads of Departments for the purpose of preparing an abridged statement are still awaited by the Accountant-General.

Vaccination Establishment.

10. Under the orders of the Secretary of State passed in 1876 vaccinators employed by Municipalities and Cantonment Committees were classed as servants of the State admitted to the benefits of pensions and gratuities from general revenues. Subsequently this concession was extended to vaccinators paid from all local funds. In Home Department Resolution No. 190–202, dated the 27th November 1906, the Government of India stated that the system under which vaccinators, though paid from local funds, were nevertheless held to be pensionable from general revenues was open to objection, that there was no reason why any distinction should be made between them and any other class of local fund employés, and that the time had come to place vaccinators on the same footing as other local fund employés. They accordingly directed (1) that for the future vaccinators should not be enrolled as servants of Government nor be employed as a provincial establishment, (2) that vaccinators hereafter employed by local bodies should be wholly under their administrative control and should be on the same footing as other local employés, and (3) that existing incumbents should retain their present rights to pension from Government.

Remuneration of Medical Officers for attendance on ruling Chiefs and their families and dependents and on Indian gentlemen of high position in a Native State or in British India.

11. With Home Department letter No. 618–619, dated the 1st July 1907, the Government of India forwarded for information a copy of their notification No. 607, dated the 1st July 1907, in which they have prescribed in supersession of all existing rules the regulations regarding the receipt by Medical Officers of Government of fees for professional services rendered to ruling Chiefs and their families or dependents, Indian gentlemen of high position in a Native State or Indian gentlemen of high position in British India. The revised regulation is as follows :—

> Fees calculated on the scale of Rs. 16 a visit or in certain cases, Rs. 32 according to recognised custom, unless the total exceeds Rs. 160 during any one month may be accepted without permission. Higher fees require the permission of the Director-General, Indian Medical Service.

With reference to this notification the Government of India have addressed a confidential letter to this Government in which with the object of elucidating their intentions they explain *inter alia* that they have determined—

> (*i*) that it shall be the duty of the Local Administrative Medical Officer to consult the Local Government (without disclosing professional details) before forwarding the case to the Director-General, Indian Medical Service, and to communicate the views of the Local Government thereon ;
>
> (*ii*) that the decision of the Director-General, who will consult the Government of India when he differs from the opinion of the Local Government, shall be final.

In their letter No. 6989–54–Confidential, dated the 23rd November 1907, this Government have protested against these orders which were issued without first affording this Government an opportunity of expressing their opinion.

Position of the Sanitary Commissioner with the Government of India regarding the local Sanitary Commissioner.

12. By their Resolution No. 1273–1290, dated the 8th September 1904, the Government of India created an appointment of a separate Sanitary Commissioner with that Government. It was stated (paragraph 12 of Resolution) that his main functions would be to advise the Government of India upon sanitary and bacteriological questions, that he would not be permitted to encroach in any respect upon the authority of Local Governments over the officers under their control, but that he would consult and confer with them informally upon matters connected with sanitation and would in this respect occupy a position closely analogous to that of the Director-General of Education. He was empowered to correspond *unofficially* with the provincial Sanitary Commissioners and the Heads of provincial laboratories upon points of departmental procedure, forms and statistics and purely technical questions. In their letter No. 1573, dated the 21st September last, the Government of India stated that experience had shown that the restriction to *unofficial* correspondence had produced considerable inconvenience and that such references would in future be made officially. In General Department letter No. 6226, dated the 17th October last, the Government of India have been requested to reconsider their recent orders which has been issued without first affording this Government an opportunity of expressing their opinion and for definition of their scope.

The disposal of retail licenses for the sale of liquor.

13. In the year 1899 this Government first considered the question whether any change should be made in the district monopoly country spirit system in force in the Bombay Presidency, under which the monopoly of the manufacture and sale of country spirit in a district or a specified area is leased to a contractor or a farmer. In view, however, of losses suffered by some A'bkári contractors owing to famine and plague, Government decided in June 1899 not to pursue the subject further. Having regard to the frequent remissions of minimum guaranteed revenue granted by the Government of Bombay to A'bkári contractors, the Government of India were in 1901 inclined to think that the Bombay A'bkári system was in need of some modification, and they asked this Government to consider the matter when times were more auspicious. After consideration of the subject this Government decided to introduce in the Belgaum district from 1st August 1902 the contract distillery system of Madras. Under this system the exclusive privilege of manufacture and supply of country spirits throughout a district or other specified area is disposed of by tender. The successful tenderer has the monopoly of the supply of liquor to the retail vendors within the area of his contract. The privilege of retail vend either for single shops or for groups of shops in a *táluka* is sold by auction to the highest bidder. The system has since been extended to the East Khándesh, West Khándesh, Násik, Poona, Sátára and Ahmednagar districts, with the difference that in the first three districts the shops for retail vend were given to those whose tenders guaranteeing a minimum revenue were accepted. The results were favourable in the case of the Khándesh system, and Government have been from time to time considering whether that system or the auction shop system in Belgaum, Poona, etc., should be introduced into other districts. It will be seen from the following paragraph that the Government of India, in passing orders on the Excise Committee's report, have directed that the right of retail vend should be disposed of by auction.

The Government of India have accepted the recommendation of the Excise Committee that the existing systems for the regulation of country liquor should be replaced, as soon as circumstances permit, by the contract distillery system of Madras. In accordance with the instructions of the Government of India, the Committee have also discussed the subject of the method of disposal of licenses for retail vend. The Commissioners of Customs, Salt, Opium and A'bkári, Bombay, who was consulted by the Committee, expressed his opinion against the method of auctioning licenses for retail vend. If the separate shop system were introduced generally into this Presidency, the Commissioner suggested that in the difficult districts the shops should be disposed of on a minimum guarantee, as was the case in Khándesh and Násik, and that in the other districts they should be given to selected individuals on fees calculated on sales. In their report the Committee observed that, though in accordance with the policy of the Government of India the general method of the disposal of the right of retail vend was that of sale by auction, they did not consider that the system should be looked to as the best ultimate method of raising supplementary revenue on articles which pay direct duty. The Committee were in favour of a policy of reducing the proportion of the taxation realized in the form of vend fees so that the fluctuating part might eventually become shop license fees. In paragraphs 194 and 196 of their report the Committee enumerated the objections which had been raised against the auction system, and in paragraphs 200 to 211 of the report they suggested alternatives to the system. The Government of India, however, in their Resolution, Finance Department, No. 2997-Ex., dated 16th May, 1907, considered that the arguments advanced by the Committee against the auction system were not valid, and that the alternative proposals made by them were open to far graver objections. The Government of India then decided that the best method is an auction system worked on the lines laid down by them and directed that it should be adopted. They have, however, left it to the Local Governments to decide whether the shops should be sold by auction annually or for a longer term not exceeding 3 years.

Conscience clause for European schools.

14. With their letter No. 532, dated the 14th August 1905, the Government of India forwarded copies of the Code for European schools as revised by them and asked that the Code might be brought into effect in Bombay. The Director of Public Instruction, who was asked to report with what explanations and modifications the code should be introduced into this Presidency, recommended, *inter alia*, the omission of clauses (*a*) and (*b*) of Article 6 of the Code for the reasons that they were strongly objected to by the managers of European schools whom he had consulted and that they were not required in this Presidency where they could not be applied in mission and other similar institutions, and if retained would cause friction and dispute. This Government approved of the modification proposed by the Director and informed the Government of India of it (letter No. 102, dated 17th January 1907). The Government of India, however, insisted upon a re-instatement of the clauses referred to. They stated: "The Government of India are not prepared to accept the proposed omission of clauses (*a*) and (*b*) since they regard it as essential that the principle of religious neutrality should be maintained. They are inclined to doubt the force of the contention that the insertion of these clauses in the European Code will lead to a demand for the insertion of similar clauses in the Grant-in-aid Code for native schools, and would point out that this effect has not been produced in other provinces where the European Code has been for a long time in force. It is also noted that there is no apparent reason to apprehend, from the circumstances of European schools in the Bombay Presidency, that the insertion of these clauses will lead to undesirable friction. I am to request therefore that, with the permission of His Excellency the Governor in Council, the decision to omit clauses (*a*) and (*b*) from Article 6 of Chapter I of the Code may be reconsidered. The Government of India trust that, in this important matter, the Bombay Government will be able to place itself in line with other Local Governments in India by whom Article 6 has been fully accepted." In letter No. 1905, dated the 31st October last, Educational Department, this Government explained the reasons why these clauses should not be forced on European schools in this Presidency, and the Government of India ultimately accepted the proposals of this Government.

Investment by Government Officers in Agricultural Banks.

15. In Home Department letter No. 1439, dated the 17th June 1907, the Government of India requested to be favoured with an expression of opinion of this Government on the proposals made by the United Provinces regarding the questions whether Government servants should be permitted to invest money in Co-operative Credit Societies and whether a new rule should be made to provide for the investment of money by subordinate Government servants, such as clerks, in societies specially constituted for their benefit. This Government, after consulting their officers, informed the Government of India that the majority of opinions expressed on this subject required any permission to be given to Government officers to invest money in Co-operative Credit Societies to be subject to restrictions, and that since such restrictions were generally held to be desirable it would be best that such investments should be prohibited, and that in any case no alteration should be made in Rule 11 of the Government Servants' Conduct Rules, 1904 (letter No. 6695, dated the 9th November 1907). No case for any such restrictions has so far arisen in this province, and the discussion of the subject seemed premature.

Proposed appointment of an Inspector-General for Museums.

16. In their letter No. 6879—6815-15-3, dated 27th November 1905, the Government of India stated that in connection with certain proposals for the reorganization of the Indian Museum, Calcutta, a suggestion had been made that an Inspector-General of Museums in India should be appointed who would not only be the administrative Head of the Indian Museum, Calcutta, but the responsible adviser of that Government and also of the Local Government in respect of all

questions connected with the organization and management of museums. In paragraph 5 of the letter the hope was expressed that this Government might be able to approve this proposal and it was requested that in that case the Government of India might be furnished with the views of this Government as to the manner in which the services of such an officer could be turned to the best advantage and as to the amount of control which he should be authorized to exercise (*vide* Government Resolution No. 2420, dated 12th January 1906). This Government thought that the proposed appointment was likely to lead to centralization and suggested as an alternative to the proposal of the Government of India that there should be an annual meeting of the curators of the museums at a different centre each year. The Government of India were informed accordingly in this Government letter No. 5021–A, dated 24th August 1906. In view of the objections to their proposal put forward by the majority of the Local Governments consulted the Government of India decided not to proceed further with it.

Salt Administration in Sind.

17. In view of the recommendations made by an expert Committee appointed by the Government of India in August 1903 to report on the system of salt administration in India, the Government of India in July 1904 expressed a provisional opinion in favour of the Commissioner, Northern India Salt Revenue Department, being constituted the controlling authority of the salt administration in Sind, and condemned a scheme for the joint supervision of the salt, opium and excise administration in that province. The Local Government regretted that they had not been consulted before the Government of India formed their views, and intimated their inability to acquiesce in the proposals of the Government of India. The Government of India in reply observed that they deemed it right to indicate the *provisional* opinion which they had themselves formed on reading the committee's report, and that this course was in no way open to objection or inconsistent with the relation in which they stood to the Local Government. The Government of India at the same time expressed their readiness to consider any representation which the Local Government desired to make against the recommendations of the majority of the committee. After inviting the opinions of the Commissioner, Northern India Salt Revenue Department, the Commissioner in Sind, and the Commissioner of Customs, Salt, Opium and A'bkári on the subject of several alternative schemes for the administration of the Salt Department in Sind, the Local Government in June 1905 submitted their views to the Government of India, and respectfully contended against their announcement of a provisional, and in one respect absolute, conclusion regarding questions pertaining to the Local Government's administration before the facts within their knowledge were taken into consideration by the Government of India. In September 1905 the Government of India, after considering three alternative schemes put forward by this Government, accepted the Local Government's views in favour of the control of the department being continued to be vested in the Commissioner in Sind. They observed however that they could "not allow the Government of Bombay to question their right to express an opinion, whether provisional or otherwise, on any matter, more especially on one which had been exhaustively considered by an expert committee and which vitally concerns a branch of revenue which is wholly imperial." In September 1906, detailed proposals were submitted to the Government of India for a combined establishment of salt, excise and opium in Sind. They were approved by the Secretary of State in June 1907 subject to certain minor modifications proposed by the Government of India and subject to an alternative proposal of the Local Government for the pay of the Assistant Commissioner being adopted if further inquiries already made by the Government of India proved the desirability of these courses.

Surat Octroi Taxation.

18. Under the Government of India's Orders of 1868 the levy of octroi duties on articles liable to sea customs duty and imported into India by sea was prohibited. These orders became inoperative when the sea customs duties were abolished. When these duties were re-imposed in 1894, the question of dealing with the existing local octroi schedules, which contained numerous articles since made liable to imperial taxation, was taken up by the Government of India, and in 1899 they prescribed certain maximum rates up to which the levy of octroi upon articles liable to customs duties should be permitted. This Government was asked to examine the circumstances of each municipality in order to ascertain whether the rates levied on articles for which sea customs were paid and the corresponding indigenous articles were higher than the prescribed rates, and to report to them for consideration any exceptions concerning rates. The examination commenced in 1900. In the Northern Division it was found that the Ahmedabad and Surat municipalities transgressed the limits prescribed by the Government of India in three items, viz., sugar, *ghi* and oils, and the municipality of Broach those in *ghi* and butter. With reference to Surat the Commissioner, Northern Division, stated that compliance with the orders of the Government of India would mean a loss to the municipality of nearly half a lákh of rupees per annum, and would place the municipality in an embarrassing position. He recommended that the municipality should be given two months' time to amend their schedule. The Commissioner's recommendation was approved in Government Resolution No. 6043, dated 23rd October 1901. In 1903 the Government of India modified their orders of 1899, and prescribed more liberal maximum rates. The Surat municipality revised their schedule in 1905, and while they reduced the duty on *ghi* and sugar in order to conform to the rates prescribed by the Government of India, they increased the duty on grain of all sorts and flour. Government felt that the incidence of the tax on grain would be proportionately heaviest on the classes which consumed the cheapest grains, and desired the Commissioner to reconsider the point and, after consulting the Collector, make such recommendation as he might think fit. The Managing Committee of the municipality reported that they did feel that poor people who consume the cheapest grain would proportionately pay a higher rate of octroi than the well-to-do, but that they did not see their way to make equitable adjustments. The schedule was eventually sanctioned by Government. The Broach municipality also met the deficit caused by a reduction of the duty on *ghi* and butter by increasing the rates on sesamum and grain of all sorts. The Ahmedabad municipality levied a duty on sugar at the rate of $8\frac{1}{4}$ per cent. *ad valorem*, whereas the maximum prescribed by the Government of India was Rs. 4–11–0 per cent. The municipality reduced tentatively the duty on sugar to Rs. 5–8–11 per cent., and in order to meet the loss of over Rs. 30,000 resulting from this revision it enhanced the rates of toll and the duties of wheat, oils of sorts, piece goods, and timber and building materials. The decrease in the rate of sugar was accepted by the Government of India on condition that within a year the rate would be brought down to the level prescribed by them.

From these instances it will be seen that pressure was put on municipalities to alter their octroi schedules in consequence of changes in the customs tariff, and in asking them peremptorily to reduce their rates to certain arbitrary maxima much heed was not paid to the fact that they had raised loans on the security of their income from octroi and other rates and could not afford to forego a portion of their revenues. The result was that the Surat and Broach municipalities were compelled to tax the food of the poorest people, and at Ahmedabad the cloth merchants went on strike for a few days to show their disapprobation of the change.

APPENDIX V.

Judicial Department.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
1	Forms of proceedings in Courts subject to the Appellate Jurisdiction of the High Court under sections 24 and 25 Vic., Chapter 104, *i.e.*, all such forms in the Civil Circulars for the use of Civil Courts, as the High Court cannot sanction of its own authority under section 652 of the Code of Civil Procedure.	From Government to High Court.	Section 15 of 24 and 25 Vic., Chapter 104.	Section 15 of 24 and 25 Vic., Chapter 104, may be amended so as to empower the High Court to prescribe all forms for the use of both the Civil and Criminal Courts subordinate to the High Court. At present for all such forms as do not come under section 652 (*I*) of the Civil Procedure Code (Act XIV of 1882) or section 28 (*I*) (*a*) of Act IX of 1887, sanction of Government has to be obtained by the High Court. Perhaps the same object may be attained by amending section 652 of the Civil Procedure Code so as to empower the High Court to prescribe forms for the use of the Civil Subordinate Courts in all cases. As regards forms for the use of the High Court, section 639 of the Civil Procedure Code gives absolute power to the High Court. This subject may appropriately be considered in connection with the Civil Procedure Code Bill.
2	Rules and forms for the guidance and use of the Criminal Courts (*i.e.*, all circulars issued for the guidance of Criminal Courts, subordinate to the High Court).	Ditto ...	Ditto and section 554 of Act V of 1898.	There being no provision in the Code of Criminal Procedure empowering the High Court to make rules of procedure for the Subordinate Criminal Courts corresponding to section 652 of the Code of Civil Procedure, or section 28 (*I*) (*a*) of Act IX of 1887, sanction of Government has to be obtained under section 15 of 24 and 25 Vic., Chapter 104, or section 554 of the Criminal Procedure Code to every circular framed by the High Court for being embodied in the High Court Criminal Circular Order Book. This entails unnecessary correspondence. Provision may, therefore, be made in the Criminal Procedure Code to empower the High Court to make rules and prescribe forms, etc., for the use of the Criminal Courts subordinate to it without submitting them to Government for sanction.
3	Applications for privilege leave to High Court Judges when no *locum tenens* is necessary.	From Government to the Honourable the Chief Justice.	Rule 21 of the rules made under Statute, 24 and 25 Vic., Chapter 104, section 6, by the Secretary of State in Council of India (*vide* Article 543 of the Civil Service Regulations).	The Honourable the Chief Justice might be authorized to grant leave to the Judges of the High Court when it is certified by the Accountant-General to be due and when no *locum tenens* is required during the absence of the Judge on such leave. Rule 21 requires that applications for leave shall, in all cases, be submitted in such manner as the Government shall, from time to time, prescribe. Government can therefore direct that such applications may be submitted to the Honourable the Chief Justice for sanction along with the Accountant-General's certificate.
4	Appointment of Magistrates to exercise the powers vested by the Workmen's Breach of Contract Act, 1859, in a Magistrate of Police.	From Government to District Magistrate.	Act XIII of 1859, section 5.	To appoint Police Magistrates under the Act.
5	Proposals for the appointment of Delegates to the Parsi Matrimonial Court, Bombay, to aid in the adjudication of cases arising under Act XV of 1865.	From Government to High Court.	Section 21 of the Parsi Marriage and Divorce Act, 1865 (XV of 1865).	.....
6	Power to make rules for the regulation of public conveyances.	From Government to Divisional Commissioners.	Public Conveyances Act, VI of 1863, as modified by Bom. Act V of 1887, section 14.	Powers of Local Government.
7	Application of the Public Conveyance Act to certain local areas.	Ditto ...	Ditto, section 34.	Ditto.
8	Alterations in the rates of fares under the Public Conveyances Act.	Ditto ...	Ditto ...	Ditto.

Judicial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
9	Appointment of Magistrates to exercise the powers vested by the Public Conveyance Act of 1863 in a Magistrate of Police.	From Government to Divisional Commissioners.	Public Conveyances Act, VI of 1863, as modified by Bom. Act V of 1887, section 34.	.....
10	Approval of the Commissioner to the appointment of a police *pátil*.	From Commissioners to District Magistrate.	Section 5 of the Village Police Act VIII of 1867.	Full powers
11	Dismissal of a police *pátil*	Ditto ...	Section 9 (2) ditto	.....
12	Authorizing the issue of commissions to police *pátils*.	Ditto ...	Section 15 ditto	Power of Commissioner.
13	To cancel such commissions	Ditto ...	Section 18 ditto	Ditto.
14	Infliction of fines on police *pátils* and *shetsanadis*.	From Magistrate of First Class to *Mámlatdár*.	Section 9 ditto	Up to Rs. 2. (The power at present exercised in the case of revenue *pátils* and *kulkarnis*.)
15	Appellate powers to Assistant Judges.	From Government to High Court.	Section 17 of Bombay Act XIV of 1869. Government letter in the Judicial Department, No. 4379, dated 28th July 1886.	The High Court may be empowered to pass orders in such cases without submission to Government and notify the grant of such powers in the *Government Gazette*.
16	Investiture of Assistant Judges with District Judge's Powers.	Ditto ...	Bombay Civil Courts Act XIV of 1869, section 19.	Powers of Government under Act XIV of 1869.
17	Deputation of Subordinate Judges in one district to assist Subordinate Courts in another district.	Ditto ...	Ditto, section 23.	In regard to the deputation of Second Class Subordinate Judges from one district to another district.
18	Appellate powers to Subordinate Judges and Small Cause Court Judges.	Ditto ...	Ditto, section 27.	The High Court may be empowered to pass orders granting such powers and to notify them in the *Gazette*.
19	Small Cause Court powers to Subordinate Judges of the First and Second Classes.	Ditto ...	Ditto, section 28. Government Circular, Judicial Department, No. 7683, dated 19th December 1879, also Government Resolution, Judicial Department, No. 1600-A., dated 13th March 1893.	The section of the Act mentioned in column 4 may be so amended (*i.e.*, by substituting "High Court" for "Governor of Bombay in Council") as to empower the High Court to pass orders on such applications without submitting them to Government and to notify the grant of such powers in the *Gazette*.
20	Proposals for regulating fees to be taken for any process issued by the Civil Courts (under Bombay Act XIV of 1869) or by any officers of such Courts.	Ditto ...	Ditto, section 42.	The sanction of the Local Government may be dispensed with.
21	Appointment, promotion and transfer of Subordinate Judges of the First and Second Classes and Small Cause Court Judges.	Ditto ...	Ditto, section 22. Government Resolution in the Judicial Department, No. 3939, dated 21st July 1873.	Under Government Resolution No. 3939, dated 21st July 1873, in respect of promotion, Government accept in all cases the nomination of the High Court to all appointments of which the salaries do not exceed Rs. 400 a month, *i.e.*, promotions of Second Class Subordinate Judges. They also accept all recommendations of the High Court for transfers of Subordinate Judges in the Second Class.
22	Applications for holding Subordinate Civil Courts outside the local limits of their jurisdictions or at a place within the jurisdiction, but not in the appointed court-house.	From Government to District Judge.	Ditto, section 23.	Sanction of Government is required in such cases. Section 23 may be so amended as to give this power to the District Judge. Sometimes on account of plague or other reasons, it is thought desirable to hold Courts at places other than those ordinarily appointed by Government. Similar power has been given to the High Court by section 6 as regards the holding of District Courts within the district.
23	Power to allow transfer on exchange or otherwise of a clerk of the Court or ministerial officer from one Civil Court to another beyond jurisdiction.	Ditto ...	Bombay Civil Courts Act XIV of 1869, section 40-A.	The District Judge may be empowered to transfer any clerk of the Court or ministerial officer from another district to his district and *vice versâ*.
24	Power to allow an Assistant Judge to hold his Court at a place different from the one where the District Judge holds his Court.	From High Court to District Judge.	Ditto, section 15.	District Judges may be empowered to exercise this power without consulting the High Court.

Judicial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
25	Deputation of Subordinate Judges in one district to assist Subordinate Courts in the same district.	From High Court to District Judge.	Bombay Civil Courts Act XIV of 1862, section 23.	In regard to the deputation of a Subordinate Judge to assist another Subordinate Judge within the same district.
26	Apportionment of days of holding Courts at two places.	Ditto ...	Ditto, section 23	The District Judge may be empowered to apportion days without consulting the High Court.
27	Apportionment of days of sitting in linked Courts.	Ditto ...	Ditto, section 23 (*3*) and (*4*).	Ditto ditto.
28	Investiture of Magistrates other than First Class Magistrates with powers to try cases under section 3 of the Opium Act, 1878.	From Government to Commissioner in Sind and Divisional Commissioners.	The Opium Act I of 1878, section 3.	.....
29	Seizure and detention of arms under section 26.	From Government to District Magistrate.	Section 26 of the Indian Arms Act, XI of 1878.	Full powers.
30	Power to issue warrants for search of hidden arms.	From District Magistrate to District Superintendent of Police.	Ditto, section 29	Ditto.
31	Arms licenses extending to more than one district.	From Commissioner to District Magistrate and Deputy Commissioner.	Under Rule 13 of the rules under the Arms Act countersignature of the Commissioner is necessary.	When they are for the first time countersigned by the Commissioner they may be countersigned by the District Magistrate in succeeding years.
32	Power to grant licenses under Rule 14 of the Rules under the Arms Act for the transportation of arms outside the district and within the Presidency.	From District Magistrate to Sub-Divisional Magistrate.	Rule 14 of the Arms Act Rules.	.....
33	Search in the case of offence against section 19 (*f*) of the Indian Arms Act.	To District Magistrate.	Section 30 of the Indian Arms Act, XI of 1878.	Full powers. The section prescribes that officers should be appointed for the purpose. The District Magistrate is the most suitable officer to whom such powers might be delegated.
34	Officers other than Magistrates to be empowered to search for arms.	Officers not below the rank of Sub-Inspector.	Section 25 ditto...	Full powers. In the absence of Magistrates some officers should have this power.
35	Appointment of Subordinate Judges to aid the District Judges in inspecting and supervising the proceedings under the Dekkhan Agriculturists' Relief Act.	From Government to High Court.	Section 52 of Act XVII of 1879.	This section was first made use of this year and the First Class Subordinate Judges in five districts were empowered under it. The number of references under it will increase as the provisions of the Dekkhan Agriculturists' Relief Act regarding Conciliators, etc., become known.
36	Special power to a Conciliator to direct the defendant to appear in person.	From Government to District Judge.	Section 40 (*3*), ditto	The District Judge may be empowered.
37	Appointment of Conciliators and Village Munsiffs under the Dekkhan Agriculturists' Relief Act.	From Government to Collector when the District Judge agrees; otherwise Commissioner.	Sections 34 and 38, ditto.	All cases.
38	Appointment, suspension or removal of *Kázis*.	From Government to Divisional Commissioner.	Section 2 of the *Kázi's* Act, XII of 1880.	.....

Judicial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
39	Execution of Civil Courts' decrees.	From Collector to Assistant Collector and Mámlatdár.	Rules under section 320, Civil Procedure Code.	At present the Sub-Judges send decrees for execution to the Collector, who, in his turn, sends them to the Mámlatdárs. The Mámlatdárs, after executing the decrees, send them to the Collector and the Collector sends them back to the Sub-Judges. This roundabout procedure entails much unnecessary trouble and increase of work both in the Collectors' and Mámlatdárs' offices. Sub-Judges should, it is suggested, send decrees direct to the Mámlatdárs who should observe the preliminary procedure as at present and hold auctions. Mámlatdárs should be empowered to sanction sales up to Rs. 50. If the final bid is above Rs. 50 they should send the papers to the Assistant Collector who should be empowered to sanction the sales up to Rs. 200. If the final bid is above Rs. 200 the Mámlatdárs should send the papers direct to the Collector who should sanction the sales.
40	Extension of the Gambling Act.	From Government to Divisional Commissioner.	Section 1 of Bombay Act IV of 1887.	Powers of the Local Government.
41	Signing of warrants under the Gambling Act, IV of 1887.	From Commissioner of Police to Deputy Commissioner of Police, Bombay.	The Gambling Act, IV of 1887, section 6.	.....
42	Appointment of Registrar of Small Cause Court, Karáchi.	From Government to Judicial Commissioner of Sind.	Act IX of 1887, section 12.	.....
43	Proposals for the grant of Small Cause Court powers to the Registrar, Small Cause Court, Karáchi.	Ditto ...	Ditto, section 12 (*3*).	All the powers of a Local Government
44	Proposals for extending section 41 of the Bombay District Police Act to towns, villages, etc.	From Government to Divisional Commissioner.	Bombay District Police Act IV of 1890, section 41.	.....
45	Power to authorise the District Magistrate to levy reasonable fees on persons assembled in large numbers at a place on account of a fair, pilgrimage, &c.	Ditto ...	Ditto, section 45 (*2*).	.....
46	Extension of section 61 of the District Police Act to specific areas.	Ditto ...	Ditto, section 61.	.....
47	Employment of additional Police near large works.	From Government to Inspector-General of Police.	Ditto, section 23.	To sanction employment.
48	Additions to and alterations in Mounted Police Fund and Litter Fund Rules.	Ditto ...	Ditto, section 27.	Full, subject to the approval of the Accountant General, Bombay, if the alteration refers to accounts.
49	Additions to and alterations in Line Fund Rules.	Ditto ...	Ditto, section 27 (*d*).	To the extent of minor alterations not inconsistent with the general spirit of the rules and to interpretation of the rules.
50	Alterations in Dress Regulations for subordinate grades of Police from Inspectors downwards.	Ditto ...	Ditto, section 27. See also Rule (8) on page 160, Police Manual.	To the extent of authorizing minor alterations and departure from the Dress Regulations.
51	Change in the armament of the Police or the scale of ammunition or the issue of additional arms.	Ditto ...	Ditto, section 27.	So far as the armament of non-gazetted officers is concerned (fire-arms excluded).
52	Additions, alterations, etc., in the Ball Practice and Musketry Rules.	Ditto ...	Section 27, Bombay District Police Act, IV of 1890.	Up to the limit of the sanctioned scale of ammunition. Any change that involves increase to the scale of ammunition to go to Government for sanction.

Judicial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
53	Punishment of police officers below the rank of Inspector in cases where the Superintendent of Police considers no punishment called for, in other words power to award punishment without reference to a Superintendent of Police and even when the Inspector-General of Police differs from a Superintendent of Police on the merits of any particular case.	From Government to Inspector-General of Police and Deputy Inspectors-General of Police.	Section 29, Bombay District Police Act, IV of 1890. Under sub-section 3 the Inspector-General of Police has power to punish an Inspector but not an officer of lower grade. *Vide* paragraph 2 of Government letter No. 2925, dated 16th May 1907. (Shivrao Durgappa's case.)	Full powers even to dismissal. To Inspector-General of Police in respect to all non-gazetted police officers. To Deputy Inspector-General of Police in respect to head constables and constables.
54	Issue of certificates to police officers below the grade of Inspectors on enrolment.	From District Magistrate to District Superintendent of Police.	Section 11 of the Bombay District Police Act IV of 1890.	To sign *for* District Magistrate with the District Magistrate's general permission.
55	Jurisdiction to try cases regarding cruelty to animals.	To Second Class Magistrates.	Section 62 ditto.	Full powers. At present 2nd Class Magistrates are required to be specially empowered in this behalf, which is not necessary.
56	Power to issue Search Warrants under section 35, District Police Act IV of 1890.	From Magistrate or District Superintendent of Police, to Assistant Superintendent of Police and Deputy Superintendent of Police.	Section 35, clause 2, ditto.	In respect to all subordinate police officers.
57	Direct communication with officers or persons in the United Kingdom or outside British India on matters other than criminal.	From Government to Inspector-General of Police.	Rules 43 and 44-E., page 525, Police Manual; and Government Resolution, Judicial Department, No. 1978, dated 7th April 1906.	There should be no restriction to Inspector-General of Police as Head of the Department corresponding direct on any official matter connected with the administration of his department.
58	Exemption of police officers from passing the departmental examinations and treatment of special cases.	Ditto ...	Rule XXII, page 49, Police Manual. Rule XXV, page 49, Police Manual. Government Resolution, Judicial Department, No. 1611, dated 3rd December 1896.	In respect to all grades from inspectors downwards.
59	Alterations in rules regarding police escorts and guards.	Ditto ...	Local Government orders, some of which are embodied in the Police Manual, Chapter V. Anything requiring change necessitates a reference to Government.	Full, subject to the limitation that no increase to establishment can be sanctioned and no change in respect to complimentary guards, personal escorts and rules regarding the payment of fares of police escorts proceeding to other provinces shall be made without the sanction of Government and that in other matters the authorities concerned shall be consulted.
60	Distribution of District Police Force.	From Commissioner to Inspector-General of Police.	Item No. 12 at page 6 of the Police Manual.	Any alterations necessary should be made in consultation with the Commissioner of the Division.
61	Complaints against the police.	Ditto ...	Rule (17) on page 6, Police Manual.	Full.
62	Transfer of policemen from one district to another for suppression of riots, etc.	Ditto ...	Item No. 15, page 7, Police Manual. (Section 17, Bombay District Police Act, 1890).	Ditto.
63	Recruitment	Ditto ...	Rule 2 (*a*), Police Manual, on page 119.	Power to sanction enlistment of *average* recruits.
64	Inter-District transfers of head constables and constables.	From Commissioner to Deputy Inspectors-General of Police.	Item No. 30 at page 7, Police Manual.	When absolutely necessary in the public interests; subject to the general control of the Inspector-General of Police.

Judicial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
65	Appeals from Sub-Inspectors —district and railways.	From Inspector - General of Police to Deputy Inspectors-General of Police—Range and Railways.	Rule 26 (*b*) i on page 12 of Police Manual.	With regard to all punishments, except dismissal.
66	Revisionary power in respect to punishments inflicted by Superintendents on head constables and constables.	Ditto ...	Rule 22, page 13 of Police Manual.	Full.
67	(*a*) Indents for arms and component parts of arms. (*b*) Returning indent. (*c*) Indents for ammunition.	From Inspector - General of Police to Deputy Inspectors-General of Police.	Rule 2 (3) (*b*) on page 139, Police Manual. Rule 7 (1-A) on page 145, Police Manual. Rule 5A on page 143, Police Manual.	Authority to countersign indents within budget provision and sanctioned scale.
68	Purchase of remounts ...	Ditto ...	Rule 2 on page 194, Police Manual.	When not available locally, to the extent of vacancies and subject to budget provision, and the Inspector-General of Police's general control and standing orders regarding cost of remounts.
69	Sanction to purchase horse equipments.	Ditto ...	Rule (7) on page 196, Police Manual.	To sanction expenditure to the limit required and subject to budget provision and orders of the Inspector-General of Police condemning existing equipments.
70	Line Fund	Ditto ...	Rule 17 (2), page 198, Police Manual.	In all matters connected with funds in their jurisdiction except the power to create new funds or abolish old ones and the power to frame new or alter existing rules.
71	Power to pass orders regarding unserviceable articles of clothing and accoutrements.	Ditto ...	Rule 5 A (1), page 259, Police Manual and Government letter No. 3951, dated 8th July 1907, Judicial Department.	Full, subject to standing orders.
72	Deputation of men to learn armourer's work.	Ditto ...	Item 43, page 9, Police Manual, and Inspector-General of Police's Circular No. 6325 of 21st July 1906.	To the extent of one for each district when there is no qualified armourer.
73	Applications for plague police.	Ditto ...	Inspector - General of Police's Circular No. A.—1109, dated 28th March 1907, and Government Resolution, Judicial Department, No. 6838, dated 20th December 1906.	To sanction entertainment or retention within budget provision.
74	Ordering of supply of clothing from contractors.	From Inspector - General of Police to Superintendent of Police.	Rule 16 (15) on page 166 of Police Manual.	Full, from authorized contractors and according to sealed sample and authorized rates.
75	Sanction to expenditure on accoutrements.	Ditto ...	Rule 9 on page 148, Police Manual.	Power to incur expenditure up to Rs. 20.
76	Power to spend from Litter Fund.	Ditto ...	Page 201, Police Manual.	Full, subject to general control by Deputy Inspector-General of Police.
77	Ordering of supply of accoutrements from contractors.	Ditto ...	Rule 9 on page 148, Police Manual.	To order supplies from authorized contractors and according to sealed sample and authorized rates.
78	Sanction to the appointment of persons not already in the police as head constables.	From District Magistrate to Deputy Inspectors-General of Police—Range and Railways.	Rule 43, page 10, clause 21, Police Manual.	Full.

Judicial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
79	Appeals from head constables and constables of all grades.	From District Magistrate to Deputy Inspectors-General of Police.	Rule 26 (ii), page 12, Police Manual.	Subject to the proviso that no appeal shall lie against a fine of a week's pay or extra drill.
80	Power of suspending officers below the rank of sub-inspectors.	From Superintendent of Police to Assistant Superintendent of Police.	Page 12, Rule 26, of the Police Manual and section 29 (*3*) of the Bombay District Police Act IV of 1890.	.....
81	Punishment of officers of and below the grade of head constables.	Ditto ...	Rule (26), page 12, Police Manual.	Fine up to one week's pay. } To constables. Extra guard duty and warning. } To head constables and constables.
82	Grant of casual leave ...	Ditto ...	Page 477, Police Manual, Rule 6.	Seven days' casual leave at a time to all officers of and below the rank of Inspectors in their divisions.
83	Punishments	From Superintendent of Police to Deputy Superintendent of Police.	Page 12, Rule (26), Police Manual.	Extra drill, extra guard and warning to constables, and extra guard and warning to head constables.
84	Punishment	From Superintendent of Police to Inspector.	Rule 26, page 12 ...	Drill punishment and extra guard to constables, and warning to head constables and constables. Punishments to be entered in Service Sheets only when the Superintendent is satisfied that they have been properly ordered. For this purpose a monthly statement of such punishments should be submitted by inspectors. Superintendents should have the power of revising inspectors' punishments and of suspending the Inspectors' power to punish if he sees that it is not properly exercised.
85	Punishment of officers of and below sub-inspector's grade.	.....	Rule (26), page 12 of Police Manual.	No change in present rules required except that dismissal of a sub-inspector should be subject to confirmation by the Deputy Inspector-General (Range or Railway).
86	Transfer of policemen in Assistant Superintendent of Police's charge.	From Superintendent of Police to Assistant Superintendent of Police.	General power under the Police Act.	Men below the grade of Sub-Inspectors.
87	Investiture of Magistrates with powers contemplated in section 8 (*2*) of the Reformatory Schools Act VIII of 1897.	From Government to Commissioner in Sind and Divisional Commissioners.	The Reformatory Scoools Act VIII of 1897, section 8 (*2*).	.....
88	Fixing the places at which the Sessions Judges shall hold their Courts.	From Government to High Court.	Criminal Procedure Code, section 9 (*2*).	All the powers now exercised by the Local Government in this respect may be delegated to the High Court.
89	Additional Sessions Judges and Assistant Sessions Judges to be placed in charge of more than one Court and their periods of sittings at the two places to be fixed.	Ditto ...	Ditto, section 9 (*3*).	All the powers now exercised by the Local Government in this respect should be delegated to the High Court.
90	Sessions Judge of one division to be appointed also as Additional Sessions Judge of another division and his periods of sittings at the two places to be fixed.	Ditto ...	Ditto, section 9 (*4*), High Court Criminal Circular No. 49 and Government Circular, Judicial Department, No. 3233, dated 29th May 1893.	All the powers now exercised by the Local Government in this respect should be delegated to the High Court.
91	Grant of Second Class Magisterial powers to persons holding offices of *mámlatdárs*, *mahálkaris*, head *kárkúns* and special head *kárkúns*.	From Government to Divisional Commissioner.	Criminal Procedure Code 1898, Section 12.	Powers exercised by Local Government.
92	Investiture with whipping powers.	Ditto ...	Ditto, section 32 (*b*).	.....

Judicial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
93	Power to withdraw all or any of the powers conferred on any person under the Code of Criminal Procedure, 1898.	From Government to Divisional Commissioner.	Criminal Procedure Code 1898, Section 41 (*1*).	.....
94	Power to sanction any general or special order under which the District Magistrate directs the village officers to communicate information regarding any matter likely to affect the maintenance of order or the prevention of crime or the safety of person and property.	Ditto ...	Do. section 45 (*1*) (*f*).	.....
95	Power to make rules for the guidance of the District Magistrate in making appointments of village head-men in certain cases for the purposes of section 45 of the Code of Criminal Procedure, 1898.	Ditto ...	Do. section 45 (*3*).	.....
96	Power to proclaim any person to be an offender.	Ditto ...	Do. section 54 (*1*) (clause III).	.....
97	Power to authorize a Subordinate Magistrate of the First Class to demand security for good behaviour from habitual offenders.	Ditto ...	Do. section 110...	.....
98	Power to empower a Subordinate Magistrate of the First Class to make orders for removal of local nuisances.	Ditto ...	Do. section 133 (*1*).	.....
99	Power to specially empower a Subordinate Magistrate of the First Class to issue a summons or warrant against any person within his local jurisdiction for an offence committed beyond his local jurisdiction.	Ditto ...	Do. section 186...	.....
100	Power to specially empower— (i) any Subordinate Magistrate to take cognizance under sub-section (*1*), clause (*a*) or clause (*b*), and (ii) any Magistrate of the First Class or Second Class to take cognizance under sub-section (*1*), clause (*c*), of offences for which he may try or commit for trial.	Ditto ...	Do. section 190...	.....
101	Power to empower any Magistrate of the Second or Third Class to commit any person for trial to the Court of Sessions.	Ditto ...	Do. section 206 (*1*).	.....
102	Power to empower any Sub-Divisional Magistrate to call for and examine the records of inferior Courts.	Ditto ...	Do. section 435 (*1*).	.....
103	Power to direct any Medical Officer other than the Civil Surgeon of the District to examine an accused person suspected of being of unsound mind.	Ditto ...	Do. section 464 (*1*).	.....
104	Power to make an order for the confinement in a lunatic asylum or jail or other suitable place of an accused person reported by the trying Magistrate or Court to be of unsound mind.	Ditto ...	Do. sections 466 (*2*) and 471 (*2*).	.....

Judicial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
105	Half-yearly returns and special reports of criminal lunatics confined in the lunatic asylums of the Bombay Presidency (submitted by the Surgeon-General with the Government of Bombay).	From Government to Divisional Commissioner.	Section 472 of the Code of Criminal Procedure, 1898. and Government Resolution No. 4388, dated 29th July 1887.	.....
106	Power to authorize the District Magistrate to withdraw from any Magistrate subordinate to him either such classes of cases as he thinks proper or particular classes of cases.	Ditto ...	Section 528 (*2*) of the Code of Criminal Procedure, 1898.	.....
107	Power to authorize a Magistrate of the Second or Third Class to dispose of cases regarding first offenders.	Ditto ...	Section 562 do.	.....
108	Orders as to what cases shall be tried by an Additional Sessions Judge.	From Government to Sessions Judge.	Section 193 (2), do.	All powers now exercised by Government in this respect should be delegated to Sessions Judges.
109	Power to invest Magistrates of the 1st, 2nd and 3rd Classes with the additional powers specified in Schedule IV of the Criminal Procedure Code.	From Government to District Magistrate.	Sections 12 and 37 do.	.....
110	Reference to High Courts in cases of conviction when no appeal is made.	To District Magistrate.	Section 438 do.	If the District Magistrate has power to dispose of appeals and call for papers it is unnecessary to refer such cases to the High Court.
111	Sale of ownerless property under sections 523 and 524 of the Code of Criminal Procedure, 1898. Now ordered by the District or Sub-Divisional Magistrates.	To *Táluka* Magistrate. *Note.*—Under the sections referred to in column 4 the property can be sold by the District Magistrate or Sub-Divisional Magistrate or Sub-Divisional Magistrate or a Magistrate of the First Class.	Sections 523 and 524 do.	In cases coming before their notice.
112	Power of the Commissioner of Police to reserve street or public place for public purposes subject to the orders of the Governor in Council.	From Government to Commissioner of Police, Bombay.	The City of Bombay Police Act, 1902, section 23 (*4*).	At times it becomes necessary to issue an order reserving a street, &c., and there is no time to refer to Government for orders. The Commissioner can be safely given this authority.
113	Sanction to sell intestate property.	From High Court to District Judge.	Section 10 of Regulation VIII of 1827.	Full powers of the High Court.
114	Investiture of Mámlatdárs' head *kárkuns* with powers of Mámlatdár under the Mámlatdárs' Courts Act.	From Government to Divisional Commissioner.	Mámlatdárs' Courts Act II of 1906, section 4.	Entirely.
115	Sanction for the transfer of prisoners to and from Aden.	From Government to Inspector-General of Prisons.	Rule 422 of the Jail Manual.	Full.
116	Quarterly Returns and Progress Reports in connection with the recovery of costs due to Government in pauper cases.	From Remembrancer of Legal Affairs to Collector.	Rules 144 and 145 of the Law Officers' Rules.	Full authority.
117	Report to the High Court of the appointment of officers to declare oaths.	From High Court to District Judge.	High Court Civil Circular No. 36, paragraph 2.	It is not necessary to make a report to the High Court. The publication of appointments in the *Government Gazette* by the District Judge is sufficient.
118	Appointment of a dismissed officer on pay of Rs. 20 and under, peon or bailiff.	Ditto ...	High Court Civil Circular No. 155 (iii).	Without special orders from the High Court.
119	Closing Courts for the annual vacation.	Ditto ...	High Court Civil Circular No. 171.	Full powers of the High Court.

Judicial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	5	5
120	Report to the High Court of the absence of Subordinate Judge from station except on duty.	From High Court to District Judge.	High Court Civil Circular No. 180.	A District Judge might allow a Subordinate Judge's absence on casual leave from the district without reporting to the High Court.
121	Service of orders by Criminal Courts in other districts requiring the attendance of prisoners to give evidence before them.	.....	Under section 38 of the Prisoners' Act III of 1900, these orders have to be sent to the District Magistrate of the district within the limits of which the prisoner is confined.	Orders need not be sent through the District Magistrates of the districts within whose jurisdiction the prisoner is confined.
122	Petitions to Government seeking a reversal or revision of departmental punishment inflicted on members of the police force.	.....	These are submitted under the Petition Rules of the Local Government—*vide* Rule 30 on page 517, Police Manual.	Punishments should be subject to one appeal and the appelate authority having passing orders in appeal, no further representation in the matter should receive consideration and such petitions should be filed.
123	Water connections for police lines.	From Government to Inspector-General of Police.	Paragraph 70 of the Accountant General's Contingent Circular of 1895.	.....
124	Printing of new forms as Standard Judicial Forms.	From Government to High Court.	Government Resolution, General Department, No. 2229, dated 26th July 1875 and Government Resolution, General Department, No. 1630, dated 26th June 1879.	Under the orders of Government noted in column 4 no new form can be printed by the Government Central Press (now Yeravda Press) as a Standard Form till sanctioned by Government. The High Court may be authorized to direct the press to print or alter any Standard Judicial Form for the use of the Courts or to expunge from the indent or schedule of forms any form that may not be required.
125	Expunging of Standard Judicial Forms.	Ditto ...	Government Resolution, Judicial Department, No. 4485, dated 18th August 1906.	Under the existing orders sanction of Government is necessary for expunging any Standard Judicial Form from the indent or schedule of forms. This power may also be delegated to the High Court.
126	Reports regarding the despatch of policemen to the Pasteur Institute for treatment.	From Government to Commissioner in Sind and Divisional Commissioners.	Bombay Government Resolution. Financial Department, No. 336, dated the 29th January 1903.	Rule III of the rules laid down in Home Department letter No. 3847, dated the 18th December 1902 (quoted in the preamble of Government Resolution No. 336, dated 29th January 1903, Financial Department), is as follows :— "The power of sanction should vest in the principal District Officer in the department concerned, who should subsequently report his action to the Commissioner in the Civil Department * * * for confirmation and communication to the Local Government." Government Resolution No. 1464, dated 23rd March 1905, Judicial Department, lays down that in the case of policemen the principal District Officer should be understood to be the District Superintendent of Police. The confirmation of the principal District Officer's sanction by the Commissioner may be held to be sufficient for the purpose of the rules and the communication to the Local Government may be dispensed with.
127	Entertainment of temporary police for famine purposes in places other than on railways.	From Government to Divisional Commissioner.	Bombay Government Resolution, Judicial Department, No. 1207, dated the 15th February 1897.	.....
128	Sanctioning new Standard Forms for the Police Department and alterations therein.	From Government to Inspector-General of Police.	Government Resolutions, General Department, No. 2229. dated 26th July 1875, and No. 1630, dated 26th June 1879.	To forms as are not prescribed by law and as are not general or laid down by the Accountant-General and Government. Changes in magisterial forms, if called for, to be authorised only after consultation with the Commissioners of Divisions.

Judicial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
129	Obtaining any information for criminal investigation purposes from the records of post offices in the Bombay Presidency.	From Government to Inspector-General of Police.	Government of India Resolution in the Finance and Commerce Department, No. 4110, dated 31st October 1884.	On application to chief postal authority to whom the post office is immediately subordinate.
130	Entertainment of temporary police for famine purposes on railways.	Ditto ...	Bombay Government Resolution, Judicial Department, No. 1207, dated the 15th February 1897.	.....
131	Additions to, and alterations in, the list of registers to be kept at a police station, etc.	Ditto ...	Government Resolution, Judicial Department, No. 4526, dated 15th July 1901.	Full, except in respect to registers prescribed by Law and Government.
132	Alterations in, and additions to, the Police Manual.	Ditto ...	Government Resolution, Judicial Department, No. 8110, dated 22nd December 1902.	Full.
133	Correspondence dealing with drill and equitation certificates obtained by Assistant Superintendents of Police.	Ditto ...	Government Resolution, Judicial Department, No. 3608, dated 13th July 1904.	Power to authorise the Accountant-General to enter the letter D or E against an officer's name in the Civil List on production of a certificate.
134	Employment of Plague Police.	From Government to Inspector-General of Police and Deputy Inspectors-General of Police.	Government Resolution, Judicial Department, No. 6838, dated 20th December 1906.	Provisional sanction to be accorded by Deputy Inspectors-General of Police. Power to confirm to be vested in the Inspector-General of Police to the limit of financial provision.
135	List of district jails classified for the purposes of charge allowance for the financial year.	From Government to Inspector-General of Prisons.	Under the orders of the Government of India, Home Department, No. 7—582—594, dated the 28th August 1889, communicated with Bombay Government Resolution No. 5032, dated the 21st September 1889, Judicial Department.	.....
136	Printing of forms at the Government Press.	From Government to Commissioner of Police, Bombay.	Government Resolution, General Department, No. 412 of 7th February 1888.	The Commissioner may be authorised to indent on the press.
137	Gradation lists of Sub-Inspectors.	From Inspector-General of Police to Deputy Inspectors-General of Ranges.	Government Resolution, Judicial Department, No. 5770, dated 29th October 1906.	Wholly
138	Power to depute men to the Finger Print Bureau to learn the Finger Print System.	From Inspector-General of Police to Deputy Inspector-General of Police for Railways and Criminal Investigation.	Inspector-General of Police's Circular No. 3503, dated 2nd May 1906.	Wholly.
139	Selection of Sub-Inspectors for Criminal Investigation Branch.	From Inspector-General of Police to Deputy Inspector-General of Police for Railways and Criminal Investigation.	Government Resolution, Judicial Department, No. 4361, dated 13th August 1906.	Subject to approval of the Inspector-General of Police.
140	Transfers of Criminal Investigation Department sub-inspectors.	Ditto ...	Ditto ...	With the approval of the Inspector-General of Police.

Judicial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	3	3	4	5
141	Transfers of sub-inspectors on railways.	From Inspector-General of Police to Deputy-Inspector-General of Police for Railways and Criminal Investigation, subject to the general control of the Inspector-General.	Government Resolution, Judicial Department, No. 4361, dated 13th August, 1906.	Within his railway jurisdiction.
142	Inter-district transfers of sub-inspectors.	From Inspector-General of Police to Range Deputy Inspectors-General of Police, subject to the general control of the Inspector-General of Police.	Ditto ...	Within range only so far as District Sub-Inspectors are concerned. Transfers from districts in one range to another or from railway to districts with the approval of the Inspector-General of Police in whom should vest the power of transferring any non-gazetted officer within the limits of the Presidency, in the public interests.
143	Transfers and promotions of sub-inspectors on railways.	From Inspector-General of Police to Range Deputy Inspectors-General of Police.	Ditto ...	Subject to the selection and recommendation by the railway deputy from the Range List; any disagreement between the railway and range deputy to be referred to the Inspector-General of Police.
144	Promotions of sub-inspectors.	Ditto ...	Ditto ...	Subject to the general control of the Inspector-General of Police and the proviso that in cases involving the claims of Railway and Criminal Investigation Department Officers the Railway Deputy is to be consulted. In the event of a difference of opinion the Inspector-General's orders to be taken. In cases of special promotion recommended or proposed by either range or railway deputies, the approval of the Inspector-General of Police to be obtained.
145	According sanction to write off certain useless books borne on the police registers.	From Commissioner to District Superintendent of Police and District Magistrate.	Government Resolution No. 6083 of 4th September 1896, Judicial Department, page 485 of Police Manual.	Each for the office of himself and his subordinates.
146	Leave to students of the police training school.	From Inspector-General of Police to Principal, Police Training School.	Government Resolution No. 1479, Judicial Department, dated 16th March 1906, Rule 6 of the rules.	Power to grant sick leave on medical certificates.
147	Appointments, promotions, punishments and leave to clerical establishments of Superintendents and Assistant Superintendents of Police.	From Inspector-General of Police to Superintendent of Police.	Government Resolution No. 5165, dated 16th September 1907, Judicial Department.	Subject to the following proviso :— The Inspector-General of Police's approval to the appointment of head clerk and head accountant should be necessary.
148	Acting appointments of sub-inspectors from among head constables in leave vacancy.	From Inspector-General of Police to Superintendent of Police.	Government Resolution, Judicial Department, No. 4361, dated 13th August 1906.	Subject to the confirmation by the Deputy Inspector-General of Police.
149	Transfers of inspectors ...	From Inspector-General of Police to Superintendent of Police and Deputy Inspectors-General of Police.	Ditto ...	In respect to transfers in the district or on the railway. In respect to transfers within his range or from one railway to another. In both cases subject to the control of the Inspector-General of Police.

Judicial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
150	Final reports in cases investigated by the police when offence does not appear to have been committed. Now decided by the First Class Magistrates.	To *Tálukа* Magistrates of any class.	Government Resolution No. 6272, dated 19th November 1888, Judicial Department.	As regards cases within their jurisdiction.
151	Quarterly return of extra policemen for treasure-guard only.	.....	Government Resolution, Judicial Department, No. 1857 of 14th March 1902.	This is unnecessary.
152	(*a*) Changes in the distribution lists of the Indian Law Reports. (*b*) Supply of extra copies of the Indian Law Reports.	.....	(*d*) Memorandum from the Government of India, Department of Finance and Commerce, No. 4764, dated 6th October 1890, embodied in Bombay Government Resolution, General Department, No. 4224, dated 21st October 1890.	As regards both (*a*) and (*b*) applications are at present received from other Governments or Administrations, from the Commissioners on behalf of District Magistrates or other officers under them or from District Judges on behalf of themselves or officers subordinate to them. By Government Resolution No. 1206, dated 6th July 1905 (Educational Department), the Curator, Government Central Book Depôt, was authorized to comply with the requisitions of Heads of Departments and offices under the several departments of the Secretariat, for the free supply of copies of Acts and other Government publications kept for sale at the depôt. On this analogy the Superintendent, Government Central Press, who stocks the Indian Law Reports, might be authorized to comply with requisitions for copies of the reports received direct from all Heads of Departments. Copies required by other Governments and Administrations might continue to come to Government, who would pass them on to the Superintendent, Government Central Press, for compliance.
153	Appeals against punishments and orders from clerical establishments of Superintendents and Assistant Superintendents.	From Government to (1) Inspector-General of Police ; (2) Deputy Inspectors-General.	None.	Fully, in the case of members drawing Rs. 50 and upwards. The rest.
154	Application for sanction to expenditure incurred in the removal of European vagrants from British India under the European Vagrancy Act.	From Government to Commissioner of Police, Bombay.	.....	The Commissioner of Police reports compliance with the orders of Government, directing the removal of the vagrants and applies for sanction to the expenditure incurred by him in connection with the removal. As the sanction is quite a formal matter it might be dispensed with and the Accountant-General authorized to pay the charge on receipt of a bill from the Commissioners of Police direct.
155	Punishment of police officers serving in the Criminal Investigation Department.	From Inspector-General of Police to Deputy Inspector-General of Police for Railways and Criminal Investigation.	None	Full, with respect to officers of and below the grade of sub-inspectors.
156	Ordering supply from contractors.	From Inspector-General of Police to District Superintendent of Police.	.....	To order from recognized contractors and according to sealed samples.
157	Signing of different licenses granted by the Commissioner's office under the various Acts which empower the Commissioner of Police only to do so.	From Commissioner of Police to Deputy Commissioner of Police, Bombay.	.....	.....

Judicial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
158	Calling for papers of punishments awarded by the District Superintendents of Police to the members of the police force.	From Inspector-General of Police to District Magistrate.	.....	To have check over indiscriminate punishments it is desirable that such powers should be delegated to District Magistrates.
159	Supply of copies of the High Court Civil and Criminal Circular Order Books.	From Government to Commissioner in Sind, and Divisional Commissioner.	By practice ...	The officers named in column 3 may be authorized to ask the High Court direct for copies of the circulars.
160	Supply of copies of the *Police Gazette* to officers outside the Presidency and in Native States.	From Government to Inspector-General of Police.	Ditto ...	Full.
161	Supply of Confidential Supplement to the *Bombay Police Gazette* printed on one side only in addition to the ordinary copy.	Ditto ...	Ditto ...	Do.

General Department.

162	Determining the number of Municipal Councillors.	From Government to Commissioner.	Bombay District Municipal Act, III of 1901, section 11.	.....
163	Sanctioning election rules framed by municipalities.	Ditto ...	Ditto ...	.....
164	Deciding whether a vacancy of Councillor has occurred in City and Town Municipalities.	From Government to Collector.*	Ditto, section 15 (3)	* Two Collectors recommend Commissioner in the case of City Municipalities and Collector in the case of Town Municipalities.
165	Removal of a Municipal Councillor whether elected or appointed.	From Government to Commissioner.	Ditto, section 16...	.....
166	Appointment of Presidents and Vice-Presidents of municipalities.	From Government to Collector.	Ditto, section 23 (2) and (3)	.....
167	Grant of leave of absence to Presidents and Vice-Presidents of City and Town Municipalities.	Ditto ...	Ditto, section 23 (5)	.....
168	Authorising the adoption of procedure by circular.	From Government to Commissioner.	Ditto section 35 (5)	.....
169	Sanctioning rules and by-laws of City Municipalities and alteration or recission thereof.	Ditto ...	Ditto, sections 46 and 48	.....
170	Sanctioning alterations in the pay of establishments in City Municipalities.	Ditto ...	Ditto, section 46...	.....
171	Sanctioning expenditure beyond municipal limits.	From Government to Collector.	Ditto, section 52...	.....
172	Conferring powers on municipalities for the prevention of dangerous diseases.	From Government to Commissioner.	Ditto, sections 144 and 145	.....
173	Closing of places for the disposal of the dead in municipal areas.	Ditto ...	Ditto, section 150 (1)	.....
174	Constitution of notified areas.	Ditto ...	Ditto, section 187	.....
175	Grant of gratuity to municipal employés.	From Government to Commissioners of Divisions.	Rules of some municipalities.	The power vested in Local Government.
176	Prohibiting houses in municipal districts being used as brothels.	From Government to Municipality.	Bombay District Municipal Act, III of 1901, section 153.	Full powers.
177	Nomination of Councillors to vacancies due to failure to elect the full number of elected Councillors.	From Commissioner to Collector.	Ditto, section 10 (*b*).	Two Collectors recommend that power may be given to the Collector only in the case of those municipalities of which he is not President.
178	Extending the term of municipalities from 3 to 4 years.	Ditto ...	Ditto, section 17.	.....
179	Sanctioning leases of immovable property for a term not exceeding 7 years and sales or transfers of such property and exchanges of land between municipality and private individuals.	Ditto ...	Ditto, section 40 (*2*).	.....

General Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
180	Sanctioning rules and by-laws of Town Municipalities and alteration or rescission thereof.	From Commissioner to Collector.	Bombay District Municipal Act, III of 1901, sections 46 and 48.	.....
181	Sanctioning alterations in the pay of establishment of Town Municipalities.	Ditto ...	Ditto, section 46.	.....
182	Sanctioning expenditure on public reception, ceremony or entertainment in the case of City Municipalities.	Ditto ...	Ditto, section 56 (*m*)	.....
183	Sanctioning in the case of Town Municipalities arrangements purporting to be binding permanently or for a term of years.	Ditto ...	Ditto, section 57.	.....
184	Imposition of taxes in Town Municipalities.	Ditto ...	Ditto, section 59.	.....
185	Consideration of objections to imposition of taxes in Town Municipalities.	Ditto ...	Ditto, section 60 (*c*).	.....
186	Sanctioning, modifying and imposing conditions as regards taxes in Town Municipalities.	Ditto ...	Ditto, section 61.	.....
187	Sanctioning the establishment of slaughter-houses beyond municipal limits.	Ditto ...	Ditto, section 141.	.....
188	Power to hear appeals against a municipality's order prohibiting the erection of any building exceeding such dimensions as may be specified.	Ditto ...	Ditto, section 149 (2) (c).	.....
189	Grant of rewards, gratuities, bonuses and compassionate allowances to municipal servants.	From Commissioner in Sind to Collector.	.....	Extent as provided by rules.
190	Remission of arrears of municipal revenue and writing-off of irrecoverable outstandings in case of Kotri and Manjhand municipalities.	Ditto ...	In the absence of rules framed under section 46 (*j*) of the Municipal Act III of 1901.	Extent unlimited.
191	Refunds of municipal dues in case of Tatta, Keti, Kotri and Manjhand municipalities.	Ditto ...	In the absence of rules under section 46 (*j*) of Municipal Act III of 1901.	Extent unlimited.
192	(*a*) Forfeiture of Provident Fund of municipal employés in case of dismissal, (*b*) payment to dismissed persons of amount of contribution, (*c*) payment of amount of contribution to heirs of person who has died intestate.	From Commissioner in Sind to Karáchi Municipality.	No. 113 of the Karáchi Municipal Rules.	Extent as regards (*a*) and (*b*) in cases they are competent to dismiss; (*c*) unlimited.
193	Application of plague surveillance measures to municipal and other towns.	From Commissioner to Collector.	Government Resolution No. 1948-P., dated 6th May 1901.	.....
194	Prohibition of holding of fairs, &c., owing to plague.	Ditto ...	No. 20 of the Mofussil Plague Rules—Government Notification No. 1948-P., dated 6th May 1901.	.....
195	Extension of the period of the term of office of members of Local Boards.	From Government to Commissioner.	Bombay Local Boards Act I of 1884, section 14.	.....
196	Approving the appointment of a member of a Local Board when no qualified person is elected.	From Government to Collector.	Ditto, section 24.	.....
197	Appointment of President of *Táluka* Local Board.	From Government to Commissioner.	Ditto, section 27.	.....
198	Deciding difference of opinion between local bodies.	Ditto ...	Ditto, section 36.	.....
199	Sanctioning regulations made by Local Boards.	From Government to Collector.	Ditto, section 39.	.....

General Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
200	Apportioning ferry proceeds between two or more Local Boards when a ferry is partly in one district and partly in another.	From Government to Commissioner.	Bombay Local Boards Act I of 1884, section 44.	.....
201	Sanctioning expenditure by Local Boards without the district.	Ditto ...	Ditto, section 45.	.....
202	Sanctioning expenditure by Local Boards outside their area but within the district.	From Government to Collector.	Ditto, section 45.	.....
203	Nomination of members of District and *Táluka* Local Boards.	From Commissioner to Collector and Assistant Collector.	Ditto, section 5 (*b*).	.....
204	Leases of immovable property for a term exceeding three years and sale and transfer of such property.	From Commissioner to Collector.	Ditto, section 9.	.....
205	Approval to the election of Vice-President of Local Boards.	Ditto ...	Ditto, section 27.	.....
206	Requiring a District Local Board to reduce the number of officers and servants employed by it or to reduce the pay of any such officer or servant.	Ditto ...	Ditto, section 63.	.....
207	Purchase by Local Boards of articles of European manufacture costing more than Rs. 50.	From Commissioner in Sind to District Local Board.	Government Resolution No. 1249, dated 28th February 1906.	Extent of budget limit.
208	Sanctioning re-appropriation and supplementary statements of *Táluka* Local Boards.	From President, District Local Board, to President, *Táluka* Local Board.	Bombay Local Boards Act I of 1884, section 56.	.....
209	Appointment of members of *Táluka* Local Board Committees.	From Collector to Assistant and Deputy Collector.	Practice	.....
210	Power to appoint the school panch.	From Assistant Collector to Mámlatdár.	Ditto	.....
211	Bringing a factory under the Factories Act.	From Government to Collector and District Magistrate.	Indian Factories Act, 1881, sections 2 and 20.	When the number of operatives simultaneously employed on any day is not less than 50, other conditions in section 2 being fulfilled.
212	Notice of accidents in factories in the *mufassil*.	From District Magistrate to Sub-Divisional Magistrate.	No. 20 of rules under the Indian Factories Act, 1881.	Report should be made by the Sub-Divisional Magistrate to the District Magistrate in case of fatal accidents.
213	Notice of holidays in factories.	Ditto ...	Rule under the Indian Factories Act, 1881, re-published in Government Notification No. 3537, dated 8th July 1903.	.....
214	Appointments of examiners for engineers' certificates.	From Government to Collectors of Bombay and Karáchi as regards Boards of Examiners for Bombay and Karáchi, and to Political Resident, Aden, as regards the Board for Aden.	Bombay Boiler Inspection Act II of 1891, section 20.	.....

General Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
215	Grant of duplicate certificates.	From Government to Collectors of Bombay and Karáchi and Political Resident, Aden.	Bombay Boiler Inspection Act II of 1891, section 26.	.....
216	All financial matters connected with Boiler Inspection Department in Karáchi.	From Collector of Bombay to Collector of of Karáchi.	Practice	.....
217	Reference of technical questions by the Boiler Inspector, Karáchi, to Senior Inspector of Boilers, Bombay.	From Collector of Karáchi to Inspector of Boilers, Karáchi.	Ditto	In matters of doubt the Karáchi Inspector should consult the Sind Boiler Commission through the Collector.
218	Power to abolish Sanitary Committees.	From Government to Commissioner.	Village Sanitation Act, I of 1889, section 5 (1).	.....
219	Appointment of a Sanitary Inspector.	From Government to Collector.	Ditto, section 21 ...	Full powers.
220	Removal of members of Sanitary Boards from office.	From Government to Commissioner.	Ditto, section 32...	Ditto.
221	Delegation by Collector of his powers to the Assistant Collector.	From Government to Collector.	Ditto, section 44...	.....
222	Nomination and appointment of members of Sanitary Boards.	Ditto ...	Ditto, section 19...	.....
223	Proposals for the utilization of Government grant-in-aid together with local fund and popular contribution for village sanitation and village water supply.	From Commissioner in Sind to Collector.	Practice	Within allotment.
224	Transfer of allotments from village sanitation to village water-supply and *vice versâ*.	Ditto ...	Ditto	Ditto.
225	Villages in which village sanitation books may be maintained.	Ditto ...	Ditto	.....
226	(*a*) Confirming rules for the protection of wild birds made by a municipality under section 3. (*b*) Applying the provisions of the Wild Birds' Protection Act, XX of 1887.	From Government to Commissioner.	Wild Birds' Protection Act, XX of 1887, section 3.	.....
227	Publication of notification under the Indian Treasure Trove Act.	From Collector to Mámlatdár.	Indian Treasure Trove Act, VI of 1878, section 5.	Full powers.
228	Grant of rewards to finders of treasure trove.	From Government to Commissioner.	Practice	.....
229	Applications to import dangerous petroleum accompanied by draft licenses.	From Commissioner in Sind to Chief Collector of Customs and Salt Revenue in Sind.	No. 15 of the Rules under the Petroleum Act VIII of 1899, section 5.	Such applications are now submitted to Government through the Commissioner in Sind. It is proposed that the applications be submitted direct to Government.
230	Grant of petroleum licenses	From Government to Commissioner.	Rule 4 (1) under the Petroleum Act.	.....
231	Re-appropriations from the credit balance of Cantonment Funds.	From Government to General Officer commanding Division.	Cantonment Code, 1899, section 30 (*b*).	.....
232	Re-appropriation from one major head of the cantonment budget to another.	Ditto ...	Ditto, section 33 (1)	.....
233	Appointment of visitors to lunatic asylums.	From Government to Commissioner.	Lunatic Asylums Act XXXVI of 1858, section 2.	In all cases.
234	Examination of lunatics and order for their admission into a lunatic asylum.	From Commissioner of Police, Bombay, to Deputy Commissioner.	.....	.....

General Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
235	Granting of permission for the emigration of artizans and coolies for the Uganda Railway, *via* Bombay, when Karáchi is plague infected.	From Commissioner in Sind to Collector of Karáchi.	Indian Emigration Act, XXI of 1883, section 108.	.....
236	Power to vary fees to be charged at hospitals and dispensaries.	From Government to Commissioner.	No. 28 of the Grant-in-aid Dispensary Rules.	.....
237	Sanction to the acceptance of small amounts as gift or reward by Government servants.	Ditto ...	Rules 2 and 3 of the Government Servants' Conduct Rules.	.....
238	Additions to places and agency for the sale of quinine.	From Commissioner in Sind to Collector.	Government Resolution No. 4550, dated the 27th August 1904.	.....
239	Weekly returns of vaccination.	From Sub-Divisional Officer to Mámlatdár.	Practice	The returns on receipt from vaccinators are sent on by mámlatdárs for record in the Sub-Divisional Office. It is proposed that they may be filed in the mámlatdár's office.
240	Appointment and subsequent confirmation of Civil Assistant Surgeons.	From Government to Surgeon-General.	Paragraph 1 of Section IV, Bombay Medical Code, 1875.	The power vested in the Local Government be delegated.
241	Promotions of Civil Assistant Surgeons from 3rd to 2nd Class and from 2nd to 1st Class.	Ditto ...	Paragraphs 3 and 4, Section IV of the Bombay Medical Code, 1875.	The powers of the Local Government be delegated.
242	Appointments of Honorary Surgeons and Physicians and Honorary Assistant Surgeons and Physicians at the Jamsetji Jijibhoy Hospital.	Ditto ...	Government Resolution No. 1979, dated 9th November 1888, Educational Department.	Ditto.
243	Applications for privilege of indenting on the Government Medical Store Depôt for medical stores required by institutions not aided by Government.	Ditto ...	Government Resolution No. 6234, dated 15th November 1898, General Department.	Ditto.
244	Applications for supply of District Officers' medicine chests and tin medicine boxes.	Ditto ...	Government Resolution No. 565, dated 3rd February 1903, General Department.	The power to sanction these in accordance with the principle laid down by Government be delegated.
245	Foreign telegrams requiring the counter-signature of Government prior to their transmission.	Ditto ...	.....	The power vested in the Local Government to countersign these be delegated.
246	Applications *re* the change in the designation of hospital servants, such as probationers, *jamadars*, &c.	Ditto ...	.....	The power vested in the Local Government be delegated.
247	Applications for the assemblage of a committee to investigate outbreaks of epidemics at Government medical Institutions.	Ditto ...	.....	The power exercised by the Local Government be delegated.
248	Transfer of Deputy Sanitary Commissioners.	From Government to Sanitary Commissioner.	.....	Transfer from one registration district to another.
249	Increase of pay and allowances to Local Fund and municipal vaccinators and their peons.	Ditto ...	.....	Granting an increase up to the amount sanctioned by the District Local Boards and municipalities.
250	Breakage and loss statements.	From Sanitary Commissioner to Deputy Sanitary Commissioners.	Government Resolution, General Department, No. 2318, dated the 6th June 1895.	The decision of the Deputy Sanitary Commissioners should be final.
		Educational Department.		
251	Payment of grant to an aided school, the attendance or efficiency of which has fallen greatly below the average of previous years through misadventure for which the managers are not to blame.	From Government to Director of Public Instruction.	Rule 14 of Chapter I of the Grant-in-Aid Code.	... ..

Educational Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
252	Excusing a student of the veterinary college from passing a lower examination before his being eligible for a higher examination as a special case.	From Government to Director of Public Instruction.	No. 23 of the Veterinary College Rules sanctioned in Government Notification, Educational Department, No. 1841 of 4th October 1905.	In entirety.
253	Appointment of the board of examiners for the veterinary college examinations.	Ditto ...	No. 32 of do. ...	In entirety.
254	Publication in the *Government Gazette* of the list of schools recognised by Government.	Ditto ...	Government Resolution No. 1781, Educational Department, dated 29th September 1904.	In entirety.
255	Appointments of members on the Provincial and Divisional Vernacular Text-Books Committee.	Ditto ...	Government Resolution, Educational Department, No. 1280, dated 27th August 1900.	In entirety.
256	Sanctioning change of names in the case of non-gazetted officers.	Ditto ...	Government Resolution, Financial Department, No. 2536, dated 13th July 1882.	In entirety.
257	Submission of landed property returns by Gazetted Officers of the Educational Department.	.....	Government Resolution, General Department, No. 3000 of 10th June 1903.	Discontinuance of the submission of these returns to Government.
258	Submission of landed property returns by non-gazetted officers on provincial list of the Educational Department.	.....	Ditto ...	Discontinuance of the submission of the returns to the Director.
259	Submission of landed property returns by masters and teachers in the service of Local and Municipal Boards.	.....	Ditto ...	Discontinuance of the submission of the returns to the Educational Inspectors.
260	Submission of report on the examinations of the veterinary college.	.....	No. 35 of Rules published in Government Notification, Educational Department, No. 1841, dated 4th October 1905.	Discontinuance of the report.
261	Sanctiong changes in the training college, vernacular masters, and Deputy Educational Inspectors' Codes.	From Government to Director of Public Instruction.	Practice ...	In entirety.
262	Grant of a certificate of training of Rs. 9 for approved service to untrained teachers.	From Director of Public Instruction to Educational Inspectors.	Rule 4, Chapter VIII, of the Vernacular Masters' Code.	In entirety.
263	Increase or decrease in the rates of fees in municipal primary schools.	Ditto ...	No. 10 of rules laid down by Government under section 24 of the Bombay District Municipal Act of 1873 (*vide* Government Notification, Educational Department, No. 2585 of 8th December 1894).	In entirety.
264	Withholding high and special or middle and special school scholarship for bad conduct, etc.	Ditto ...	No. 8 of the rules for Scholarships in High and Special and in Middle and Special Schools sanctioned in Government Notification, Educational Department, Nos. 2382-A and B of 20th December 1906.	In entirety.

Educational Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
265	Issuing licenses for apprenticing juveniles under private bodies or gentlemen and renewing them.	From Director of Public Instruction to Educational Inspector, C.D.	No. 57 of the Reformatory School Rules sanctioned in Government Resolution No. 1949, Educational Department, of 6th October 1903.	In entirety.
266	Special permission to appear for the vernacular final examination.	From Director of Public Instruction to Educational Inspectors.	Nos. 4 (4) and 7 of the rules regulating the admission of candidates into the lower grades of the Public Service sanctioned in Government Notification No. 1365, Educational Department, dated 7th July 1903.	In entirety.
267	Publishing the results of the Vernacular Final Examination.	Ditto ...	No. 4 (6) of the rules published in Government Notification, Educational Department, No. 1365, dated 7th July 1903.	In entirety.
268	Raising the percentage of free studentships in Local Board primary schools in towns and villages.	Ditto ...	Government Resolution, Educational Department, No. 2587 of 6th December 1894.	In entirety.
269	Transmission to the Superintendent of Stationery of indents for peons' clothing and stationery.	From Director of Public Instruction to Divisional Inspectors and Inspector of European Schools, Bombay and Central Provinces.	Circular No. 10150, dated 20th October 1905, from the Superintendent of Stationery; Government Resolution, Financial Department, No. 3340, dated 1st September 1882.	The Divisional Inspectors to forward direct their own indents and those of their subordinates, including those of the head masters of high schools. The inspector of European schools to forward his own indents direct.
		From Sanitary Commissioner to Deputy Sanitary Commissioners.	Government Resolution, General Department, No. 2318, dated 6th June 1895.	These indents may be forwarded direct to the Stationery Department.
		Marine Department.		
270	Grant of copies of certificates of competency as master and mate in cases of the original being lost.	From Government to Port Officer, and President, Marine Board of Examiners, Bombay.	Merchant Shipping Act I of 1859, Section XVI.	.....
271	Cancellation or suspension of certificates of survey.	From Government to Port Officer, Bombay.	Inland Steam Vessels Act VI of 1884, sections 15 and 17.	.....
272	Grant of copies of certificates as 1st Class Master, 2nd Class Master or *Serang* or as Engineer, 1st class engine driver or 2nd class engine driver in cases where the original has been lost.	From Government to Port Officer, and President, Marine Board of Examiners, Bombay.	Ditto.	.....
273	Grant of copies of certificates as engineer or engine driver in cases where the original has been lost.	Ditto ...	Indian Steamships Act VII of 1884, section 30.	.....
274	Prosecution for sending or taking unseaworthy ships to sea.	From Government to Port Officer, Bombay.	Indian Merchant Shipping Act VII 1880, section 5.	.....
275	Report by Detaining Officer of provisional detention of unsafe ships.	Ditto ...	Ditto ...	Discontinuance of the report.

Marine Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
276	Furnishing the Registrar-General of Seamen in London with lists of colonial certificates of competency granted by the Government of Bombay together with copies of application for examination made by the persons to whom such certificates are issued.	From Government to Port Officer, Bombay.	Order in Council of 9th May 1891, Schedule A, para. 4 — Government Notification No. 87, dated the 31st July 1891.	The lists may be sent by the Port Officer direct to the Registrar-General of Seamen in London.

Ecclesiastical Department.

277	Exhumations of dead bodies for re-interment in other cemeteries.	From Government to District Officers.	.....	.....
278	Extensions of cemeteries.	From Government to Archdeacon of Bombay.	.....	.....

Revenue Department.

279	To dismiss police *patels* who are officiators under the Bombay Hereditary Offices Act, 1874.	From Government to Commissioner.	Section 9 of Act VIII of 1867 (Bombay Village Police Act) as amended by Act IV of 1905.	.....
280	To exercise powers under the Bombay Ferries Act and rules and orders thereunder.	From Government or Commissioner to Collector.	Bombay Ferries Act, II of 1868.	Entirely.
281	To establish new ferries.	From Commissioner in Sind to Collector.	Section 2, ditto	Power exercised by the Commissioner in Sind.
		From Commissioner to Collector.	Government Resolution, Revenue Department, No. 2305, dated 8th April 1902.	.....
282	To fix the rates of ferry tolls.	Ditto ...	Section 3, Bombay Ferries Act, 1868.	.....
283	To entertain temporary establishment for the management of ferries.	Ditto ...	Section 4 of the Ferries Act and Government Resolution, Revenue Department, No. 2305, dated 8th April 1902.	..... (The sanction of the Commissioner now obtained is a mere formality.)
284	(*a*) To establish cattle-pounds under section 4, (*b*) to increase rates of fines under section 12, (*c*) to increase fine for trespass by pigs under section 26, and (*d*) to transfer to a local body the functions of the District Magistrate under section 31 (*a*) of the Cattle Trespass Act, 1871.	From Government to Commissioner.	Sections 4, 12, 26 and 31 (*a*), Cattle Trespass Act, 1871.	Powers of Local Government under sections 4, 12, 26 and 31 (*a*) of the Act. [Government approved of this proposal in 1902 and noted that the requisite legislation should be undertaken (*vide* Government Resolution, Revenue Department, No. 3025, dated 5th May 1902). Power has been already delegated to the Commissioner in Sind in case (*a*) mentioned in column 2. Proposals for the delegation of this power to the Divisional Commissioners and of powers in cases (*b*) to (*d*) to them and the Commissioner in Sind were submitted in Revenue Department letter No. 12075, dated 22nd December 1906, to the Government of India, who have held over their orders for the present.]
285	To increase the rates of fines to be levied on cattle impounded.	From Government to Collector.	Section 12, Cattle Trespass Act, 1871.	Powers of Local Government.
286	To increase the fine for trespass by pigs.	Ditto ...	Section 26, ditto	Powers of Local Government.
287	To dispose of surplus proceeds under section 18 of the Cattle Trespass Act credited to Local Funds.	Ditto ...	Section 31 (*b*), ditto	Entirely.

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
288	To appoint, promote and transfer cattle pound establishment.	From District Magistrate to Sub-Divisional Magistrate.	Section 6, Cattle Trespass Act, 1871.	..... (The District Magistrate naturally knows very little about the pound munshis and without such knowledge the management of this large establishment is a most laborious and irksome task. The Sub-Divisional Magistrate could do it well and easily and the sub-division is a much more suitable unit than the district.)
289	To grant leave to cattle pound *munshis* and to appoint men to work in temporary vacancies as pound *munshis*.	Ditto ...	Ditto ...	Ditto ditto.
290	To dispose of surplus unclaimed proceeds of the sale of cattle.	From District Magistrate to Magistrate conducting the sale.	Section 17. ditto	..... (The evidence is usually recorded by the *mukhtyárkar* and Magistrate. In practice it is simply the formal sanction of the District Magistrate which is given. The delegation of the power will avoid correspondence and enable the person entitled to receive the money at once.)
		From District Magistrate to *Táluka* Magistrate.	Ditto ...	Without any money limit.
		Ditto ...	Ditto ...	..... (All the *Táluka* Magistrates investigate the claim. They may be allowed to decide the claims.)
		From District Magistrate to Revenue Officer in charge of *Táluka* or Sub-Divisional Magistrate.	Ditto ...	.....
		From District Magistrate to Local Magistrate.	Ditto ...	In all cases.
291	To sanction feeding charges of impounded cattle in cases where the sale-proceeds are insufficient to cover the charges.	From District Magistrate to Sub-Divisional Officer.	Section 18, ditto	Powers now exercised by District Magistrate.
292	To appoint and dismiss *dhangars* (cowherds) employed in cattle pounds.	From District Magistrate to Sub-Divisional Magistrate.	.....	..... (The Sub-Divisional Magistrate has more opportunity of testing the work of these men in his sub-division than the District Magistrate, who must necessarily be guided to a great extent by the recommendation of the Sub-Divisional Magistrate.)
293	To fix rates of charges for feeding and watering impounded cattle.	From District Magistrate to *Mámlatdár* and *Mahálkari*.	Section 5, Cattle Trespass Act, 1871.	..... (As the Mámlatdár or *mahálkari* possesses local knowledge of prices current of fodder, etc., he may be authorized to fix the rates of such charges.)
294	To issue certificate for filing a suit in the Civil Court relating to pension or grant by Government of money or land revenue.	From Government to Commissioner.	Nos. 4, 5 and 6 of Divisional Commissioners' Rules under the Pensions Act, 1871.	.....
		From Government to Collector.	Ditto ...	Whenever the Collector is satisfied that the suit will in no way affect the liability of Government, he may be allowed to issue a certificate which is generally required for the ascertainment of the shares of the sub-sharers.
		Ditto ...	Rules 4 and 6 of do.	..... (The proposal was negatived by Government, *vide* entry No. 1 of Government Resolution, Revenue Department, No. 5941, dated 26th August 1902.)
		Ditto ...	Rule 4 of ditto	Except in respect of *Saranjáms*.
		Ditto ...	Ditto ...	(There can possibly be no objection to this power being delegated to the Collector. Formerly the certificates were given by the Collector with Commissioner's approval; but at present they have to receive Government sanction.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Government to Collector.	Government Notification, Revenue Department, No. 4630, dated 19th June 1897.	Issuing such certificates. (Collectors' powers are much restricted in this respect and the question is fully dealt with in Government Resolution No. 5941, dated 26th August 1902. The proposed delegation will save time and references.)
295	To sanction re-admission of cash allowances.	From Commissioner to Collector.	No. 11 of Divisional Commissioners' Rules under the Pensions Act, 1871.	Power now exercised by Commissioner. (A pension for payment of which no application is made for more than 6 years is to be struck off the books and all arrears forfeited, but under certain circumstances it is re-admitted if a claim is made within 12 years from the date of the last payment. The practice in such cases is to ask for the sanction of the Commissioner. This power may be delegated to the Collector as it is but a re-admission of an old existing pension or grant which was struck off in absence of claim.)
296	To strike off or allow re-admission of cash allowances.	Ditto ...	Ditto ...	Power now exercised by Commissioner. (The matter is not of such importance as to necessitate a reference to the Commissioner for sanction.)
297	To direct separate payment in case of co-sharers.	Ditto ...	Rule 19 of ditto ...	Power to issue a permanent order.
298	To make payment of cash allowances to several sharers by a separate receipt for each.	Ditto ...	Ditto ...	Commissioner's power. (The proposed delegation will save delay and correspondence.) (Rule 19 provides about separate recognition of sharers with the previous sanction of the Commissioner. The Collector has power only to order such share payments for one year, the object being to prevent the indefinite sub-division of a grant or pension. This power may be delegated to the Collector because, as shown above, he has the power to do it one year and can repeat it the next, and so on. Of course a sub-share would not be entered in the books without due scrutiny.)
299	To make new entries of names in the cash allowances standing on the names of one or more persons.	Ditto ... Ditto ...	Ditto ... Ditto ...	In such exceptional cases as require it. Commissioner's power. (The Commissioner's sanction is based mainly on the recommendation of the Collector and is thus generally formal.)
300	To countersign cash allowance bills of fluctuating amounts and those that are not brought on the printed cash alienation list.	Ditto ...	Rule 25 of ditto ...	.....
301	To enter in or strike out from the account or cash alienation list pensions or grants.	Ditto ...	Ditto ...	Subject to the approval of the Commissioner, Central Division. (The Collector knows locally the circumstances which justify the entry or striking out from the account.)
302	To strike out cash allowances	Ditto ...	Ditto ...	Power of Commissioner.
303	To sanction entry of *kadim* and other cash allowances in Petha Khata Wahi.	Ditto ...	Ditto ...	Ditto.
304	(*a*) To resume Seri grants when conditions are not fulfilled, and to renew them on sufficient cause being shown. (*b*) To regrant existing Seri grants to the heirs of a deceased holder. (*c*) To sanction new Seri grants.	From Commissioner in Sind to Collector.	Government Resolutions, Revenue Department, No. 8054, dated 11th October, 1852, and No. 3869, dated 13th August 1870.	..... (In these cases the Collector's recommendations are invariably accepted and it would tend a good deal towards the reduction of correspondence, if these powers were delegated to them. They can well be trusted to exercise them with discretion.)
305	To re-enter into the account cash allowances which may have been erroneously struck off.	From Commissioner to Collector.	Government Resolution, Revenue Department, No. 2327, dated 13th June 1862.	..... (The matter is one of correction of an error.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
306	To sanction the payment of cash allowances in lieu of service *watan* land acquired under the Land Acquisition Act.	From Commissioner to Collector.	Government Resolutions, Revenue Department, No. 3969, dated 15th June 1898, No. 3869, dated 18th June 1900, and No. 6100, dated 28th July 1905.	The Commissioner has power to give Government waste land in *inám* in lieu of *inám* land taken up for public purposes, or to give cash allowance if no suitable land is available. The scale of cash allowances has been fixed by the Resolutions mentioned in column 4 and in such cases no further reference to the Commissioner would seem necessary. The Collector can deal with the case finally. Similarly, the power to grant service *ináms* to inferior village servants up to Rs. 12 in land or in cash may be given to the Collector.
307	(*a*) To grant new *sanads* to holders of alienated lands or cash allowances. (*b*) To sanction corrections in existing *sanads* in case of clerical errors.	Ditto ...	Government Resolution, Revenue Department, No. 5941, dated 26th August 1902, entry No. 10.	Entirely.
308	To sanction reduction of *kasar-judi* in *sanadi* land taken up for public purposes.	Ditto ...	.....	Power now exercised by the Commissioner.
309	To make payment of arrears of pension due to a deceased pensioner to his heir.	From Collector to Sub-Divisional Officer.	No. 10 of the Divisional Commissioners' Rules under the Pensions Act, 1871.	Collector's power under Rule 10. (This will save time and reference.)
		From Collector to Mámlatdár.	Ditto ...	In full.
310	To dispose of applications for the mutation of names of the holders of cash allowances.	From Collector to Assistant or Deputy Collector.	Rule 17 of ditto ...	In cases in which there is no dispute. (The correspondence of this nature goes to the Collector for obtaining his formal sanction in undisputed cases. The sub-divisional Officers are better acquainted with their charge and there appears no necessity for the reservation of the power by the Collector.)
		Ditto ...	Ditto ...	In full.
311	To make payment of pension or grant of money or land revenue to one of joint payees when joint receipt is not obtained.	From Collector to Mámlatdár.	Rule 20 of ditto ...	Powers exercised by Collector.
312	To submit *judi* "*Fod Patrak*" (statement prepared in connection with splitting up of the amount of judi).	From Sub-Divisional Officer to Mámlatdár.	.....	The Collector sanctions the statement but the correspondence passes through the sub-divisional office. The Mámlatdár might send the statement direct to the Collector.
313	To sanction temporary alienation of *watan* land for raising loans and other purposes.	From Government to Commissioner.	Section 5, Bombay Hereditary Offices Act, 1874.	Up to 30 years.
314	To fix the period of the settlements made under sections 17, 18 and 19 of the Bombay Hereditary Offices Act, 1874.	Ditto ...	Section 21, ditto ...	Full powers.
315	To make alteration in the watan property assigned as remuneration of an officiator.	Ditto ...	Section 23, ditto ...	.....
316	To remove the disqualification mentioned in section 45 (*f*) of the Bombay Hereditary Offices Act in the case of a person desirous of serving as a representative *watandár* or his deputy.	Ditto ...	Section 45 (*f*), do.	.....
317	To dismiss hereditary village officers.	Ditto ...	Section 58, ditto ...	Entirely.
		Ditto ...	Ditto ...	Power exercised by Government (*vide* entry No. 7 of Government Resolution No. 5941, dated 26th August 1902, Revenue Department).

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Government to Collector.	Section 58, Bombay Hereditary Offices Act, 1874.	To the full extent of the section. (At present the Local Government's sanction is required for the removal of an officiator from office. This is anomalous when it is considered that a Commissioner can dismiss a Mámlatdár and a Collector can dismiss a *mahálkarí* or head *kárkún*. If a Collector cannot be trusted to see that a village officer is not unjustly dismissed, he is obviously unfit for his position.)
		Ditto ...	Ditto ...	Subject to appeal to Commissioner. [The grant to Collectors of unfettered power to remove an officiator under section 58 and to attach inferior village *watans* under section 64 (*d*) was negatived by Government in 1902 (*vide* entry No. 7 in the statement embodied in Government Resolution, Revenue Department, No. 5941, dated 26th August 1902). If the proposed power is granted to Collectors, there will be an appeal to the Commissioner under section 77.]
318	To sanction re-employment of a dismissed *watandár*.	From Government to Commissioner.	Section 59, ditto ...	.....
		From Government to Collector.	Ditto ...	Full powers. (The arguments urged in the preceding entry in support of the first of the two proposals for the delegation of power from Government to Collector apply here also.)
319	To direct the forfeiture of the life interest of a representative *watandár* in cases specified in section 58 of the Bombay Hereditary Offices Act.	From Government to Commissioner.	Section 61, ditto ...	Full powers.
		From Government to Collector.	Ditto ...	.....
320	To attach inferior village *watans* of inferior village servants suspected to be guilty of the crime of cattle poisoning.	From Government to Commissioner.	Section 64, ditto ...	.....
		Ditto ...	Ditto ...	Up to a period of 7 years.
		From Government to Collector.	Ditto ...	Powers of Local Government.
321	To revise the orders of subordinate officers passed under the Bombay Hereditary Offices Act.	From Government to Commissioner.	Section 79, ditto ...	Powers of revising orders of Collectors, except those passed under section 25 determining the names of representative *watandárs*.
322	To limit the period of presentation of a petition to Government for revision of an officer's proceeding.	.....	Ditto ...	The revision petition should be presented within 6 months from the date of the order complained of. [This proposal was negatived by Government Resolution, Revenue Department, No. 5941, dated 26th August 1902.]
323	To determine the duties of hereditary officers in cases of doubt.	From Government to Commissioner.	Section 83, ditto ...	Full powers. (Cases of doubt seldom arise and they may well be disposed of by the Commissioner.)
324	To resume service land when service is not performed or is unnecessary, or when the holder is guilty of misconduct or land has come in possession of a female or unauthorised person.	From Government to Collector.	Rules published under Government Notification, Revenue Department, No. 2702, dated 23rd April 1902.	Power preserved by the Local Government.
325	To take legal proceedings under section 6 without reference to the Commissioner.	From Commissioner to Collector.	Section 6, Bombay Hereditary Office Act, 1874.	Powers of Commissioner, [The proposal was negatived by Government (*vide* entry No. 5 of Government Resolution, Revenue Department, No. 5941 of 26th August 1902).]

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
326	To accord sanction to prosecution of *watandár pátils* and *kulkarnis*.	From Commissioner to Collector.	Government Resolution, Judicial Department, No. 5800, dated 17th September 1877.	Full powers. (The Commissioner's sanction does not seem necessary. The Collector should be trusted to see that prosecutions are not instituted on insufficient grounds. The delay caused by reference to the Commissioner often materially weakens the evidence.) (The preliminary inquiry is generally made by the Mámlatdár or the Assistant Collector. The Collector generally has not any hand in the inquiry and is not likely to be prejudiced. The power to sanction prosecution may therefore be safely delegated to the Collector.)
		From Commissioner to Mámlatdár.	.....	The power given in section 197, Criminal Procedure Code—unrestricted.
327	To pass orders in regard to the appointment (according to the register), suspension, fining grant of leave of absence, and heirship inquiries of officiating and representative *watandár máhárs*.	From Collector to Mámlatdár and Mahálkari.	Section 64, Bombay Hereditary Offices Act, 1874.	All powers mentioned in section 64, clause (*e*), of the Act, except power of dismissing officiating *watandár máhárs*.
328	To register the names of inferior village servants, etc., under Part X, section 64 (*a*), (*b*), (*c*), (*d*) (part), and (*e*), of the Bombay Hereditary Offices Act.	From Collector to Mámlatdár.	Sections 64 and 75, ditto.	Full powers, with the exception of that under the second clause of 64 (*d*), which should be delegated to the Collector. (The formal sanction of the Collector is at present required though in fact the Mámlatdár makes full inquiries in the matter. The right of appeal to the Collector will be quite sufficient safeguard. The power under the second part 64 (*d*) is more important and should be reserved to the Collector.)
329	To enforce production of State records in the possession of a *watandár* or an officiator.	Ditto ...	Section 70, ditto ...	Full powers. (Power is at present exercised by the Collector. In emergent cases, it is very difficult for Mámlatdárs to obtain Collector's orders in time. It is essential that the Mámlatdár should have this power.)
330	To enter in the *watan* register the names of heirs of representative watandárs when the heirs are direct, or when there is no dispute.	From Sub-Divisional Officer to Mámlatdár and Mahálkari.	Section 36, ditto ...	..... (A number of such cases are disposed of annually. Cases of Collateral succession would be disposed of by the Pránt Officer.)
331	To enter the names of heirs in the *watan* register.	From Sub-Divisional Officer to Mámlatdár.	Ditto ...	.....
332	To appoint village officers to perform the duties of *watandár*.	Ditto ...	Sections 42, 43 and 44, ditto.	..... (The watan registers are now all framed. The Mámlatdár is more likely to know the deputies nominated and there will be less trouble to the *watandárs* to attend at the *tálukā* head-quarters than at the Assistant or Deputy Collector's camp which may be at a long distance. Percentage of difficult cases is very small.)
333	To appoint provisional substitutes during temporary vacancies of officiating *pátils* and *kulkarnis*.	From Sub-Divisional Officer to Mámlatdár and Mahálkari.	Section 52, ditto ...	In all cases. (The Mámlatdárs' recommendations in such cases are invariably sanctioned.)
334	To suspend or fine village officers.	From Sub-Divisional Officer to Mámlatdár.	Sections 57 and 84, ditto.	Suspension up to two months. (The Mámlatdár can only fine up to Rs. 2. The Assistant or Deputy Collector has the power to suspend for six months.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Sub-Divisional Officer to Mámlátdar.	.....	Suspension for a period not exceeding one month and fine not exceeding one month's remuneration. (Under section 84 Mámlatdárs are empowered to fine officiators to the extent of Rs. 2 only, but considering the position and responsibilities of the Mámlatdárs, their powers may well be increased to the extent proposed. The fact that the Mámlatdár can only inflict a trifling fine tends to lessen his influence over village officers.)
		Ditto ...	Sections 57 and 84, Bombay Hereditary Offices Act, 1874.	Fines up to Rs. 5 and suspension up to one month. (It is best that the officer holding the inquiry shall pass the order awarding punishment. If in inquiry it appears that heavier punishment will be required if the offence is proved, the case should be reported so that inquiry may be made by the Sub-Divisional Officer.)
335	To investigate heirship cases of holders of *watan* land.	Ditto ...	Government Resolution, Financial Department, No. 595, dated 20th May 1867.	In all except intricate cases.
336	To order recovery of *gair hajari akar* (proportionate rent of service lands for the period of absence of a *shetsanadi* without leave).	Ditto ...	.....	In all cases. (When it is proposed to remit the rent wholly or in part, Sub-Divisional Officer's sanction should be obtained.)
337	To modify Sub-Registration Districts.	From Government to Inspector-General of Registration.	Section 5, Indian Registration Act, 1877.	Full powers. (This will require an amendment of section 5 of Act III of 1877. Government might by executive order direct that the Inspector-General should always obtain the Commissioner's approval and if this be done, there will be no danger in delegating the power to the Inspector-General.)
338	To make appointments of sub-registrars and Inspectors of Registration Offices.	Ditto ...	Sections 6, 8 and 12, ditto.	Full powers. (Under sections 6 and 8 of Act III of 1877, the power of appointing sub-registrars and Inspectors rests with the Local Government. In practice this power is exercised solely by the Inspector-General, who submits statements showing the appointments so made once a year (*vide* No. 5 of the returns noted in Government Resolutions, Revenue Department, Nos. 2928 of 1st May 1902 and 1894 of 9th March 1904). In order to dispense with the necessity of these returns and to legalise the appointments of sub-registrars and Inspectors by such authority as Government may empower in this behalf, the amendment of the Act was proposed in Bombay Government letter, Revenue Department, No. 12075, dated 22nd December 1906, to the Government of India, who have held over for the present their orders on the subject. The amendment is obviously desirable.) (The posts are not of so much importance as would require approval of Government.)
339	To establish offices of sub-registrars.	Ditto ...	Section 7, Indian Registration Act, 1877.	Full powers. (The Inspector-General is the proper authority to decide such matters.)
340	To suspend or dismiss sub-registrars.	Ditto ...	Section 13, Indian Registration Act, and Government Resolution, Revenue Department, No. 1371, dated 17th March 1874.	Full powers. (The power of suspension is in practice exercised by the Inspector-General under the orders contained in Government Resolution, Revenue Department, No. 1371 of 17th March 1874, a report on the circumstances being at once submitted to Government. This Government Resolution was issued before Act III of 1877 was passed and the legality of the present practice seems open to question. It is suggested that section 13 of the Act should be amended so that there may be no doubt on the point. The Inspector-General would hardly take a step without placing his reasons on record; and the report to Government may be dispensed with. As regards dismissal also full powers may be accorded to the Inspector-General, who can be trusted to exercise the power with

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
			discretion. An appeal will always lie to Government against his order. In cases where there has been a conviction by a Magistrate, subsequently maintained on appeal by the Sessions Court, the order of dismissal is a necessary sequel of the Criminal Court's finding. In these cases, at any rate, full powers should be given to the Inspector-General.) [The Government of India have held over for the present the consideration of the Local Government's proposal for the amendment of the Act (submitted in Revenue Department letter No. 12075, dated 22nd December 1906) with a view to enable them to delegate power to suspend, remove or dismiss, subject to appeal, any sub-registrar or Inspector of Registration.]	
341	To supply books, etc., to sub-registrars.	From Government to Inspector-General of Registration.	Section 16, Indian Registration Act, 1877.	Full powers. (The Inspector-General is the proper authority to decide such matters.)
342	To make additions to and modifications in registration rules.	Ditto ...	Section 69, ditto	Full powers. (A reference to Government under this section is unnecessary. The matters dealt with are purely routine. The proposal will involve the omission of the last paragraph of section 69, Act III of 1877.)
343	To sanction the prosecution of a sub-registrar.	Ditto ...	Government Circular, General Department, No. 2749, dated 19th May 1905.	Full powers. (In most cases nowadays since the issue by Government of the Circular No. 2749 of 19th May 1905, suspension is followed by prosecution. And it is the practice to obtain the sanction of Government before the criminal complaint is filed. There is nothing in the law which necessitates a reference to Government and it leads to very serious delay, which Government in paragraph 2 of the Circular above referred to have strongly deprecated. The Inspector-General is not likely to embark on a criminal prosecution unless there are strong *prima facie* grounds for doing so, and a reference to Government is neither necessary nor desirable. The Inspector-General might on cause being shown direct the prosecution in a Criminal Court of any of his subordinates.)
344	To remit the difference between any fine levied under section 24 or 34 of the Indian Registration Act and the proper registration fee.	From Inspector-General of Registration to District Registrar.	Section 70, Indian Registration Act, 1877.	Full powers. (The power may obviously be given to District Registrars.)
345	To remit safe-custody fee in respect of a document presented for registration.	Ditto ...	Note to Article XVII of the Table of fees payable under the Indian Registration Act, 1877.	Full powers.
346	To issue summons requiring a person to appear at a registration office.	From Registrar to Sub-Registrar.	Section 36, Indian Registration Act, 1877.	Full powers. (At present a registrar can issue a summons but not a sub-registrar, who has to go through the tedious process of sending a *yádi* to the Mámlatdár with the process fee. The latter then issues the summons and serves it. It is proposed (i) that the sub-registrar should issue the summons, (ii) that he should either serve it through his own peon or through the Mámlatdár as he thinks fit and the rules prescribe. It is much better that he should be responsible for the summons in the first place. It will be convenient if he can arrange to serve it himself. In time, it is hoped, all sub-registrars in big places like Ahmedabad and Poona will have their own peons and they might very well arrange to serve their own summons in the town. Section 36 might run :— "If any person desires the appearance of any person whose presence or testimony is necessary for the registration of such document, the registering officer may in his discretion issue a summons requiring him to appear at the registration office, either in person or by duly authorised agent, as in the summons may be mentioned and at a time named therein. Obedience to such summons shall be enforced in the same way as obedience to a summons issued by a Civil Court.")

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
347	To issue notification proposing the constitution of land as reserved forest.	From Government to Commissioner.	Section 4, Indian Forest Act, 1878.	..... (The proposed powers will involve an amendment of section 4 of the Act, but will save Government the trouble of issuing a lot of small notifications, almost all of which are in respect of lands within sanctioned demarcation.)
		From Government to Collector.		(Issue of the notification is a formality.)
348	To constitute reserved forest	From Government to Commissioner.	Section 19, ditto ...	Powers now exercised by Local Government. (The proposed power will involve an amendment of section 19 of the Act, but will save Government the trouble of issuing a lot of small notifications, almost all of which are in respect of lands within sanctioned demarcation.)
	.....			
349	To stop ways and watercourses, etc., in reserved forests.	Ditto ...	Section 24, ditto ...	..... (If a road is stopped, some substitute has to be provided and no serious inconvenience is likely to be felt by the general public. Many cases of this kind are likely to crop up hereafter in the Kánara district.)
350	To suspend the exercise of all rights of pasture or to forest produce in cases of fire caused wilfully or by gross negligence in a reserved forest.	Ditto ...	Section 25 (last paragraph), do.	Full powers.
		From Government to Collector.		
351	To disforest reserved forests	From Government to Commissioner.	Section 26, ditto ...	Area not exceeding 10 acres.
		From Government to—		
		Commissioner	Ditto ...	Area not exceeding 50 acres.
		Collector ...	Ditto ...	Ditto 10 do.
				(It is an anomaly that the orders of the Government of India are necessary before a small piece of forest land can be disforested.)
352	To dispose of claims relating to practice of shifting cultivation.	From Government to Collector.	Section 9A, ditto ...	Full powers.
353	To sanction annual appropriation statement of forest revenue and expenditure.	From Government to Conservator of Forests.	Article 129 (i), Forest Department Code.	Powers of Local Government.
		Ditto ...		Within the total amount sanctioned for a Circle.
354	To institute civil suits on behalf of Government.	Ditto ...	Article 246, ditto ...	..... (Action is always taken according to advice given by the Legal Remembrancer.)
355	To grant free wood to agriculturists, etc., or for public purposes.	From Government to Commissioner.	Government Resolution, Revenue Department, No. 21, dated 6th January 1903.	Up to Rs. 250 instead of Rs. 100.
		From Government to Collector.	Government Resolution, Revenue Department, No. 8205, dated 22nd November 1902.	Up to Rs. 250 in each case. (The Divisional Forest Officers have been lately authorized to grant wood up to Rs. 100.)
		From Commissioner to Collector.	Government Resolution, Revenue Department, No. 4073, dated 31st May 1895.	Up to Rs. 100 instead of Rs. 50 in the case of timber required for the repair and construction of village schoolhouses.
		Ditto ...	Government Resolution, Revenue Department, No. 21, dated 6th January 1903.	Up to Rs. 100 instead of Rs. 50 in the districts other than Kánara.
		From Commissioner in Sind to Collector.	Government Resolution, Revenue Department, No. 7018, dated 16th July 1907.	To the value of Rs. 100. (Within certain limits authority has been granted to Collectors in the Presidency proper. There seems no reason why it should not be extended to the Collectors in the province of Sind.)
		From Commissioner to Assistant or Deputy Collector.	Section 109, Forest Department Code.	Up to Rs. 100 in each case, subject to general rules. (The laying down of general rules will secure uniformity.)
		Ditto ...	Government Resolution, Revenue Department, No. 8205, dated 22nd November 1902.	Up to Rs. 100 in each case. (The extent of power is so insignificant that it requires enlargement.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Collector to Assistant Collector.	Government Resolution, Revenue Department, No. 21, dated 6th January 1903.	Up to Rs. 25 in each case. (The Assistant Collector while touring can usefully make such grants, which in certain urgent cases are at times gravely delayed owing to the need of a reference to the Collector.)
		From Collector to Sub-Divisional Officer.	Ditto ...	Up to Rs. 10 in each case.
		From Collector to Mámlatdár and *Mahálkari*.	Government Resolution, Revenue Department, No. 8205, dated 22nd November 1902.	Up to Rs. 25 in each case. (In cases of destruction of houses by fire and in similar other cases grant of timber without loss of time is necessary.)
356	To sanction the rectification of errors or petty changes in sanctioned classification of forests.	From Government to Commissioner in consultation with the Conservator of Forests.	Government Resolution, Revenue Department, No. 1532, dated 12th February 1907.	..... (The grant of this power to Commissioners was negatived in the Resolution mentioned in column 4 as any amendments of classification of forests which had been sanctioned by Government required to be submitted to them. The proposal may be reconsidered now. Such references are usually not frequent, but the matter does not seem to be sufficiently important to be referred to Government.)
357	To undertake punitive measures for dealing with cases of persistent and extensive firing or other injury to forests.	From Government to Commissioner.	Practice	Complete.
358	To purchase land for inclusion in forests.	From Commissioner to Collector.	Government Resolution, Revenue Department, No. 1609, dated 27th February 1883.	Within budget provision. (References are not usually frequent, but there would be no harm in delegating the power to the Collectors.)
359	To continue deprivation of forest privileges on account of fires in the Kánara district.	Ditto ...	Government Resolution, Revenue Department, No. 7186, dated 13th October 1903.	Power of Commissioner.
360	To remit grazing fees in villages which have been immune from forest fires for two years running.	Ditto ...	Government Resolution, Revenue Department, No. 11535, dated 6th December 1906.	..... (The condition of remission has been clearly laid down.)
361	To transfer forest lands to any other department of Government.	Ditto ...	Government Resolution, Revenue Department, No. 6215, dated 21st June 1907.	Not exceeding 5 acres in extent. (As the transfer of land is from one department of Government to another no reference seems necessary.)
362	To sanction the use of forest land for another Government purpose.	From Commissioner to Conservator of Forests,	Government Resolution, Revenue Department, No. 7336, dated 11th September 1905.	Up to a limit of 5 acres.
363	To remit assessment and other forest revenue.	Ditto ...	Sind Commissioner's Special Circular No. 21, and general practice.	Up to Rs. 1,000 in each case.
364	To make application for permission to shoot ibex and oorial in the Kohistán and Khirthar ranges of the Karáchi district.	From Commissioner in Sind to Collector.	Commissioner's No. 2130, dated 31st March 1905.	Extent unlimited. (Now that His Highness Mir Mahomed Hassanali Khan is dead, the necessity no longer exists. A reference has in fact been already made.)
365	To register private property marks in forests.	From Conservator of Forests to Deputy or Extra Assistant Conservator of ten years' service.	Nos. 22 and 23 of the Rules under section 41 of the Indian Forest Act, 1878.	So far as their respective divisions are concerned. (This work is now done by the Conservator and takes up a great deal of his time which might be more profitably occupied. It is also a great inconvenience to owners to have to attend or send their marks to the Conservator's office, especially when he is touring in remote parts of his charge when this can be done far better by the Divisional Forest Officers themselves.)
366	To countersign forest agreements with contractors.	Ditto ...	Memorandum of instructions approved by Government Resolution, Revenue Department, No. 7220, dated 17th November 1900.	All agreements up to Rs. 5,000 and under. (All agreements are sent now for the inspection and countersignature of the Conservator, a formality that is quite unnecessary in the case of trusted and experienced Divisional Forest Officers and causes heavy expenditure of postage.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
367	To sanction or refuse extension of time to contractors for completion of their contracts entered into with the Divisional Forest Officers.	From Conservator of Forests to Divisional Forest Officer.	.....	[As the extensions are usually sanctioned by the Conservator on the recommendation of Divisional Officers, it may be left to them to decide these questions, subject to an appeal to the Conservator.]
368	To manage forests of Japti estates.	From Sub-Divisional Officer to Mámlatdár.	.....	To the same extent as powers are enjoyed by the range forest officer in the case of Government forests.
369	To appoint and grant leave other than privilege leave to officers on Rs. 100 and upwards in the Customs Department in Sind.	From Commissioner to Chief Collector of Customs in Sind.	Section 6 of the Sea Customs Act, 1878, and Government Notification, Revenue Department, No. 6512-B., dated 20th September 1882.	.....
370	To extend the period within which export under drawback is allowed.	From Chief Customs Authority to the Collector of Customs.	Section 42, Sea Customs Act, 1878.	The period allowed is two years and the Collector may well be authorised to extend it to three years as in the case of goods which have been transported from one customs port to another and are subsequently re-exported to a foreign country.
371	To allow ullage or wastage on goods placed in a bonded warehouse in excess of the quantity prescribed under section 116 of the Sea Customs Act, 1878.	Ditto ...	Section 117, ditto...	..... (Such cases occasionally arise but have seldom been referred to the Commissioner on account of the comparatively small amount of duty involved, and it would be a convenience to the public if the Collector were given the necessary authority.)
372	To invest Government officers with powers under sections 14, 19, 22 and 24 of the Opium Act, 1878.	From Government to Commissioner of Customs, Salt, Opium and Abkári.	Sections 14, 19, 22 and 24, Opium Act, 1878.	To the full extent. (The authority to invest Government officers with powers under the several sections of the Bombay Abkári Act has been delegated by Government to the Commissioner and it is desirable that there should be similar delegation of authority to invest such officers with powers under the Opium Act.)
373	To fix and notify from time to time prices at which opium may be issued from Government depôts.	Ditto ...	No. 50 of the Bombay Opium Rules.	To the full extent. (This is a matter which is practically dealt with by the Commissioner. He has to watch the opium market prices and make recommendations to Government regarding the raising or lowering of issue prices for Government opium whenever the prevailing market prices demand this. The assent of Government to his recommendations is formal. It is desirable therefore that the power to notify changes in issue rate should be vested in the Commissioner.)
374	To pass final orders with regard to opium in respect of which an offence has been committed.	From Collector to Trying Magistrate.	Rule 53 of ditto...	To the extend to which the Collector exercises this power.
375	To sanction deficiencies found in the stock of opium at treasuries and sub-treasuries at the several examinations prescribed by the rules under the Opium Act.	From Collector to Treasury and Sub-Treasury Officers.	Rule 155, Bombay Treasury Manual.	Up to 4 per cent. (The practice hitherto in vogue does not require sanction to write off deficiency from any authority and it never caused any harm to the interests of the public revenue; however, in cases of extraordinary deficiency the matter is brought to the notice of the Collector. But as the Accountant General has recently raised an objection to the existing practice, it is proposed that the rule under reference may be amended.)
376	To prescribe forms of licenses, permits and passes under the Bombay Abkári Act and make modifications in them.	From Government to Commissioner of Customs, Salt, Opium and Abkári.	Section 30, Bombay Abkári Act, 1878.	To the extent of making modifications in the forms, etc., in consultation with the Remembrancer of Legal Affairs. (Under the Bombay Opium Rules the Commissioner is authorised to make changes in the opium licenses, permits, passes, etc., and it is desirable that he should exercise similar authority in abkári matters.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
377	To authorize the printing of standard forms relating to a'bkári and opium matters.	From Government to Commissioner of Customs, Salt, Opium and A'bkári.	Government Resolution, General Department, No. 1547, dated 30th April 1886.	To the extent of sanctioning reprinting of such forms with the modifications which the Commissioner may think necessary from time to time. (The Commissioner is required to make changes now and then in some of the standard a'bkári and opium forms, particularly the forms of accounts, whenever the a'bkári or opium system prevailing in a district undergoes a change or the rates of still-head duty are altered. Recently the press refused in one instance to reprint the form as modified without Government sanction. To meet such cases it is proposed that the power to authorize reprinting of such forms should be vested in the Commissioner.)
378	To make changes in the names of licensees of foreign or country liquors, opium, *gánja* and other drugs and spirits owing to death of the licensees.	From Commissioner of Customs, Salt, Opium and A'bkári to Collector who issues the license.	Practice	..... (After the change is made, the Commissioner should be informed of it, as in the case of issue of licenses.)
379	To grant permission to open temporary shops at fairs, etc.	From Commissioner of Customs, Salt, Opium and A'bkari to Collector.	Ditto ...	Power exercised by the Commissioner of Customs, Salt, Opium and A'bkári.
380	To direct the closing of liquor shops for the sake of public peace.	From Collector to Assistant or Deputy Collector, Mámlatdár and *Mahálkari*.	Section 42, Bombay A'bkári Act, 1878.	Full powers. (It is desirable that with a view to prevent immediate breach of the peace the local Magistrates should have powers. It will be quite sufficient if they send a copy of their order to the Collector.)
381	To confiscate property in cases of a'bkári offence.	From Collector to Assistant or Deputy Collector.	Section 55, ditto...	.....
		From Collector to Magistrate trying the case.	Ditto ...	..... (There seems no reason why the confiscations should not be made by the Trying Magistrate as under the Opium Act.)
		Ditto ...	Section 55, ditto...	All property, except liquor and drugs.
		From Collector to Mámlatdár and Magistrate as defined in the Bombay A'bkári Act.	Ditto ...	..... (The work of the Collector in this connection is purely routine. It is absurd that the Magistrate can send the accused to jail for six months and fine him heavily but cannot order the confiscation of the smallest *corpus delicti*.)
382	To pass final orders with respect to property confiscated as well as property in respect of which an offence is committed.	From Collector to Trying Magistrate.	Ditto ...	Without any limit.
383	To recover dues from a farmer's licensee.	From Collector to Mámlatdár.	Section 29, ditto...	Full powers. (This may be done on the analogy of the recovery of the land revenue demands.)
384	To dispose of property in A'bkári cases.	Ditto ...	A'bkári Commissioner's Circular No. 1938 of 2nd April 1906.	Powers now exercised by Sub-Divisional Officers. (It would save a good deal of labour in making the reports of each case for orders, if this power is delegated to the Mámlatdárs.)
385	To approve of the grant of *nokarnámas*.	Ditto ...	A'bkári Commissioner's Circular No. 4080, dated 4th July 1907.	.....
386	To amalgamate village registration circles.	From Government to Inspector-General of Registration.	Section 55, Deccan Agriculturists' Relief Act, 1879.	Powers of Local Government. As long as the District Registrar agrees and the Remembrancer of Legal Affairs is satisfied that the notification is in order, the matter may safely be left to the Inspector-General of Registration.

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
				(The worst that can happen if an office is abolished is that the ryots will have to walk a few miles further to *táluká* headquarters or the nearest village registration office, and this is hardly a serious evil. A District Magistrate often many years junior in service to the Inspector-General can make changes which may necessitate parties to criminal cases in one *táluká* to walk fifty or even a hundred miles to headquarters to appear before the Magistrate having jurisdiction.)
387	To constitute a *mahál* for certain purposes, *e.g.*, for the Record-of-Rights Act, etc.	From Government to Commissioner.	Section 7, Bombay Land Revenue Code, 1879.	..... (In every *táluká* a *mahál* will have to be constituted so that the *aval kárkún* may be authorized to see to the preparation and maintenance of Record-of-Rights.)
		From Government to Collector.	Ditto ...	Entirely.
388	To appoint a non-qualified officer to act as Mámlatdár for over six weeks for reasons to be recorded.	From Government to Commissioner.	Section 12, ditto ...	During the full period of privilege leave for 3 months.
		Ditto ...	Government Resolution, Revenue Department, No. 7465, dated 23rd October 1901.	Up to 3 months. (The usual cause is extension of leave of the permanent incumbent or some unforeseen contingency.)
		Ditto ...	Ditto ...	The power might be delegated, and the half-yearly return of such appointments submitted to Government might be discontinued.
389	To appoint special *aval kárkúns* as *mahálkaris*.	From Government to Collector.	Section 13, Bombay Land Revenue Code 1879, and Government Resolution, Revenue Department, No. 8269. dated 11th October 1905.	..... (Special head *kárkúns* are appointed by Government under section 13 of the Land Revenue Code to be *mahálkaris* for their *tálukas* and then they are empowered to hear and dispose of applications under sections 86 and 87 and are entrusted with the duties and powers contemplated in sections 71 and 154 of the Land Revenue Code. It will facilitate work if the power of appointing *mahálkaris* under the section is given to the Collectors. It can be useful also when *aval kárkuns* are to be appointed *mahálkaris* for purposes of the Record-of-Rights Act.)
390	To revise the Collector's orders punishing revenue subordinates where no appeal lies.	From Government to Commissioner.	Section 35, Bombay Land Revenue Code, 1879.	All cases. (The procedure laid down for inquiry before dismissal is amply sufficient to protect a subordinate against capricious dismissal and it is contrary to general principles to allow what practically is a second appeal on question of fact. This proposal was negatived by Government Resolution. Revenue Department, No. 4347, dated 25th June 1902, entry No. 23.)
391	To impose special terms for appropriation of land to non-agricultural purposes.	Ditto ...	Section 67, ditto ...	To the full extent of the section. (The Commissioner would consult the Remembrancer of Legal Affairs if he thought fit.) (The matter is one in which Government might lay down a general policy but leave to the local officers its application to particular cases. This proposal was negatived by Government Resolution, Revenue Department, No. 4347, dated 25th June 1902.)
392	To delegate to selected *mukhtyárkars* powers under sections 86, 87 and 140 – 145 of the Land Revenue Code.	From Government to Collector.	Sections 86, 87 and 140–145, ditto.	..... (These are powers which can be safely entrusted to any experienced *mukhtyárkars* who deserve them, and the Collector must surely be competent to judge of their fitness to that extent.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
393	To issue commissions to holders of alienated villages.	From Government to Commissioner.	Section 88, Bombay Land Revenue Code, 1879.	All the powers of Government. (The grant of this power to the Commissioners was negatived in 1902 (*vide* entry No. 7 in the statement appended to Government Resolution, Revenue Department, No. 4347, dated 25th June 1902). The proposal then made, which will involve an amendment of the Land Revenue Code, may be reconsidered.) The conditions under which commissions are to be issued have been laid down by Government, and it is intended by recent orders that commissions should be freely issued to *inámdárs* unless they are unfit.)
		From Government to Collector.	Ditto ...	Entirely. (The grant of such a commission depends upon the recommendation of the Collector and it will save delay and many references if the power is given to him.) (Collectors have the local knowledge required to decide whether a particular *inámdár* is to be trusted with powers or not and their report is at present the sole basis of Government decisions. Full powers specified in the section are never granted now-a-days. If the policy of Government were definitely settled and embodied in the Code, the powers might be delegated as proposed. This proposal was negatived by Government Resolution No. 4347, dated 25th June 1902, entry No. 7, and is worth reconsidering, especially as Government have now adopted a more liberal policy in the grant of such commissions.)
		Ditto ...	Section 88, Bombay Land Revenue Code, 1879.	Where survey settlement has been accepted.
394	To withdraw commissions granted to *inámdárs*.	From Government to Commissioner.	Section 89, ditto ...	Powers of Government.
395	To postpone the levy of revised rates in Government villages.	From Government to Commissioners of Divisions in consultation with the Settlement Commissioner.	Section 102, ditto...	Up to a maximum of two years. [Settlement proposals require the sanction of Government under section 102 of the Land Revenue Code. When they are sanctioned, proposals for their postponement are also submitted to Government. The Commissioner might be empowered to deal with such questions when the Collector, Settlement Commissioner, and himself are unanimous in their opinion that postponement is necessary. The power was delegated to the Commissioners during the last famine (*vide* Government Resolution, Revenue Department. No. 483, dated 22nd January 1900).]
396	To correct survey records after the lapse of two years.	From Government to Commissioner.	Section 109, ditto...	All cases in which power is now reserved to Government. (The proposal to delegate this power to the Commissioners was approved in entry No. 8 of the statement appended to Government Resolution, Revenue Department, No. 4347, dated 25th June 1902, subject to the amendment of the Code. This amendment has, however, not yet been made.)
		From Government to Collector.	Ditto ...	Powers exercised by Government.
397	To introduce survey settlement into alienated villages.	From Government to Commissioner.	Section 216, ditto, and Government Resolution, Revenue Department, No. 3504, of 15th June 1876.	..... (Powers under clauses (*e*) and (*f*) of section 88 of the Land Revenue Code cannot be conferred on *inámdárs* until a survey settlement has been extended to their villages under section 216 (*vide* Government Resolutions No. 7697, dated 19th December 1881, and No. 9819, dated 12th December 1884). If the proposal made to empower Commissioners to grant commissions to *inámdárs* under section 88 is approved, the powers to extend Chapters VIII to X may also be granted to them. This will involve an amendment of the Code.)
		Ditto ...	Ditto ...	In cases where *inámdárs* apply.

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
398	To sanction the sale, rent-free, of land costing more than Rs. 100 for a fixed period.	From Government to Commissioner.	No. 10 of the Rules under section 214 of the Bombay Land Revenue Code, 1879.	Up to a limit of Rs. 250. (In such cases the sanction of the Government of India would be required.)
399	To grant land revenue-free to any private individual for services to be performed to the State.	Ditto ...	No. 11 of the Rules under section 214 of the Bombay Land Revenue Code, 1879.	Up to a limit of Rs. 1,000. (In such cases the sanction of the Government of India would be required.)
400	Ditto for services to be performed to the Community.	From Government to Commissioner or Collector.	Ditto ...	Up to a limit of Rs. 500. (In such cases the sanction of the Government of India would be required.)
401	To make revenue-free grants of Government land as sites for the construction of schools, hospitals, dispensaries or other public works at the cost of local or municipal funds.	From Government to Commissioner.	Ditto ...	Up to the money limit (Rs. 3,000) laid down for Local Government.
		Ditto ...	Ditto ...	Limits below which sanction of the Government of India is not required.
		Ditto ...	Rules 11 and 12, ditto.	..... (This proposal was negatived by Government Resolution, Revenue Department, No. 4347, dated 25th June 1902, entry No. 11.)
		Ditto ...	Ditto ...	Up to Rs. 500 value of land.
		Ditto ...	Rules 11, 12 and 15, ditto.	When the value of the land estimated as a revenue-free holding does not exceed Rs. 500. (Under No. 12 of the Land Revenue Code Rules, the Commissioner is authorized to grant occupancy of land revenue-free when the value of the land estimated as a revenue-free holding does not exceed Rs. 100 in each case for the purpose of religious, charitable or educational edifices or institutions. Cases of land required for municipal and local board dispensaries and roads are to be submitted to Government under Rule 15. The words "other public works" might be added to Rule 12 and the value of Rs. 100 raised to Rs. 500.)
		Ditto ...	Ditto ...	Up to Rs. 500 or Rs. 1,000 as it is considered proper.
		Ditto ...	Ditto ...	Up to Rs. 1,000.
		Ditto ...	Rule 15, ditto ...	Entirely.
		From Government to Commissioner or Collector.	Rules 12 to 16, ditto	To Commissioner when the Collector is the President of a municipality or when the land exceeds Rs. 100 in value. To Collector when he is not the President of a municipality, and when the land is required for a *bonâ fide* public benefit and the price does not exceed Rs. 100.
402	To grant land revenue-free for services to be performed to the State.	From Government to Collector.	Rule 11, ditto ...	Up to a limit of Rs. 500. (These assignments are generally sanctioned on the recommendation of the Collector and the sanction granted is more or less formal.)
403	Ditto to the community	Ditto ...	Ditto ...	In the case of land bearing an annual assessment of not more than Rs. 36. (Under Rule 14 the Collector of Dhárwár has such power to grant revenue-free land to *shetsanadis*. The sum of annual assessment is put down at Rs. 36 as that is the emolument in land of a *jividár* under the new scale.)
404	To make revenue-free grant land to village servants.	Ditto ...	Rule 14, ditto ...	Land not exceeding Rs. 30 of assessment.
405	To sanction extension of Rules 56 (II) and (III) under section 214 of the Land Revenue Code to certain places.	From Government to Commissioner.	No. 56 (II), ditto...	Entirely.

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
406	To restore forfeited alienated holdings not held for service.	From Government to Collector.	Rule 68 (1), of the Rules under section 214 of the Bombay Land Revenue Code, 1879.	Powers exercised by Government.
		Ditto ...	Ditto ...	Whenever the Collector is satisfied of the illegality of the forfeiture or of the necessity of such restoration.
		Ditto ...	Ditto ...	Holdings other than entire village or share of a village. (The Collector being the local officer is well acquainted with the circumstances affecting such forfeitures and upon his recommendation the restoration of the holding is generally sanctioned. It will curtail correspondence and references to Government if the delegation is santioned.)
407	To sanction the purchase of landed property by Mámlatdárs and head accountants.	From Government to Commissioner.	Rule 9 of Government Servants' Conduct Rules and Government Resolution, Revenue Department, No. 2565, dated 11th March 1907.	Powers of Local Government.
408	To sanction the purchase of landed property by Mámlatdárs, head accountants, *mahálkaris* and head *kárkúns*.	From Government to Collector.	Ditto ...	..... (To avoid delay and correspondence.)
409	To appoint special audit officer for the annual revenue accounts in districts where there are Native Deputy Collectors.	From Government to Commissioner.	Government Resolutions, Revenue Department, No. 4347, dated 25th June 1902, and No. 608. dated 19th January 1907.	All cases.
410	To sanction reduction of assessment on account of deficiency of water for *pátasthal* irrigation.	From Government to Commissioner or Collector.	Government Resolution, Revenue Department, No. 1788, dated 7th March 1904.	To the extent specified in Government Resolution, Revenue Department, No. 6946, dated 3rd October 1902.
411	To transfer a *taláti* from one village of a *táluká* to another village of another *táluká*.	From Government to Collettor.	Government Resolutions, Revenue Department, No. 1217, dated 20th February 1902, and No. 5799, dated 20th July 1904.	The whole district. (The power is exercised only when a *taláti* is transferred for Record-of-Rights work. The power might be extended in all cases.)
412	To remit revised asssessment in excess of 100 per cent. on individual holdings.	From Government to Settlement Commissioner and Director of LandRecords.	Government Resotion, Revenue Department, No. 2619, dated 26th March 1884.	Full powers. (Under orders contained in Government Resolutions, No. 5739, dated 29th October 1874, and No. 2619, dated 26th March 1884, enhancements of assessments at revision settlements in excess of 33 per cent. in the case of a *táluká* or a group of villages brought under the same maximum rate, 66 per cent. in the case of a single village, and 100 per cent. in the case of individual holdings are disallowed. Now, excesses in the case of *tálukás*, groups and villages come to notice at once, when the settlement report is submitted, but excesses in the case of individual holdings are not known until the *akarbands* are prepared and the detailed assessments are worked out. If they are then discovered, they have to be separately reported to Government for sanction to their remission. It is submitted that this is unnecessary. The calculation of assessment is a technical process carried out entirely under the orders of this office, and if Government lay down a principle the Settlement Commissioner may be trusted to see that it is followed. He may be empowered to remit excesses above 100 per cent. in the case of individual holdings without reference to Government.)
413	To sanction reduction of *jamábandi* owing to subdivision of survey numbers.	From Government to Collector.	Government Resolution No. 1788, dated 7th March 1904.	.....

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
414	To grant remission of lease money due on account of farms of miscellaneous land revenue.	From Government to Collector.	.....	Remission of a portion of the lease money in cases where the circumstances are exceptional and warrant such a course. The amount to be so remitted should be based on the careful scrutiny of farmer's account books, provided such books are kept in the regular course of business and are such as could well be relied upon. (Under this head come the following items of land revenue :— (1) Lease money due on *panchari* farms. (2) „ „ fishery farms. (3) „ „ *pan paban.* It sometimes happens that, owing to the varying circumstances of the water and the country, these farmers are put to immense losses in their farms, and though they are precluded by the conditions of the farm from claiming any compensation, it at times becomes necessary to grant them some relief *purely as an act of grace.*)
415	To restore *inám* lands relinquished to the prejudice of the real owner.	Ditto ...	.....	Some cases have recently come to notice in which *inám* lands have been relinquished to the prejudice of the real owners. The Collector after satisfying himself that injustice has been done to a certain party has requested the Commissioner to move Government to accord sanction to the restoration of the land as *inám.* The Collector may be empowered to deal with cases of this nature.
416	To appoint Mámlatdárs in leave vacancies.	From Commissioner to Collector.	Section 12, Bombay Land Revenue Code, 1879.	When a Mámlatdár proceeds on leave not extending beyond 6 months, the Collector may be authorized to appoint his successor. (The Collector is authorized at present to grant leave to a Mámlatdár, but the subsequent appointment, whatever its duration, is left to the Commissioner.)
		Ditto ...	Ditto ...	In privilege leave vacancies
417	To appoint Húzúr Treasurers	Ditto ...	Section 21, ditto and Government Resolution, Financial Department, No. 311, dated 10th March 1869.	All cases. (As the Húzúr Treasurer is a member of the Collector's establishment, it is desirable that he should be appointed by the Collector.)
418	To suspend *mukhtyárkars* and Resident Magistrates and to make appointments to acting vacancies.	Ditto ...	Section 32, Bombay Land Revenue Code, 1879.	..... (The Commissioner alone can exercise this power, but it would be conducive to efficiency of administration if this power were delegated to Collectors, who being on the spot would be in a better position to judge whether such a step is desirable in the interests of public service and Collectors can well be trusted to exercise this power with due care and caution Orders of suspensions should then be reported to the Commissioner with all possible diligence.)
419	To sanction appropriation of land for purposes other than those specially sanctioned under section 38, clause 1, of the Bombay Land Revenue Code.	Ditto ...	Section 37, ditto and Government Resolutions, Revenue Department, No. 555, dated 29th January 1901 and No. 9424, dated 3rd October, 1906.	Unlimited.
		Ditto ...	Ditto ...	Land of which the value is Rs. 100 and below.
		Ditto ...	Ditto ...	..... (Formerly reservation of land for village sites was considered to be an assignment under section 38, Land Revenue Code, and consequently by a special enactment by which the word "Collector" was substituted for "Commissioner" in that section, Collectors were empowered to sanction such reservations. But latterly it was held in 1906 that such reservations were considered to be appropriations under section 37 and not assignments under section 38 and consequently required to be sanctioned by the Commissioner. Whether an appropriation or an assignment, though this

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
			is simply a technical difference, the Collectors can well be given this power. In fact in all cases the recommendation of the Collectors is, as a rule, accepted, and there was a time when Collectors were trusted to exercise this power, and it is not understood why they should not now be trusted to do so.) (No case is traceable in which the Commissioner refused sanction to such a reservation and it is not seen how he could be in a position to do so.) (This power was actually exercised by the Colonization Officer, Jamrao Canal, until the completion of survey operations. No useful purpose is served by referring such questions to the Commissioner in Sind, whose sanction is merely formal.)	
420	To sanction appropriation of disused village sites for agricultural purposes.	From Commissioner to Collector.	Section 37, Bombay Land Revenue Code, 1879.	..... (Collectors have been empowered to sanction assignments under section 38 of the Land Revenue Code and there appears no obvious reason why the powers now proposed should not be given too. In Upper Sind where new land is constantly coming under cultivation these references are by no means uncommon.)
421	To grant *inám* lands to village servants in exchange of those taken up for public purposes or rendered unfit from any cause.	Ditto ...	Section 38, ditto and Government Resolutions, Revenue Department, No 2868, dated 21st May 1881, and No. 3422, dated 12th May 1893, and Financial Department No. 720, dated 8th March, 1887.	.....
422	To prescribe rules for the regulation of the right of grazing on free pasturage lands.	Ditto ...	Section 39, Bombay Land Revenue Code, 1879.	Unlimited.
423	To accept relinquishments of land applied for after March in special cases.	Ditto ...	Section 74, ditto	.....
424	To sub-divide survey numbers below the prescribed minimum.	From Settlement Commissioner to Collector.	Section 98, ditto	Entirely.
425	To attach a village or share of a village on default of payment of land revenue assessment.	From Commissioner to Collector.	Section 159, ditto	Full power. (The Collector may be given this power. It is similar to that which he already exercises under section 144, the only difference being that the latter is for current dues and the former for arrears.)
426	To attach an *inám* village for arrears of revenue and to release it.	Ditto ...	Sections 159 and 162, ditto.	Full powers. (The Collector is in the best position on his local knowledge to determine whether the arrears cannot be recovered by processes other than attachment. Besides, the attachment is only contingent on the non-payment of revenue and is to end when all the arrears are recovered.)
427	To pass final orders on appeals under sections 203 and 204 of the Bombay Land Revenue Code.	Ditto ...	Sections 203 and 204, ditto.	The power to appeal under the Land Revenue Code obviously requires curtailment. As an example, may be quoted the instance of a superior holder applying to the Mámlatdár for assistance under section 86 to recover Rs. 7-7-0 rent from a tenant. The Mámlatdár refuses assistance. Appeal is made to the Assistant Collector. Appeal from his decision is made to the Collector, and again appeal is made to the Commissioner, the whole of the above appeals being the prelude to proceedings in a Civil Court and a pure waste of the time of the officers concerned. There should be no appeal whatever from the Collector's decision to the Commissioner in assistance cases. The time of Revenue Officers is far too much taken up by these *quasi*-judicial functions. Except against decisions under section 86, appeals under the Land Revenue Code are not common. It is in reference to this section especially that the right of appeal requires to be curtailed.

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
428	To raise the security amount of head *kárkúns* and *shroffs*.	From Commissioner to Collector.	No. 3 of the Rules under section 214 of the Bombay Land Revenue Code, 1879.	..... (The Collector can easily know the circumstances which justify such raising.)
		Ditto ...	Ditto	Up to Rs. 5000.
429	To make free grant of land for religious, charitable, etc., purposes.	Ditto ...	Rule 12, ditto and Government Resolution, Revenue Department, No. 4347, dated 25th June 1902.	Subject to a limit of Rs. 50.
		Ditto ...	Ditto ...	Where the value of the land estimated as a revenue-free holding does not exceed Rs. 50 in each case. (It is desirable that the Collector, who is the Head of the district, should have the power of making revenue-free grants of small pieces for public purposes.)
		Ditto ...	Ditto ...	Entirely.
		Ditto ...	Ditto ...	Up to Rs. 100. (The powers would be very useful in connection with grants of lands to Local Boards, and an officer of the rank of a Collector can safely be trusted to use the power with discretion). (Under the present rules Collectors have no power at all to make revenue-free grants. They are best acquainted with the circumstances justifying the assignment.) (In small villages small plots of land are often required by people for building temples, *dharamsálás*, etc., and it will considerably reduce work if this power is granted to the Collector.)
		Ditto ...	Government Resolution, Financial Department, No. 720, dated 8th March 1887.	Rs. 100 in value.
430	To make revenue-free grant of land to a municipality, etc.	Ditto ...	No. 15 of the Rules under section 214 of the Bombay Land Revenue Code.	Powers now exercised by Commissioners. (As the purposes for which such permission is to be granted are of a public nature, Collectors may be invested with these powers.)
431	To grant occupancy of agricultural land on special terms.	Ditto ...	Rule 19, ditto	Entirely.
		Ditto ...	Ditto ...	Giving out occupancy of survey numbers at a reduced assessment, whatever the limit of assessment of such grant may be. If a limit is considered necessary, Rs. 500 may be imposed. (It may be observed that this need not be subject to the previous sanction of the Commissioner, whatever the limit of assessment of such grant. The subject has been discussed before and attention is invited to item No. 13 of Government Resolution, Revenue Department, No. 4347, dated 25th June 1902, by which the proposal was sanctioned, but subject to a limit of Rs. 100 assessment for each grant.)
		Ditto ...	Ditto ...	Original powers. (As in the case of land grants.)
		Ditto ...	Ditto ...	Powers now exercised by Commissioners.
432	To grant occupancy of salt marsh land for purposes of reclamation.	Ditto ...	No. 20, ditto	Powers of Commissioner.
433	To remit quarry fees when the materials are to be used for a religious or charitable purpose.	Ditto ...	Rule 39, ditto	Without any money limit.
434	To enforce recovery of arrears from defaulters by other means notwithstanding that their holding has been forfeited and disposed of without being sold.	Ditto ...	Rule 69, ditto	Without requiring previous sanction of the Commissioner.

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
435	To classify villages for the purpose of fines for non-agricultural use.	From Commissioner to Collector.	Rule 71 of the Rules under section 214 of the Bombay Land Revenue Code, 1879.	Powers of Commissioner.
436	To alter dates of instalments of land revenue.	Ditto ...	Rule 85 (*i*), ditto	..... [Rule 85 lays down dates on which agriculturists' instalments are to be paid. Under Rule 85 (*i*), however, the date can be altered with the sanction of the Commissioner to suit local circumstances. The sanction is merely formal and the Collector may be left to deal with the matter himself.]
437	To classify villages for purposes of instalments of land revenue.	Ditto ...	Rule 86, ditto	.....
438	To grant suspension of Fallow Rule 4, under which fallow land which has not paid assessment for four consecutive years is liable to assessment in the fifth year.	From Commissioner in Sind to Collector.	Commissioners' Special Circular No. 20.	..... (Under the present system, in tracts where there is a chronic deficiency of water, Fallow Rule 4 is suspended by the Commissioner on the recommendation of the Collector concerned. Invariably the Collector's recommendation is accepted, and he may as well be trusted to exercise this power in cases where he considers it necessary to do so.)
439	To grant *fasli* remissions including remissions of fallow assessment.	Ditto ...	Ditto No. 21	The rules are sufficiently clear. If in any case a doubt arises, reference may be made to the Commissioner, to whom otherwise only an annual return showing total remissions might be permitted.
		Ditto ...	Ditto ...	..... (Under the present system the vernacular lists showing each item for each *deh* are submitted to the Commissioner for sanction. Their bulk is usually considerable. The proposals made by the Collector are almost invariably sanctioned by the Commissioner and where any variation is made it is usually on account of some arithmetical or clerical error. The Collector is responsible for the whole of the scrutiny for the *jamábandi* of the district and the *fasli* remissions are, to say the least, not a more important item of the revenue work than the *jamábandi*. The change can be made without any risk and will result in a considerable saving of clerical labour.) (This is an important change. The submission of the lists to the Commissioner involves a great deal of labour. The Collector is almost invariably an officer with great personal experience of remission work but at the same time is sufficiently aloof to have some respect for the letter of the law. He is surely the right person to settle these matters. To cancel a remission after long delay is always a hardship so the less correspondence the better.) (The Commissioner's sanction to these remissions is purely formal. No doubt in some cases errors are pointed out by the Commissioner, but they are more or less of a technical nature. The Commissioner's office is, at best, but able to scrutinize remission statements as the vernacular papers do not accompany these statements, and the reduction in the amount of remission effected by their scrutiny of the statements is comparatively very small. It may be conceded that if the final authority of sanctioning remissions be vested in the Collector, he will undoubtedly give more attention to the work whereby all the errors may be avoided and, as a forwarding channel, it may be admitted that the statements are not so thoroughly examined as a portion of the scrutiny work is left to the head office. But as a final authority every attention is sure to be paid to the work, and all breaches of rules and orders pointed out and mistakes corrected.)
440	To sanction remission of assessment on account of diluvion and increase of assessment on account of alluvion in fixed leases.	Ditto ...	Commissioner's Special Circular No. 23.	Unlimited.
441	To restore to Government servants forfeited or relinquished lands or land in front of their existing occupancy.	Ditto ...	Ditto No. 45.	..... (Numerous references have to be made to the Commissioner every year.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
442	To grant land exceeding 100 acres without *malkano* or for an amount below what the Collector considers to to be an equitable price.	From Commissioner in Sind to Collector.	Commissioner's Special Circular No. 45.	Original powers. (The Collector's power here should be considerably widened and restored to what it was originally.)
443	To grant land for *kuri* (tree) plantation free of assessment conditionally.	Ditto ...	Government Resolution, Revenue Department, No. 3513, dated 29th May 1882, and Commissioner's Special Circular No. 2.	Subject to rules. (For a short time the rules were interpreted as giving the Collector this power, but it has now been held otherwise).
444	To appropriate land for roads when no compensation has to be paid by Government for land taken up.	From Commissioner to Collector.	Government Resolution, Revenue Department, No. 6884, dated 4th October 1882.	Unlimited
445	To appropriate land for any public purpose other than roads when the assessment of Government assessed land appropriated does not exceed Rs. 5 per annum.	Ditto ...	Government Resolution, Revenue Department, No. 8558, dated 6th December 1882.	.....
446	To grant Government waste land in exchange for alienated land taken up for a public purpose.	Ditto ...	Government Resolution, Revenue Department, No. 6825, dated 25th September 1886.	..... (In this case the Collector's recommendation is invariably accepted and the Collector might well be given this power.)
		Ditto ...	Government Resolution, Revenue Department, No. 3422, dated 12th May 1893.	..... (This is an ordinary business transaction and may be left to Collectors.)
447	To assign Government land as service *inám* in exchange for service land enjoyed by the officiator being unfit for cultivation owing to any cause.	Ditto ...	Government Resolution, Financial Department, No. 720, dated 8th March 1887.	.....
448	To grant *inám* lands to village servants in exchange for those taken up for public purposes or rendered unfit for cultivation from any cause.	Ditto ...	Government Resolution, Revenue Department, No. 3422, dated 12th May 1893.	.....
449	To permit temporary removal of the original survey record from the survey record room.	Ditto ...	Commissioner, Central Division's No. R-2464, dated 16th June 1893.	..... (Collectors may be authorised to remove original record from the survey record room. References are required to be not infrequently made for the removal of such papers as *patasthal taktas* and *prati* books, which are generally required at the introduction of revision settlement. This sanction is purely formal and never refused.)
450	To remit expenses of sales of lands.	Ditto ...	Government Resolution, Revenue Department, No. 6575, dated 19th October 1900.	.....
		From Commissioner to Sub-Divisional Officer.	Ditto ...	Up to Rs. 500 in each case.
451	To sanction settlements in *inám* villages when the maximum rates have been already decided by Government for the Government villages of the *táluka*.	From Commissioner to Settlement Commissioner.	Government Resolution, Revenue Department No. 3691, dated 31st May 1902.	..... (This power was formerly exercised by the Survey and Settlement Commissioner (*vide* Government Resolution, Revenue Department, No. 5921 of the 16th November 1878), and was transferred to the Divisional Commissioners on the abolition of the late Survey Department. As the appointment of Settlement Commissioner has now been revived, the power may be retransferred to him.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
452	To grant in exchange Government waste land as *inám* when the land taken up happens to be inám land.	From Commissioner to Collector.	Government Resolution, Revenue Department, No. 4347, dated 25th June 1902.	..... (Under item No. 20 of Government Resolution No. 4347, dated 25th June 1902, the Collector has power to sanction exchanges in lieu of land taken up for public purposes. This power, however, does not include the power of granting Government waste land as *inám* when the land taken up happens to be *inám* land. Such cases have to be reported for orders. It would be nothing extraordinary if the Collector is given this power. The owner of property who parts with his *inám* land required for a public purpose would expect to have other *inám* land in exchange and would not take anything less and the Collector may be deemed to be the best judge of the merits of the case.)
453	To resume from the Karáchi municipality land required for public purposes.	From Commissioner in Sind to Collector of Karáchi.	Government Resolution, Revenue Department, No. 6641, dated 11th July 1906.	Unlimited. (Collector should exercise this power as in point of fact he had in the past.)
454	To sanction commutation by lump payment of assessment payable annually on land in Karáchi.	Ditto ...	No. 8 (2) and 9 (*b*) of the Land Sales Rules of the Karáchi Municipality sanctioned by Government.	Unlimited.
455	To commute assessment due on land by lump payments.	From Commissioner to Collector.	.....	Subject to rule.
456	To sanction demarcation of *kacho pako* land.	From Commissioner in Sind to Collector.	.....	..... (Collector's proposals are always accepted.)
457	To cancel agreements of restricted tenure and to order forfeiture of Government land.	Ditto ...	.....	.....
458	To appoint head munshis and to grant leave to them.	Ditto ...	Commissioner's Special Circular No. 5.	..... (The Collector at present has power to appoint his head clerk, whose salary is Rs. 150, but not his head munshi, whose salary is Rs. 100. In an appointment of this sort a Collector will obviously endeavour to appoint a man who is in his opinion fitted for the post, and as the appointment is one in which his individual convenience is as much affected as the conduct of public business, he should have full authority to make this appointment.)
459	To approve of the appointment of head munshis to Collectors.	Ditto ...	Ditto ...	Unlimited. (The Collector selects his own head clerk and the present position is anomalous.) (As a rule, the Collector or Deputy Commissioner's recommendation is accepted by the Commissioner, and this power can in all fairness be delegated as the officer concerned will be in the best position to select a man for the vacant post.)
460	To transfer *kárkúns* from one *táluka* to another in the same sub-division.	From Collector to Sub-Divisional Officer.	Section 21, Bombay Land Revenue Code, 1879.	In respect of *kárkúns* on Rs. 25 or less subject to Collector's standing orders.
461	To transfer *talátis* from one village to another in the *táluka*.	From Collector to Mámlatdár.	Ditto ...	The Mámlatdárs should immediately report his orders to the Assistant Collector.
462	To issue notice demanding money, papers, etc., belonging to Government which are in charge of a subordinate Revenue Officer.	Ditto ...	Section 25, ditto ...	Power of issuing a notice should be delegated so far as those who are or have been the Mámlatdár's subordinates are concerned. (Such cases are not many, but the fact that a certain Revenue Officer owes money to Government and has certain Government papers is ascertained fully by the Mámlatdár, and he should be empowered to take the necessary action without reference to the Collector under sections 25 and 26.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
463	To issue search warrants for the purpose of recovering public papers or money.	From Collector to Mámlatdár and *Mahálkari*.	Section 26, Bombay Land Revenue Code, 1879.	.....
		From Collector to Mámlatdár.	Ditto ...	Full powers.
464	To appoint, fine, reduce and dismiss *kotars*, *tapedárs*, supervising *tapedárs*, *táluka peons* and *náiks*, and to grant leave to them.	From Collector in Sind to *Mukhtyárkar*.	Section 32, Bombay Land Revenue Code, 1879, and Commissioner's Special Circular No. 5.	.....
465	To fine Mámlatdárs' and *mahálkaris*' establishments.	From Collector to Mámlatdár and *Mahálkari*.	Section 32, Bombay Land Revenue Code, 1879.	Up to Rs. 2 in the case of all members of the establishment with the exception of Head Kárkúns. (They have these powers at present in respect of peons.)
466	To permit the cutting and lopping of road-side trees.	From Collector to Mámlatdár.	Section 42, ditto ...	Entirely.
		From Collector to Mámlatdár and *Mahálkari*.	Ditto ...	..... (It is possible that a tree or its branch may be in danger of falling on a dwelling house or a public road during monsoon. It is desirable that the Mámlatdár or *mahálkari*, who is a local officer, should have the power to do the needful without loss of time.)
		Ditto ...	Khándesh Circular No. A-7 of 1886.	..... (Under the existing orders the power vests in the *Pránt* Officers; but the practice involves unnecessary correspondence between the *Pránt's* and the Mámlatdár's offices. The Mámlatdárs have often to travel in their charge and they are the best persons to judge whether there is an obstruction to the road.)
467	To recover revenue from a *khátedár* or any other person who has cut any green tree.	From Collector to Mámlatdár.	Section 43, Bombay Land Revenue Code.	The estimate of the value of the tree should be made personally by the Mámlatdár or his *aval-kárkún* in the case disposed of.
468	To receive and dispose of applications for taking water from wells and tanks in case of drought and to levy rates for water.	Ditto ...	Section 55, ditto ...	Entirely.
469	To grant permission to appropriate agricultural lands to non-agricultural purposes.	From Collector to Sub-Divisional Officer.	Section 65, ditto ...	..... (The Collector can delegate this power to the Sub-Divisional Officers, but in the majority of cases it is not delegated. To have uniformity throughout the Presidency this should be made an inherent power of the Sub-Divisional Officers.)
470	To give out building-sites in small villages.	Ditto ...	Ditto ...	..... (Such villages can be visited but rarely by the Collector, who has therefore either to decide applications upon his Assistant's report, which is a very difficult task, or to defer his decision until he visits the village, which occasions much delay. The difficulty of obtaining the Collector's decision in these cases is one of the chief reasons of the numerous encroachments in small villages. Any officer fit to have charge of a division can decide these questions better on the spot than the Collector can from a correspondence.
471	To give permission to use land for purposes other than agricultural except building purposes.	From Collector to Mámlatdár.	Ditto ...	..... (The Collector sanctions the use of the land on the recommendation of the Mámlatdár and the sanction is generally formal.)
472	To receive applications from registered occupants for appropriation of land from agricultural to non-agricultural purposes and to furnish an acknowledgment therefor.	From Collector to *Mukhtyárkar*.	Ditto ...	..... (The *mukhtyárkars* might be authorized to receive such applications and to furnish receipts to the applicants and then submit papers for the Collector's orders.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
473	To change names in Government records on the death of registered occupants.	From Collector to Sub-Divisional Officer and Mámlatdár.	Section 71, Bombay Land Revenue Code, 1879.	In all cases. Mámlatdár in case of heirs in direct lines. Sub-Divisional Officer in other cases. (The *khátedár* is now a nominal person and the power is not so important with the record-of-rights now in existence to check the entries.)
		From Collector to Mukhtyárkar.	Ditto ...	..... (The *mukhtyárkars* might be empowered to enter in Government records the name of the principal heir on the death of registered occupant.)
474	To dispose of the occupancy of an intestate landholder.	From Collector to Sub-Divisional Officer.	Section 72, ditto ...	..... (The Collector can delegate this power to the Sub-Divisional Officers; but in the majority of cases it is not delegated. To have uniformity throughout the Presidency this should be made an inherent power of the Sub-Divisional Officers.)
		From Collector to Mámlatdár.	Ditto ...	Up to Rs. 50 in each case. (The Assistant Collector or the Collector rarely differs from the Mámlatdár in his proposals. Much correspondence will be saved by the delegation of these powers to Mámlatdárs. Any party aggrieved can appeal to the Collector and can also, if he wishes, apply to a Civil Court.)
475	To exercise the powers of the Collector as regards restricted tenure.	From Collector to Sub-Divisional Officer.	Sections 73A and 79, ditto.	Entirely.
		From Collector to Mámlatdár.	Section 73A, ditto	Between *bonâ fide* agriculturists. (The Mámlatdár being in direct touch with the people knows better the circumstances leading to the transfer and the sanction of the Collector is only formal. The proposed delegation would save much correspondence.)
		Ditto ...	Ditto ...	All kinds of relinquishments.
476	To order distraint and sale of a defaulter's property in an alienated village.	From Collector to Mámlatdár and *Mahálkari*.	Section 90, ditto ...	..... (Under section 154 of the Land Revenue Code, the power of distraint and sale of the defaulters' movable property in an unalienated village can be delegated by the Collector to Mámlatdárs and *mahálkaris*—*vide* Government Resolution No. 5954 of 31st August 1891. The Collector may be authorized to delegate his powers under section 90 with respect to alienated villages to Mámlatdárs and *mahálkaris* in view of the fact that a considerable number of *inámdárs* will now be invested with powers under section 88 of the Land Revenue Code as desired by Government in their Resolution No. 6984 of 6th July 1907.)
		Ditto ...	Ditto ...	When the value of the property sold does not exceed Rs. 50.
477	To receive reports of *inámdárs* holding commission about attachment of defaulters' property and to cause the movable property attached to be sold.	Ditto ...	Ditto ...	The movable property attached. (Before sanction could be accorded by the Collector in a certain case in the Kolába district, the occupant sold the standing crops to another man and so the attachment could not be made. Much delay would have been obviated if the Mámlatdár had held these powers.)
478	To make partition of an estate paying land revenue to Government.	Ditto ...	Section 113, ditto ...	The partition should be made when there is no disagreement between the parties concerned.
479	To sanction partition and corrections of survey records due to partition.	From Collector to Mámlatdár.	Sections 113 and 114, ditto.	In cases where all parties agree to the partition.
480	To issue precautionary notices to individuals with a view to secure the payment of land revenue.	Ditto ...	Section 141, ditto ...	.....
481	To place watchmen over crops and to realize the amount required for their remuneration as an arrear of land revenue.	From Collector to *Mukhtyárkar*.	Section 141 (*c*), ditto	..... (Power under section 141 (*a*) and (*b*) is already exercised by *mukhtyárkars*—*vide* Commissioner in Sind's No. 1578 of 5th May 1896 to the address of the Collector of Karáchi.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
482	To adopt precautionary measures for the security of land revenue.	From Collector to Mámlatdár.	Sections 141 and 143, Bombay Land Revenue Code, 1879.	Full powers. (Unnecessary correspondence with the Collector will be saved. The Mámlatdár can exercise these powers without inconvenience.)
483	To relinquish precautionary measures on security being furnished.	From Collector to *Mukhtyárkar*.	Section 145, ditto ...	..... (A *mukhtyárkar* of a *táluka* knows in what circumstances precautionary measures have been adopted, and he might be authorized to relinquish such precautionary measures as soon as satisfactory security is furnished for the payment of the land revenue, at the same time making a report to the Collector.)
484	To confirm the sale of a defaulter's movable property.	From Collector to Mámlatdár and *Mahálkari*.	Section 154, 155 and 179, ditto.	The power should be restricted to the execution of orders in assistance cases.
485	To sanction the sale of a defaulter's movable property.	From Collector to Mámlatdár.	Section 171, ditto ...	When the value of the property sold does not exceed Rs. 50.
486	To grant certificates of sale of any occupancy or alienated holding.	From Collector to Sub-Divisional Officer.	Section 181, ditto ...	..... (The Collector can delegate this power to the Sub-Divisional Officers; but in the majority of cases it is not delegated. To have uniformity throughout the Presidency this should be made an inherent power of the Sub-Divisional Officers.)
		From Collector to Mámlatdár.	Ditto ...	Full powers. (The sale having been sanctioned by the Collector, putting a man in possession of the land and granting him a certificate of purchase are matters which follow as a matter of course when land is sold under a decree of the Civil Court.)
487	To execute the service of summonses under the Land Revenue Code from other districts.	Ditto ...	Section 190, ditto ...	Summonses may be sent direct from the issuing Court to the Mámlatdár of the *táluka* in which the person to be served is reported to be living. (In about 50 cases summonses were received in the Poona District from other districts in 1906. These summonses are forwarded through the Collectors for the sake of mere formality and crusted routine. The procedure ensures the maximum of delay and consequent maladministration at the maximum amount of trouble to everyone.)
488	To execute the service of notices under the Land Revenue Code and of Civil Court's decrees from other districts.	Ditto ...	Section 191, ditto ...	Notices may be sept direct from the issuing Court or office to the Mámlatdár, of the *táluka* within whose jurisdiction the person upon whom the notice is to be served resides. (It is a practice to send all such notices through the Collector of the district though the law does not seem to require it. The work of Civil and other Courts is ridiculously hampered by the circumambulation of summonses, and not only would there be an immense saving of work but also of time.)
489	To pass final orders on appeals against decisions in assistance cases.	From Collector to Assistant Collector.	Sections 203 and 204, ditto.	In reference to decisions under section 86 there should be no right of appeal to the Collector if the dues in question do not exceed Rs. 25 in value. (In such petty cases one appeal from the Mámlatdár to the Assistant Collector is amply sufficient and the aggrieved party has his remedy in a Civil Court.)
490	To call for and examine proceedings of subordinate officers in any matter in which formal or summary inquiry has been made.	From Collector to Sub-Divisional Officer.	Section 211, ditto...	In the case of summary inquiries to the full extent. In the case of formal inquiries report should be made to the Collector. (This delegation is necessary to secure proper supervision of work done by subordinate officers.)
491	To hold auction sale of *bhatha* land and fix the rate in such cases.	Ditto ... From Collector to Mámlatdár.	Ditto ... No. 21 of the Rules under section 214 of the Bombay Land Revenue Code.	Powers now exercised by Collector. Up to Rs. 50, subject to the proviso that the highest bid is not less than the average of the past three years.

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
492	To hold auction sale of *bhatha* lands, *singhodi* cultivation, grass, fruit, etc.	From Collector to Mámlatdar.	No. 21 of the Rules under section 214 of the Bombay Land Revenue Code.	..... (The present rule is that the Mámlatdár can sanction sales for less than Rs. 50 in certain cases. The system should be revised. upset prices being fixed per acre or per tree, etc., for *tálukas* or even villages according to the thing being sold, auctions realising less being reported for sanction of higher authority. At present the Mámlatdár can sanction the sale of 500 acres of grass for Rs. 5, but not order sanction if Rs. 51 is bid for ten acres.)
493	To sanction sale of movable property belonging to Government to an amount not exceeding Rs. 10.	From Collector to *Mukhtyárkar*.	Rules 37, 38, and 39, ditto.	In each case the sale will be reported to higher authority, but will not require confirmation. (At present auction sales of articles such as a branch from a road-side tree require confirmation of higher authority. If *mukhtyárkars* could sell outright in such cases, the prices realised would probably be better and the bidders' convenience would be met. The necessity of reporting all such cases would act as a check on any improper use of the powers.)
494	To sanction sale of movable property and grazing and trees.	From Collector to Mámlatdár.	Ditto ...	Up to Rs. 100. (At present the Mámlatdár sanctions sales up to Rs. 50. The sales are conducted by the Mámlatdár and the papers are submitted for sanction ; with a view to secure speedy despatch and reduction of official correspondence the powers of sanctioning sales up to Rs. 100 may be given to Mámlatdárs.)
		From Collector to Mámlatdár and *Mahálkari*.	Ditto ...	Collectors might be empowered to extend the powers of the Mámlatdár and *mahálkari* to cases where upset price is not fixed.
495	To sanction miscellaneous revenue auctions.	From Collector to Mámlatdár.	Ditto ...	Rs. 100. (Above Rs. 50, Collector's sanction is required. The proposed raising of the limit would curtail considerable correspondence in the office of the Collector.)
496	To dispose of earth, stone, or other material which is the property of Government.	From Collector to *Mukhtyárkar*.	Rule 39, ditto ...	The *mukhtyárkar* may exercise this power in regard to articles the rates of fees for which are prescribed in the table given at page 339 of Sathe's Land Revenue Code, and to articles the rates of fees for which may have been prescribed by the Collector.
497	To enter in revenue records the names and share of co-occupants of a registered occupant.	Ditto ...	Rule 96, ditto ...	..... (This power might well be delegated to the *mukhtyárkar*, who, as a matter of fact, already exercises it under section 5 of the Record-of-Rights Act, 1903.)
498	To accept applications for remission after the prescribed dates or by persons other than registered occupants.	Ditto ...	Ditto ...	Subject to appeal and revision.
		From Collector to Sub-Divisional Officer.	Commissioner in Sind's Special Circular No. 21.	Unlimited. (This is a matter in which the Assistant or Deputy Collector ought to be allowed to exercise his discretion.)
		Ditto ...	Ditto ...	..... (It is of supreme importance that all petitions for remission which are accepted should be early disposed of. The number of technically irregular petitions (*e.g.*, those made a day late, or made by heirs of deceased *khatedárs* whose *khatabadal* have not yet been made) is numerous. Much correspondence will be saved by the the delegation of these powers to the Sub-Divisional Officer, who will record his reasons for his decisions.)
499	To issue notices in cases in which the Collector orders the auction of a defendant's immovable property in the execution of a Civil Court decree.	From Collector to *Mukhtyárkar*.	Ditto, No. 61 ...	..... (The Collector orders the sale and the *mukhtyárkars* can well issue notices.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
500	To grant permission to cut trees in service *inám* lands.	From Collector to Mámlatdár and *Mahálkari*.	Government Resolution, Revenue Department, No. 6376, dated 9th September 1890.	In all cases.
501	To exempt village accountants from undergoing survey tests.	From Collector to Sub-Divisional Officer.	Government Resolution, Revenue Department, No. 5698, dated 12th August 1901.	In all cases.
502	To grant suspension and remission of land revenue in *tálukdári* estates.	From Collector from *Tálukdári* Settlement Officer.	Government Resolution, Revenue Department, No. 650, dated 22nd January 1907.	To pass orders regarding suspension and remission in *tálukdári* estates in conformity with the rules in Government Resolution, Revenue Department, No. 650 of 22nd January 1907. (This proposal was once made but negatived by the Commissioner in his No. 3537 of 1st September 1906. The point is worth reconsidering. The *Tálukdári* Settlement Officer is in possession of all the necessary information for the purpose of working out the rules, and if the Collector's sanction is considered necessary, it will be of a formal nature and will cause delay and multiply correspondence. The *Tálukdári* Settlement Officer is practically an Assistant to the Collector of each district in regard to the operation of certain sections of the Land Revenue Code extended to all the *tálukdári* villages; in this capacity the *Tálukdári* Settlement Officer may have powers under item No. 15 of Government Resolution No. 5941, dated 26th August 1902, Revenue Department, delegated to him by the Collector. As however the *Tálukdári* Settlement Officer has to work in many districts, the question is a general one and uniformity may be desired.)
503	To sanction postponement of land revenue.	From Collector to Sub-Divisional Officer.	Government Resolution, Revenue Department, No. 650, dated 22nd January 1907.	Up to Rs. 200. (When an important crop fails, the disposal of applications for postponement becomes a heavy burden. The delegation of this power to the Sub-Divisional Officer will greatly lessen the amount of work, confusion and delay. He is best acquainted with the small *zamindárs* of his charge, and in point of fact his recommendations in their cases are nearly always accepted.)
		From Collector to *Mukhtyárkar*.	Ditto ...	Up to a limit of Rs. 50 in each case.
504	To make corrections in village and revenue forms.	From Collector to Sub-Divisional Officer.	Practice	Unlimited.
505	To dispose of all matters affecting village establishments other than pensions.	From Collector to Assistant or Deputy Collector.	Practice	Unlimited. (The Assistant and Deputy Collectors have already been given these powers in some districts.)
		Ditto ...	.....	..... (The Collector has a very limited knowledge of the village establishment and depends practically upon the views of the Sub-Divisional Officer concerning them. The proposed delegation of powers will lay responsibility on the Sub-Divisional Officers with whom it really rests and strengthen their authority.)
506	To re-grant *naubati* and *bezari* lands to the former owner.	From Collector to Sub-Divisional Officer in Sind.	.. ...	..... (Where the Sub-Divisional Officer has power to give out land permanently, such power is already exercised by him, but inasmuch as the regranting *naubati* and *bezari* lands to former *khátedárs* is a formal matter, this power should be given to all Sub-Divisional Officers indiscriminately. It would save much correspondence.)
		From Collector to *Mukhtyárkar*.	.....	On payment of fallow assessment. (Restoration on payment is a matter of course and correspondence is waste of time.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
507	To grant remission of arrears of attachment expenses of lapsed *khoti* villages.	From Collector to Sub-Divisional Officer.	.....	Up to Rs. 50 in each case.
508	To sanction annual statements of *jágir* cess assessed.	From Collector to Sub-Divisional Officer in Sind.	.....	.....
509	To enter in revenue records the names of direct and collateral heirs of holders of personal *ináms*.	From Collector to Mámlatdár.	.....	.....
510	To assign serial numbers to *dehs* on addition to or transfer from the existing number of *dehs* in a *táluka*.	From Collector to *Mukhtyárkar*.	.....	.. ...
511	To dispose of dead trees on Government land.	Ditto ...	.....	.....
512	To sanction entry as registered occupants of all persons purchasing lands in auction or effecting subdivision of survey numbers by order of a Civil Court.	Ditto ...	.....	..... (This will obviate delay whilst the exercise of such powers cannot easily be abused.)
513	To order that assessment be on cultivated area only and to sanction excess cultivation in *khasmokal* grants.	Ditto ...	.....	When the excess or defect is within 10 per cent. (It is only in cases where the excess or defect is great that any important question arises. Petty differences cause much trivial correspondence.)
514	To appoint *táluka* and *mahál* peons.	From Sub-Divisional Officer to Mámlatdár and *Mahálkari*.	Section 21, Bombay Land Revenue Code, 1879.	..... (Mámlatdárs and *mahálkaris* at present have powers of appointing Ugranis on the maximum pay of Rs. 6 and they may with advantage be empowered to appoint *peons* whose pay is Rs. 7. The Collector can delegate this power to the Mámlatdárs and *mahálkaris*. But in the majority of cases it is not delegated. To have uniformity throughout the Presidency this should be made an inherent power of the Mámlatdárs and *mahálkaris*.)
		Ditto ...	Ditto ...	Entirely.
515	To sell minor rights in Government land, such as produce of trees, sand, earth, grass, etc.	Ditto ...	Section 41, and Rules 37 and 39 under section 214, of the Bombay Land Revenue Code, 1879.	Up to Rs. 100. (Under the existing orders the sales of grass in *Padit* lands are sanctioned by the Assistant and Deputy Collectors. In the months of August and September a number of correspondences on the subject are received in the *Pránt's* office and the *Pránt* Officer finds it difficult to give his minute attention to each of them and the correspondences are sent backwards and forwards for some time before the sale is confirmed. The Mámlatdár is the best judge to determine whether the price fetched is adequate or otherwise, according to the demand for grass and its growth. The Mámlatdárs and *mahálkaris* have already been authorised to confirm sales up to Rs. 50.)
516	To fix assessment on alluvial land and land used for melon beds.	Ditto ...	Section 52, ditto ...	..... (Now that the agency of survey-knowing *kulkarnis* and circle inspectors has been established in each *táluka*, the Mámlatdár can safely be entrusted to fix the assessment in the case of temporary occupation of such lands as it will lessen the correspondence in the offices of the Assistant and Deputy Collectors. In the case of permanent occupation the assessment is fixed by the Survey Department according to survey rules.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
517	To deal with encroachments on Government lands.	From Sub-Divisional Officer to Mámlatdár and *Mahálkari*.	Section 61, and Rules 37 and 39 under section 214, of the Bombay Land Revenue Code, 1879.	Deciding the question of the levy of assessment, fine, etc., provided that the measures of eviction are adopted in case of necessity with the previous orders of the Sub-Divisional Officers. (A large number of petty cases are now entered in the *takrári patraks* and are decided at the time of jamábandi by the Sub-Divisional Officer and a few cases form the subject-matter of separate correspondences. Rules about levy of assessment are clear. Mámlatdárs and *mahálkaris* may safely be trusted to use their discretion wisely in imposing fine. The question of eviction is more important. This power will remain with the Sub-Divisional Officers.)
		From Sub-Divisional Officer to *Mukhtyárkar*.	Ditto ...	..... (Reports of unauthorised cultivation are dealt with by officers doing *jamábandi*, but in the Hyderabad district and probably in other Sind districts a scale of fines for unauthorised cultivation has been prescribed. So the power of dealing with the cases of unauthorised cultivation may be delegated to *mukhtyárkars*, who should, however, report exceptional cases which may not come within the purview of the prescribed scale.)
518	To fine and evict in cases where Government or public land is encroached upon.	From Sub-Divisional Officer to Mámlatdár.	Ditto ...	As regards encroachment made for purposes of cultivation only.
519	To dispose of alluvial lands	From Sub-Divisional Officer to Mámlatdár and *Mahálkari*.	Sections 63 and 64, ditto.	..... (As the Land Revenue Code has prescribed the amount of occupancy price, etc., to be levied in such cases. Mámlatdárs and *mahálkaris* may be invested with these powers.)
520	To grant unalienated unoccupied lands for temporary cultivation.	Ditto ...	Section 68, ditto ...	For a period of one year. (To grant lands for temporary cultivation for one year is not a matter requiring consideration by an officer higher than a Mámlatdár or *mahálkari*. The power may safely be delegated to Mámlatdárs and *mahálkaris*.)
521	To change names in revenue records on the death of registered occupants.	From Sub-Divisional Officer to Mámlatdár.	Section 71, ditto ...	In their entirety, but only appeal should lie to the Assistant and Deputy Collectors. (These are only formal inquiries and are conducted by the Mámlatdárs. They are now well educated and many are graduates. They may pass orders. As appeals lie, these powers may be delegated to the Mámlatdárs.)
		Ditto ...	Ditto ...	Full powers in all cases. (At present Mámlatdárs sanction only simple cases and in others obtain orders of Sub-Divisional Officers.)
		From Sub-Divisional Officer to Mámlatdár and *Mahálkari*.	Ditto ...	..... (The practice in the West Khándesh district is that in the case of direct heirs such as son, the entry of the name is ordered by the Mámlatdár and in the case of collateral heirs, reports are made to the *Prânts* for orders. The *Prânt's* office is burdened with a number of such correspondences daily. It is suggested that the Mámlatdár should have free hand in these matters subject to appeal. The Collector should issue such circulars as would give a fair idea in the matter.)
		Ditto ...	Ditto ...	The power to enter the names of direct or indirect heirs in the case of Government *rayatwari* lands and the power to enter the names of heirs in the case of ináms other than service ináms.

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
				(The Assistant Collector or the Collector rarely differs from the Mámlatdár in his proposals. Much correspondence will be saved by the delegation of these powers to Mámlatdárs. Any party aggrieved can appeal to the Collector and can also, if he wishes, apply to a Civil Court.)
		From Sub-Divisional Officer to Mámlatdár and *Mahálkari*.	Section 71, Bombay Land Revenue Code, 1879.	The power should be confined to the entries of the names of heirs of deceased shareholders when there is no dispute. (At present *kabuláyats* are delayed for want of sanction of the Sub-Divisional Officers. This delegation would be merely of the nature of ordinary heirship inquiry which Mámlatdárs are at present empowered to make.)
522	To determine field boundaries.	Ditto ...	Section 119, ditto...	..... (In the case of surveyed villages the record is complete and is in charge of the Survey Office and, therefore, such disputes can be settled by the Mámlatdár by referring to survey records.)
523	To issue notices to *rayats* for repairing boundary marks.	Ditto ...	Section 122, ditto...	..... (This power is not of such importance as to be retained by the Sub-Divisional Officers.)
		From Sub-Divisional Officer to Circle Inspector.	Ditto ...	.....
524	To prevent the removal of crops in cases in which the land has been sold, etc., until the current year's land revenue due thereon is paid.	From Sub-Divisional Officer to *Mukhtyárkar*.	Section 140, ditto...	..... (The *mukhtyárkar* being on the spot can very well exercise this power as soon as he finds that there is any fear of the land revenue not being paid.)
525	To take precautionary measures for securing land revenue.	Ditto ...	Sections 140, 141 (*c*), 143 and 145, Bombay Land Revenue Code, 1879, and Commissioner in Sind's No. 1578, dated 1st May 1896.	Subject to appeal and revision.
		From Sub-Divisional Officer to Mámlatdár and *Mahálkari*.	Sections 140 and 143, Bombay Land Revenue Code, 1879.	..... (The power is at present vested in the Assistant and Deputy Collectors. Before this power is exercised by the *pránt* upon a report from the Mámlatdár, in practice the order is generally carried out before regular order is received. The Mámlatdár is the first person to know who is likely to make default and he can take immediate steps to prevent removal of the crops.)
526	To assess or remit ¼ penalty on defaulters of land revenue.	Ditto ...	Section 148, ditto...	.. ... (Such cases relate to individual *rayats*; the case of each individual *rayat* is at present reported by the Mámlatdár to the Sub-Divisional Officer, who generally decides as recommended by the Mámlatdár, as the latter is expected to be intimately acquainted with the circumstances of the individual *rayat*.)
527	To forward certificates for recovery of land revenue arrears to the Mámlatdárs of other districts.	From Sub-Divisional Officer to Mámlatdár.	Section 149, ditto...	Entirely.
		Ditto ...	Ditto ...	..... (Under section 149, Land Revenue Code, it is the Collector or Assistant or Deputy Collector who can certify such statements of accounts. Very many such references are received by the Assistant Collectors and Collectors. The Collectors have no means for verifying the facts. It would effect a great saving in correspondence if the powers to certify accounts under section 149, Land Revenue Code, be conferred by law, as it rests, in fact, on Mámlatdárs. An amendment of the law will, however, be necessary.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Sub-Divisional Officer to Mámlatdár and *Mahálkari.*	Section 149, Bombay Land Revenue Code, 1879.	..... (The Mámlatdárs and *mahálkaris* are officers responsible to collect arrears of land revenue and their certificate may be accepted in other collectorates.)
528	To issue notices of forfeiture of an occupancy or alienated holding in respect of which an arrear of land revenue is due.	From Sub-Divisional Officer to Mámlatdár.	Section 153, ditto...	Only issuing the notices. (The power of declaring lands forfeited will vest in the Collector or the Assistant or Deputy Collector as at present. Issuing these notices is only a formal step preliminary to forfeiting lands and this power may be left to the Mámlatdárs and *mahálkaris.*)
		Ditto ...	Ditto ...	Power of signing. (This work can well be done by the Mámlatdár if the notices are prepared by him and formally signed by the Sub-Divisional Officers.)
		Ditto ...	Ditto ...	Full power.
		Ditto ...	Ditto ...	..... (This measure has often to be resorted to and there seems no objection to the Mámlatdárs issuing the notices of *intended* forfeitures as the *final orders* of such forfeitures rest with the Sub-Divisional Officer. It will reduce much work in the offices of the Sub-Divisional Officers, etc. The sooner the notices are issued the more speedily the recoveries can be effected, and it will thus strengthen the hands of the Mámlatdárs to take action on the spot in cases of contumacious defaulters.)
		From Sub-Divisional Officer to Mámlatdár and *Mahálkari.*	Ditto ...	The signing of notices on receipt of orders of superior officers.
		From Sub-Divisional Officer to *Mukhtyárkar.*	Ditto ...	To the extent of issuing proclamations.
529	To issue proclamations of the intended sale of moveable property.	Ditto ...	Section 165, ditto...	Subject to appeal and revision.
		Ditto ...	Ditto ...	..... (When arrears of land revenue are not paid, the attachment of moveable and immoveable property is always made by an Assistant Collector and it is he or the Collector who orders the sale of the property so attached. When once such an order has been made, there is no objection if the proclamation of sale is issued by the *mukhtyárkars.* Under the present system these proclamations are issued by the Assistant Collector, but the *mukhtyárkars* can very well do this sort of work.)
530	To sign notice of eviction under section 202 of the Bombay Land Revenue Code.	Ditto ...	Section 202, ditto...	In cases in which the Assistant or Deputy Collector has given orders for eviction from an encroachment.
		From Sub-Divisional Officer to Mámlatdár and *Mahálkari.*	Ditto ...	.....
531	To recover arrears of land revenue or sums recoverable as arrears of land revenue under Act I of 1890.	From Sub-Divisional Officer to Mámlatdár.	Section 3 of the Revenue Recovery Act, 1890.	..... (For recoveries in the City of Bombay and other places outside the Bombay Presidency, numerous references are received in the Collector's Office. An amendment of the law would be necessary. The real initiative both in issuing the certificate and in executing it is with the Mámlatdár. This should be recognized by the law.)
		Ditto ...	Ditto ...	..... (It should be possible for the Collector to delegate this power to any Revenue Officer down to a Mámlatdár.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Sub-Divisional Officer to Mámlatdár.	Section 3 of the Revenue Recovery Act, 1890.	Full powers. (At present such notices are sent by the Collector to the Collector of the district in which the defaulter lives. This procedure requires unnecessary time and labour.)
532	To take proceedings for the recovery of land revenue from defaulters living in another district.	Ditto ...	Section 5, ditto ...	Full powers.
533	To issue, or withdraw, a proclamation prohibiting the transfer of immoveable property of a defaulter.	Ditto ...	Section 6 (*1*) and (*2*), ditto.	Full powers.
534	To sanction the sale of Government waste lands.	From Sub-Divisional Officer to Mámlatdár and *Mahálkari*.	No. 17 of the rules under section 214 of the Bombay Land Revenue Code.	Settling the upset price of Government waste lands in such localities as may be fixed by the Collector and sanctioning bids, provided they are not less than the upset price. (The localities to be fixed by the Collector will be those where there is no keen demand for lands.)
535	To hold auction sale of *singhodi*.	From Sub-Divisional Officer to Mámlatdár.	Ditto ...	Power to sanction, provided the highest amount bid is not less than the average of the preceding three years.
536	To sell by auction produce of Government trees and grazing when the final bid does not exceed Rs. 30.	From Sub-Divisional Officer to *Mukhtyárkar*.	Rules 37 and 38, ditto.	.....
537	To appoint *tapedárs' kotárs*	From Assistant or Deputy Collector to *Mukhtyárkar*.	Commissioner in Sind's Special Circular No. 28.	..... (The *mukhtyárkars* have already powers to appoint their own peons. There appears no reason why the *kotárs* should not be appointed by them.)
538	To sub-divide survey numbers below the prescribed minimum.	From Assistant Collector to *Mukhtyárkar*.	Ditto, No. 54 ...	..... (A sufficient check can be exercised by the Assistant Collectors on inspection of the records.) (Sub-Division is seldom asked for without very good reason and little harm is done even if it is sanctioned too freely.)
539	To remit notice fee charged by mistake.	From Sub-Divisional Officer to Mámlatdár and *Mahálkari*. From Sub-Divisional Officer to *Mukhtyárkar*.	Government Resolution Revenue Department, No. 2459, dated 26th March 1883. Ditto ...	..... (This item does not exceed 4 or 8 annas in each case. The Mámlatdár issues a notice and he knows the circumstances of the defaulter.) .....
540	To recover measurement expenses.	From Sub-Divisional Officer to Mámlatdár and *Mahálkari*.	Practice	..... (In cases of disputes of boundaries of fields Mámlatdárs might recover measurement charges when it is necessary that measurement should be done.)
541	To direct the measurement of lands for the location of displaced boundary marks on the application of private persons.	From Sub-Divisional Officer to Mámlatdár.	.....	Mámlatdárs may order measurements by the Circle Inspector on such application. (There were about 100 such applications in 1906 in the Poona district. All these cases have invariably to be referred to the Mámlatdárs who take all further necessary action. The Mámlatdárs need not be authorized to settle disputes concerning boundary marks.)
542	To grant remission of assessment on lands washed away or deteriorated by salt dust or diluvion.	Ditto ...	.....	The Mámlatdár should sanction these remissions after personally satisfying himself of the facts and submit a report immediately to the Collector. (These remissions are so frequent in the Broach district owing to the tidal nature and change in the course of the Narmada that the Sub-Divisional Officers have hardly time to look to the damage themselves and have to depend upon the reports of Mámlatdárs.)
543	To order forfeiture of time-expired fallow lands.	From Sub-Divisional Officer to *Mukhtyárkar*.	.....	..... (At present Assistant and Deputy Collectors exercise the power, but the work is not done promptly on account of the correspondence between the *mukhtyárkars* and the Assistant Collectors.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
544	To grant *bezari* and fallow forfeited lands.	From Sub-Divisional Officer to *Mukhtyárkar*.	.....	..... (Applications for restoration of such lands may be dealt with by the *mukhtyárkar* and he may dispose of such land to original occupants unless there is dispute, in which case he must obtain the Assistant or Deputy Collector's order.)
545	To dispose of *kacha* lands on yearly tenure.	Ditto ...	.....	..... (A *mukhtyárkar* may sanction any area which had in the previous year been granted to the applicant. A claim for a new *kacha* or for an area previously cultivated by another party should be sent to the Assistant Collector for orders.)
546	To dispose of applications for transfer of *khata* in cases other than those in which parties agree to mutation.	Ditto ...	.....	Except in cases of doubt and dispute, when orders of the Assistant or Deputy Collector should be obtained.
547	To grant permission to construct kilns.	From Sub-Divisional Officer to Mámlatdár and *Mahálkari*.	.....	.....
548	To sign notices of demand...	From Mámlatdár to Head *Kárkún*.	Section 152, Bombay Land Revenue Code, 1879.	Without any money limit.
		Ditto ...	Ditto ...	In all cases where notices are sent up by *talátis*.
549	To summon a person to give evidence in inquiries under the Land Revenue Code.	From Mámlatdár or Head *Kárkun* to Circle Inspector qualified for Mámlat.	Section 189, ditto...	.....
550	To receive direct from Circle Inspectors correspondence about measurement of land.	From Mámlatdár to District Inspector of Land Records and Agriculture.	Practice	The Circle Inspectors and District Inspectors might correspond direct. (The Mámlatdár's office in respect of this technical work is merely a forwarding office.)
551	To sanction suits relating to public charities.	From Government to Commissioner.	Section 539, Civil Procedure Code, 1882.	All cases.
552	To exclude the area of a new village from the sphere of a *matádár's* functions.	From Government to Commissioner or Collector.	Section 12, *Matádárs* Act, 1887.	Full powers (subject to the approval of the Commissioner if the Collector is authorized).
553	To appoint a deputy who is not a member of a *matádár* family.	From Government to Collector.	Section 22, ditto...	Full powers. (Most cases are undisputed. When Assistant or Deputy Collector finds no *matádár* at all, it is a pure formality. When he refuses to accept a *matádár* as fit, Collector's approval should be sufficient as it would be subject to appeal.)
		Ditto ...	Ditto ...	When such an appointment is necessitated in consequence of there being no duly qualified members in any of the *máta* families of the village.
		Ditto ...	Ditto ...	..... (Paragraph 2 of section 22 provides that the sanction of Government is necessary to the appointment of a deputy who does not belong to the *matádári* family of the village. The matter has been formerly discussed. *Vide* item 9 of Government Resolution, Revenue Department, No. 5941, dated 26th August 1902. Government have consented to the delegation of this power to the Collector after the necessary legislation.)
554	To remove a *matádár* from office.	From Government to Commissioner.	Section 31, ditto...	Full powers.
		From Government to Collector.	Ditto ...	Entirely.
		Ditto ...	Ditto ...	Power to dismiss after conviction in a Criminal Court.
555	To deprive a *matádár* of the right of voting at an election.	From Government to Commissioner.	Ditto ...	Full powers.

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
556	To direct the forfeiture of life interest in *máta*.	From Government to Commissioner.	Section 31, *Matádárs* Act, 1887.	Full powers.
557	To register the name of the eldest son or widow in the place of a deceased *matadár*.	From Collector to Mámlatdár.	Section 9, ditto ...	.....
558	To sanction the continuance on the death of a *tálukdár* of the management of his property in case of disputed succession.	From Government to Commissioner.	Section 29A (3), Gujarát *Talukdárs'* Act, 1888.	.....
559	To take a *tálukdár's* estate under management if a breach of peace among the various sharers is expected.	From Government to Collector.	Section 26 (1), ditto	..... (Action under such circumstances must be prompt as by the time the reference reaches Government and their sanction is given a breach of the peace may have occurred. It will be best under the circumstances if this power were delegated to the Collector. Clause (2) of the section which provides that the District Magistrate can under certain circumstances cancel the order is perfectly appropriate.)
560	To permit the management of an estate at a *tálukdár's* request.	From Government to Commissioner. From Government to Collector. From Government to *Tálukdári* Settlement Officer.	Section 28, ditto...	..... (Cases in which such orders are given are very clear and undisputed.)
561	To dispose of schedule of the debts and liabilities of a *tálukdár* prepared after investigation of all claims and to order withdrawal from management of an estate which appears to be involved beyond all hope of extrication.	From Government to Commissioner.	Section 29F, ditto...	.....
562	To take up management of a *tálukdári* estate pending partition.	From Commissioner to Collector.	Section 27. ditto ...	.. ...
563	To lease Government salt works when the annual rent exceeds Rs. 5,000.	From Government to Commissioner of Customs, Salt, Opium and Abkári.	Government Resolution, Revenue Department, No. 529, dated 24th January 1899.	Whole.
564	To make appointments of, and grant leave to. officers on Rs. 100 and above in the Salt Department.	From Commissioner of Salt Revenue to Collector of Salt Revenue.	Section 6 of the Bombay Salt Act, 1890, and Commissioner in Sind's Circular No 4606 of 27th July 1899.	.....
565	To pass final orders with respect to property confiscated as well as property in respect of which an offence has been committed.	From Collector of Salt Revenue to Trying Magistrate.	Section 52, Bombay Salt Act, 1890.	Without any limit.
566	To deal with the diary of Salt Inspectors.	From Collector to Assistant or Deputy Collector.	.....	..... (The diary need not be sent to the Collector but may be retained in the Assistant or Deputy Collector's office.)
567	(*a*) To issue notification under sections 4 and 6 of the Land Acquisition Act, 1894, regarding land required for a public purpose. (*b*) To appoint an officer to take order for the acquisition of land. (*c*) To issue urgent orders and to authorize temporary occupation.	From Government to Commissioner in the Presidency proper.	Sections 3 (*c*), 4, 6, 7, 17 and 35 of the Land Acquisition Act, 1894.	The power might be limited to cases where the land is required for a public purpose and not by a company, and in which local authorities provide funds or Government have sanctioned the proposed expenditure. (This proposal was approved by Government in 1902 (*vide* entry No. 3 in the statement embodied in Government Resolution, Revenue Department, No. 5941, dated 26th August 1902). It has been referred in Revenue Department letter No. 12075, dated 22nd December 1906, to the Government of India, who have held over consideration of the subject for the present. It would save a good deal of correspondence to Government.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Government to Collector.	Sections 3 (*c*), 4, 6, 7, 17 and 35 of the Land Acquisition Act, 1894.	Subject to appeal to the Commissioner.
		Ditto ...	Section 4, ditto ...	..... (Collectors may be authorised to publish notifications under section 4 of the Act as by Government Resolution No. 7751, dated 25th September 1905, all land required for public purposes must be notified and reference to Government through the Commissioner has to be made in each case. This entails an amount of labour and delay. There are many cases of the nature to be dealt with annually.)
		Ditto ...	Section 6, ditto ...	Declaration under section 6 of the Act when the land can be acquired by private agreement and its price does not exceed Rs. 1,500.
568	To pass orders transferring land already acquired under the Land Acquisition Act to a railway and debit the amount of compensation to capital account.	From Government to Commissioner.	.....	All cases.
569	To make formal payment of compensation in land acquisition cases.	From Government to Collector.	.....	..... (The matter is now formal and it is a waste of time and energy to take the matters up to Government in each case.)
		Ditto ...	.....	When the price is agreed upon and the notification is merely for the purpose of a good title.
570	To issue declaration of intended acquisition of land for a public purpose.	From Commissioner in Sind to Collector.	Section 6, Land Acquisition Act, 1894.	Unlimited. (The Commissioner is a medium at present, and as the Assistant or Deputy Collectors are authorised to do the work connected with award statements, the Collectors may be authorized to publish the notification.)
		Ditto ...	Ditto ...	Except in respect of lands required by companies.
571	To appoint an officer to take order for acquisition of land.	Ditto ...	Section 7, ditto ...	Unlimited. (It would be discretionary for the Collector to refer to the Commissioner in very important cases.)
572	To acquire land for a public purpose in cases of emergency after publication of notice.	Ditto ...	Section 17, ditto ...	Unlimited. (Just the case in which power is required.)
573	To acquire land for a public purpose as a temporary measure.	Ditto ...	Section 35, ditto ...	Unlimited.
574	To acquire land for public purposes.	From Collector to Assistant Collector.	Section 4, ditto ...	Full powers. (The Collector may be empowered to delegate to the Assistant Collector all or any of his powers. In practice the Collector rarely exercises the powers. The Assistant Collector is appointed specially by Government to exercise the powers of a Collector in each case reported. If the Collector can delegate his powers generally, no such appointment will be necessary.)
575	To allow discretionary powers to the Collector in dealing with applications for refund on account of stamps not required for use.	.....	Section 54, Indian Stamp Act, 1899.	The requirements of section 54, clauses (*a*), (*b*), (*c*) may be made discretional and not obligatory. (There would be great saving of correspondence if merely an application for refund with the stamp attached to it together with the evidence as to its genuineness was held to suffice in ordinary cases. The genuineness of the stamp can be seen apart from evidence and if genuine and endorsed as required by the regulations for sale the holder can only have got it for value, and refund *minus* 6¼ per cent. can be granted with less formality and correspondence and examination of witnesses than at present, the fuller investigation remaining discretional in suspicious cases, as when one person is a frequent claimant.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
576	To refund penalty paid in excess of Rs. 5 under section 38 (1) of the Indian Stamp Act.	From Commissioner to Collector.	Section 39, Indian Stamp Act, 1899.	..... (The Collector has got special opportunities of judging the merits of each case. The necessity of obtaining the consent of the chief controlling authority may be dispensed with.)
577	To refund penalty levied under section 35 or 40, or excess duty levied under section 35, of the Indian Stamp Act.	Ditto ...	Section 45, ditto ...	Unlimited.
578	To grant allowance without limit of time for stamped printed forms no longer required by corporations.	Ditto ...	Section 51, ditto ...	Unlimited. (It would be convenient if the Collector were to exercise this power, but cases are rare.)
579	To stay or compound proceedings for breach of rule relating to sale of stamps or for unauthorized sale.	Ditto ...	Section 70. ditto ...	.....
580	To remit irrecoverable arrears of stamp duty and penalty in excess of Rs. 10 in each case.	Ditto ...	Government Resolution, Revenue Department, No. 5894, dated 20th August 1901.	Up to Rs. 100. (The matter is trivial.)
581	To grant allowance for spoiled or misused stamps.	From Collector to Sub-Divisional Officer.	Sections 49 and 52, India Stamp Act, 1899.	Up to Rs. 50.
582	To grant allowance for stamps spoiled, misused or not required.	Ditto ...	Sections 49, 52, and 54, ditto.	.. ...
583	To grant refund of value of non-judicial and court-fee stamps.	Ditto ...	Chapter V of the Indian Stamp Act and Government Resolution, Revenue Department, No. 819, dated 6th February 1888.	Powers now exercised by the Collector. (This delegation will save much correspondence in the Collector's office.)
584	To grant refund of the value of useless or spoilt stamps.	From Collector to Sub-Divisional Officer. From Collector to Huzúr Deputy Collector.	Rules under the Indian Stamp Act.	Entirely. (As the sanction is only of a formal nature, the power may be delegated.) The power of sanctioning such refunds may be delegated to the Huzúr Deputy Collector by appointing him Collector under section 2 (9) of the Indian Stamp Act.
		From Collector to Mámlatdár.	Government Resolution, Revenue Department, No. 1028, dated 3rd February 1906.	Up to the value of Rs. 50. (Refunds of about 96 stamps were ordered by the Collector of Poona in 1906. In almost all the cases the inquiry was made by the Mámlatdárs and the final orders only were passed by the Collector. The Mámlatdárs would not generally err in deciding as to the validity or otherwise of the claim for the refund.)
585	To sanction leave to stamp-vendors.	From Sub-Divisional Officer to Mámlatdár.	Government Resolution, Financial Department, No. 595, dated 20th May 1867.	Up to 6 months.
586	To correspond direct with the Collector in cases of applications for refund of value of stamps.	Ditto ...		Reports on applications for refund might be sent direct to the Collector by the Mámlatdár.
587	To grant certificate of approval to a person to whom it is proposed to grant exploring and prospecting licenses.	From Government to Collector.	No. 10 of the Mining Rules published in Government Notification, Revenue Department No. 3856, dated 2nd June 1899, and No. 8 of the Rules embodied in Government Resolution, Revenue Department, No. 8183, dated 24th October 1904.	..... (Such certificates are to be granted to applicants after ascertaining their means and good faith. At present applications for certificates are made to Government, who forward them through the Commissioners to Collectors for inquiry and report. This is a needless circumlocution to get at what decides the question, *viz.*, the Collector's opinion.)

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
588	To refuse prospecting licenses	From Government to Collector.	No. 13 (1) of the Mining Rules published in Government Notification, Revenue Department, No. 3856, dated 2nd June 1899, and Government Resolution, Revenue Department No. 8615, dated 1st December 1899.	In all cases, subject to right of appeal to Commissioner.
589	To sanction transfer of interest under a prospecting license.	From Government to Commissioner or Collector.	No. 15 (VII) of the Mining Rules published in Government Notification, Revenue Department, No. 3856, dated 2nd June 1899.	To the same extent as power to grant prospecting licenses.
590	To refuse mining leases ...	From Commissioner to Collector.	No. 17 (1), ditto ...	Power to refuse mining lease subject to right of appeal.
591	To impose a fee under the Record of Rights Act for failure to produce documents.	From Collector to Assistant or Deputy Collector.	Section 8, Record of Rights Act, 1903.	In all cases.
		From Collector to Mámlatdár.	Ditto ...	Subject to appeal to (*a*) the Sub-Divisional Officer and (*b*) the Collector.
		Ditto ...	Ditto ...	Up to Rs. 5.
592	To sanction asnumption of superintendence by the Court of Wards of a landholder's propery.	From Government to Commissioner.	Sections 4 and 9, Court of Wards Act, 1905.	In all cases.
593	To delegate the powers of the Court of Wards to Collector.	Ditto ...	Section 19, ditto ...	General sanction to be given.
594	To issue notifications in the *Bombay Government Gazette* about estates being placed under the management of the Court of Wards and calling for notice of claims.	From Commissioner to Collector.	Sections 13 and 14, ditto.	All cases.
595	To sanction the bringing of a suit on behalf of Government wards.	From Court of Wards to Collector.	Section 35, ditto ...	All cases.
596	To grant relief to superior village servants.	From Government to Collector.	Section 159, Famine Relief Code, 1904.	Full powers.
597	To give gratuitous relief to herdsmen.	Ditto ...	Section 226, ditto...	Full powers.
598	To fix price basis for the calculation of wages, etc.	From Commissioner to Collector.	Sections 74 and 75, ditto.	Full Powers. (As there are several changes in the prices much correspondence will be saved by the delegation proposed. The Commissioner can only fix the price basis on the information the Collector gives him. There is no room for difference of opinion.)
599	To dispense with rest-day allowance.	Ditto ...	Section 85, ditto ...	Full powers.
600	To make variations in the standard tasks.	Ditto ...	Section 106, ditto...	Full powers. (It is often impossible to take the Commissioner's previous sanction owing to the delay involved.)
601	To give minimum wages in certain cases.	Ditto ...	Section 113, ditto...	Full powers... (These are matters of general famine administration. The Commissioner can only decide them on the information he receives from the Collector. In famine matters it is generally important for the Collector to act quickly and he should be given the wildest possible powers to enable him to do so.)
602	To make payment of daily or weekly cash doles.	Ditto ...	Section 148, ditto...	Ditto ...
603	To grant relief to inferior village servants.	Ditto ...	Section 158, ditto...	Ditto ...
604	To fix the number of poorhouses in a district.	Ditto ...	Section 163, ditto...	Ditto ...
605	To grant permission for free grazing in forests.	Ditto ...	Section 224, ditto...	Ditto ...

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
606	To grant permission to appear for departmental examinations to persons who have failed twice at the higher standard and thrice at the lower standard examination.	From Government to Commissioner.	Nos. VII (*2*), IX (*3*) and XV of the Rules for admission to and promotion in the Subordinate Revenue Service appended to Government Resolution, Revenue Department, No. 4517, dated 14th June 1904.	One additional chance under special circumstances. (Men who fail twice at the higher standard and three times at the lower standard cannot generally be regarded as fit to go up again, but there may be special reasons which occasioned their failure, and in such cases the Commissioners may be trusted to give the men an additional chance.)
607	To grant special permission to appear for the Head Accountants' examination to men who do not hold one of the qualifying appointments.	Ditto ...	Note to Rule 1 of the Rules relating to Head Accountants' Examinations.	.....
608	To extend the intervals prescribed for the higher standard and lower standard examinations.	From Commissioner to Collector.	Nos. VIII and X (*2*) of the Rules for admission to and promotion in the Subordinate Revenue Service.	Power of Commissioner. (As the Collector knows the circumstances which justify the grant of the concession, he may be invested with this power.)
		Ditto ...	Ditto ...	Period may be extended to one year. (The Collector is well aware of the circumstances of subordinates who requite special treatment.)
609	To grant permission to non-graduates to appear for the higher standard examination.	Ditto ...	No. X (1) (*b*) of the Rules for admission to and promotion in the Subordinate Revenue Service.	Power now exercised by the Commissioner. (Under No. X (*b*) of the Revised Rules for admission to and promotion in the Subordinate Revenue Service the Commissioner has power to permit a subordinate to appear at the higher standard examination. Some restriction was formerly necessary when such permission was given annually to two subordinates only in the division, and the qualification of having passed the higher standard was to be considered in the cases of vacancies or mámlats only, The proviso seems unnecessary now as the permission is not to be given to a limited number of candidates only, and for promotion below a *mámlat*, a higher standard subordinate is to have preference over others under Rule XII (*a*). The Collector's report is the basis of the Commissioner's grant of such permission, and it is but reasonable that the Collector be entrusted to deal with the question as well as with the question of granting permission under Government Resolution, Judicial Department, No. 1599, dated 20th March 1888.) (The Collector recommends the man to be permitted and the Commissioner's sanction is merely formal. The proposed delegation would curtail much correspondence.) (At the Collector has special opportunities of knowing the qualifications of the subordinates serving under him, he may be invested with this power.)
610	To allow a revenue subordinate to appear for the sub-service departmental examination after failure and to grant exemption from passing it.	Ditto ...	Government Resolution, Revenue Department, No. 6384, dated 12th September 1903.	Power of Commissioner.
611	To exempt a *talâti* from sub-service departmental examination.	Ditto ...	Ditto ...	Entirely.
612	To authorize the formation of Government Servants' Society.	From Government to Registrar of Co-operative Credit Societies.	Government Resolution, Revenue Department, No. 4815, dated 11th May 1907.	Absolutely (as far as "registering" goes). (In the Resolution mentioned in column 4 the words "will require the special sanction in each case of Government" are apparently used without any intention of special command, but under the assumption that the law as it stands (*viz.*, section 29 of Act X of 1904) leaves no alternative. The law, however, does not leave one without an option in the matter; and for practical purposes it may be concluded that Government have for some reason unknown insisted on reference before registration. Perhaps the fact that Government speak of sanction to the "formation," while section 29 simply says permission to "register," has added to one's doubt, as it looks as though Government were doubtful of the propriety of such societies at all.

Revenue Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
			Now, the law allows [section 3 (*1*), (*b*) of Act X of 1904] of a 'class' society; and one may certainly consider Government servants as forming such a 'class.' All the members of the Registrars' Conference at Simla in 1906 agreed that the 'soldiers of one regiment' could legitimately be held to be a class. And one would like to feel that a similar *esprit de corps* is expected from and encouraged in the body of Government servants as a whole; or the body of those working side by side in any particular part. As a matter of fact, one such society has been already registered under section 3 (*1*) (*b*), not section 29.)	
613	To grant certificates of nationality in case of admission of candidates to the Provincial Civil Service.	From Commissioner to Collector.	Government Resolution, General Department, No. 3180, dated 8th September 1888.	Unlimited. (Instances are rare, but a Collector is quite sufficiently high and capable authority for this purpose.) (The Commissioner has no other material before him than the papers of inquiry made by the Collector, and an officer of the rank of a Collector can safely be trusted with the power to issue such certificates.)
614	To direct crop experiments	From Commissioner to Director of Agriculture.	Government Resolution, Revenue Department, No. 3547, dated 15th May 1893.	As there is now a separate Director of Agriculture, the Commissioner might be relieved of all concern with crop experiments except when it may be necessary for the Director to report an officer to him for failure to carry them out as prescribed.
615	To take measures for the preservation of oyster beds on the coast of the Karáchi district.	From Commissioner to Collector.	Practice	Limits of the district. (The Collector practically does all this now and has for some years past since the matter has been taken up.)
616	To nominate candidates for agricultural schools.	From Collector to Assistant or Deputy Collector.	Ditto	Subject to the total number allotted to a division.
617	To give fishery and *metkhan* contracts.	Ditto ...	.....	Power of sanctioning such contracts may be exercised by the Assistant or Deputy Collector unless a bid is below the last three years' average, in which case the Collector's sanction should be applied for with reasons.
618	To discontinue the submission to the Commissioner of the diary of movements of the Collector, and to dispose of the Assistant Collector's diary.	From Commissioner to Collector.	Government Resolution, Revenue Department, No. 2876, dated 17th August 1860.	..... (The Collector's diary hardly serves any useful purpose and so it may be discontinued.) (The Collector submits to the Commissioner and the Assistant Collector to the Collector a monthly diary of movements which is forwarded on to the Commissioner. The former may be discontinued as the Collector has to account for his movements in the Annual Administration Report, the Sub-Divisional Officer continuing as at present to submit his diary to the Collector only.)
619	To discontinue the submission of certain details in the quarterly return of irrecoverable balances of land revenue, &c., written off.	.....	Government Resolution, Revenue Department, No. 1714, dated 3rd March 1904.	The return is submitted every quarter ending 31st March, 30th June, 30th September and 31st December, *assami-war* to the Commissioner. Instead of which it may be submitted village-war as it would lessen a great deal of clerical labour.
620	To discontinue the submission (*a*) to the Commissioner of the Collector's certificate regarding security bonds and (*b*) to the Collector of the annual statement of security bonds.	.....	Government Resolution, Revenue Department, No. 6668, dated 18th October 1898.	..... (Every office has to maintain a register of security bonds of the members of its own establishment, and so it is needless to get statements from every office annually and to check them in the Collector's office with the consolidated statements kept by the Collector. The register kept by every office should be scrutinized by inspecting officers when on tour and the submission of statements by all officers to the Collector and of a certificate by the Collector to the Commissioner should be discontinued. The certificate now submitted by the Collector should be submitted by every officer for his office to the Collector, who should record them in his office.)

Revenue Department—concluded.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
621	To discontinue the submission of half-yearly returns of unanswered vernacular references as well as the abstract return of such references for the whole district.	.....	Under orders of the Commissioner, N.D., the returns are submitted to him.	..... (The quarterly returns in English have been discontinued in Government Resolution No 7823, dated 7th November 1902, and there seems no necessity for continuing the return in vernacular.
622	To discontinue the submission of half-yearly statements of cases detected by each A'bkári Inspector and Sub-Inspector.	.....	.....	..... (These are now submitted by the Assistant Collector of Excise through the Collector if the A'bkári Commissioner thinks them necessary.)
623	To substitute annual for monthly returns of salt cases.	.....	.....	The monthly return now sent by the Assistant and Deputy Collectors to the Collector is almost always blank.)
624	To substitute annual for quarterly returns concerning minors.	.....	.....	The return may be sent by Assistant and Deputy Collector once a year to the Collector.
625	To dispose of quarterly statements of examination of *tapedars'* records.	From Collector to Assistant or Deputy Collector.	.....	.....
626	To substitute weekly for daily returns of cattle disease.	.....	Practice	..... (Daily returns are sent to the Collector and to veterinary graduates. Only weekly returns might be sent to the Collector. It is only the veterinary graduate who requires prompt information of the outbreak of cattle disease.) The first report of the outbreak must be sent to the Collector and afterwards weekly reports.
627	To supervise the destruction of *talátis'* records.	From Sub-Divisional Officer to Mámlatdár.	Manual of Revenue Accounts, section 15.	Entirely.
628	To discontinue the submission to Sub-Divisional Officers of the diaries of Circle Inspectors.	Ditto ...	No. 9 of the Circle Inspectors' Rules.	..... (These diaries have to be submitted every fortnight through the Mámlatdár. No practical use is ever made of them. The Mámlatdárs to whom the Circle Inspectors are now immediately subordinate can exercise sufficient control over their work, and it would stimulate more intelligible supervision on the part of the Mámlatdárs when they know that the real control lies with them. The Mámlatdár bases his season report on them.)
629	To dispense with the submission of *nikal patraks* (lists of cases disposed of by the Circle Inspector) to Assistant Collectors.	From Assistant Collector to Mámlatdár if the preparation of nikal patraks is maintained.	No. 15, ditto ...	The submission of these *nikal patraks* to the Assistant Collectors may be discontinued. In fact, their preparation should be absolutely discontinued. (The Assistant Collectors have no means of verifying the correctness of these *patraks*. The Mámlatdárs who can make easily occasional inspection of the Circle Inspectors' *daftars* can exercise sufficient control over the work of the Circle Inspector. It would really be much better to discontinue the *nikal patraks* altogether, and this is being referred to the Director of Land Records.)
630	To discontinue the annual returns of destruction of records.	.....	.....	..... The particulars are embodied in the Administration Report.
631	To dispense with the acknowledgment of receipt of Government publications.	.....	As per request in every forwarding letter.	.....

Financial Department.

632	To permit the deposit of post office cash chests and and Executive Engineers' and Divisional Forest Officers' chests in a Sub-Treasury.	From Government to Commissioner.	Note 1, Article 2, Civil Account Code.	Entirely.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
633	To permit the deposit of cash chests of another department for safe custody in a treasury strongroom.	From Government to Collector.	Note 1, Article 2, Civil Account Code.	..... (It is believed that the existing orders are not generally attended to and cash boxes of other departments are kept in treasuries without the previous sanction of Government.) (As the Collectors are responsible for the proper working of treasuries, the power may properly be delegated to them.)
634	To keep in custody treasure chests of officers of the Transport Department.	From Commissioner in Sind to Collector.	Note 1, Article 2, Civil Account Code, and Government Resolution, No. 2918, dated 28th Aug. 1885.	Unlimited.
635	To dispose of matters relating to loss of treasury padlocks and keys, and unserviceable locks.	From Government to Commissioner.	Article 305A, Civil Account Code, and Government Resolutions, Financial Department, No. 5394, dated 7th December 1900, and No. 4069, dated 25th October 1901.	In cases in which it is not known whether one of the duplicate keys is lost or not. (The matter seems too trivial to require the orders of Government.)
		From Commissioner to Collector.	Article 305A, Civil Account Code.	Unlimited.
636	To sanction the keeping of spare padlocks at district treasuries.	Ditto ...	Rule 3 under Article 305A, Civil Account Code.	Commissioner's powers.
637	To authorize Clerks of the Court to sign cheques for withdrawing money from the Treasury in the absence of Sub-Judges.	From Government to District Judge.	Article 9 (*f*), Civil Account Code, and High Court Civil Circulars, Civil Courts Accounts, Rule 19.	Full powers of Local Government. (The necessary notification in the *Government Gazette* may be published by the District Judge.)
638	To countersign bills for contingent charges.	From Commissioner, Inspector-General of Police, or District Magistrate to Deputy Inspectors-General of Police.	Rule 10, page 84, Police Manual.	Under all heads of budget, subject to the budget provision and Standing Orders. (If the proposal is approved, the Deputy Inspectors-General of Police will have to be notified as countersigning officers for all countersigned contingencies and the Inspector-General of Police as the controlling officer.)
		From Commissioner to Heads of Offices.	Instruction No. 8 under Rule 97, Bombay Treasury Manual.	Power now exercised by the Commissioner in respect of contingent bills of Superintendent, Land Records and Registration, and District Superintendents of Police.
		From Director of Agriculture to Deputy Director of Agriculture and Second Deputy Director, Sind.	Appendix B, Chapter 6, Bombay Treasury Manual.	In respect of coutingent bills of their own office and of the farms in their charge.
		From Director of Agriculture to Professor of Agriculture and Economic Botanist.	Ditto ...	Ditto ditto.
		From Director of Agriculture to Agricultural Chemist.	Ditto ...	Ditto of his own office.
		From Director of Agriculture to Principal, Agricultural College.	Ditto ...	Ditto of the Agricultural College and the Agricultural College Farm.
		From Director of Agriculture to Superintendent, Civil Veterinary Department.	Ditto ...	In respect of contingent bills of the Chharodi Farm.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Commissioner in Sind to Collector.	Government Resolution, Financial Department, No. 2918, dated 27th August 1895.	In the case of Salt and Excise establishments subordinate to Collector.
		From Director of Public Instruction to Educational Inspector of Division.	.....	In respect of result grants and grants-in-aid to aided primary and indigenous schools within municipal areas. (Bills for grants-in-aid to aided primary schools situated within Local Board areas paid from provincial funds are countersigned by the educational inspectors. As the grants to schools of both the kinds are paid from one and the same source and on the recommendation of the same District Inspecting Officers, there is no ground for making a distinction in the countersignature on the bills.)
		Ditto ...	.....	In respect of detailed bills for amounts drawn on abstract bills for expenditure sanctioned by the Director of Public Instruction or by Government for high and middle schools, training colleges, Deputy Inspectors' office, &c. (When once expenditure for certain work is sanctioned, it is quite a routine matter to draw the amount and prepare a detailed bill.)
		Ditto ...	.....	In respect of bills for grants to municipalities on account of the maintenance of primary schools within contract. (The accounts of the municipalities are examined by the inspectors and their subordinates and on their recommendations the bills are formerly countersigned by the Director of Public Instruction. The amounts are settled according to the scale prescribed by Government Resolutions, Educational Department, Nos. 1749 and 1752, dated 29th August 1903, and No. 2171, dated 6th November 1903. It will not, therefore, matter at all if the inspectors pass the grants subject to revision by the Director.)
		From Director of Public Instruction to Heads of Offices.	.....	Bills for fixed contingent charges outside the contract contingent grants. (When charges are fixed and when there are separate allotments of money in the budget, there appears to be no objection to delegate the powers to Heads of Offices.)
		From Commissioner in Sind to Chief Collector of Customs and Salt Revenue in Sind.	.....	In the case of the Salt Department in Sind. (It would be convenient if the Chief Collector were appointed countersigning officer as in the Customs Department.)
639	To countersign bills of salt rewards.	From Commissioner in Sind to Collector.	.....	.....
640	To countersign bills for Gometi *chowth* allowance.	From Commissioner to Collector.	.....	..... (The payment of one-fourth of the village revenue after deducting establishment and other charges is made on the authority of a treaty and a Collector may be left to make this payment on his own authority.)
641	To prefer direct to the Treasury contract contingent bills of Subordinate Judge's Courts.	From District Judge to Sub-ordinate Judge.	Chapter 6, Bombay Treasury Manual.	The District Judge may assign to each Court a portion out of the contract grant for the district, and retain power to transfer any grant to his own Court or from one Court to another.
642	To cancel sub-vouchers ...	From District Judge to Shirastedár of the District Court.	Article 91, Civil Account Code.	.....
643	Ditto for peons' uniforms and belts.	From Accountant General to District Judge.	Paragraph 19 of Accountant General's Contingent Charges Circular.	.....

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
644	To re-adjust items credited to wrong heads.	From Accountant - General to Huzúr Deputy Collector.	Rules 323—325, Bombay Treasury Manual.	Mistakes made in *táluka* offices may be adjusted by *mukhtyárkars* if detected within the month of the occurrence. Thereafter they may be adjusted with the sanction of the Huzúr Deputy Collector instead of being reported to the Accountant - General. Mistakes in the Huzúr Treasury may be adjusted by the Huzúr Deputy Collector even if detected after one month of the occurrence.
645	To discontinue the Collector's countersignature on (*a*) fortnightly bills of payments (i) to village servants useful to the community, (ii) to heads of village police and watchmen, and (iii) on account of district and village officers who render service, etc., (*b*) schedule of remuneration to *patels* and poundkeepers, etc., and (*c*) monthly bills for remuneration to *patels* and *kulkarnis* for collection of local fund cess.	From Collector to Huzúr Deputy Collector and Treasury Officer.	Government Resolutions, Revenue Department, No. 2612, dated 2nd July 1872, and No. 1374, dated 10th March 1873.	Entirely. (After payment in the *táluka* the bills come to the Account Department, when a consolidated bill is made out to the Collector for countersignature. The matter is one in which payments are actually made by Mámlatdárs and audited in the Account Office. The object of a routine reference to the Collector after the payment has been made and passed by the auditing officer is not clear.)
646	To draw pay of Subordinate Judges and their establishments from the sub-treasuries.	From District Judge to Subordinate Judge.	Government Resolutions, Judicial Department, No. 1189, dated 23rd February 1893, and No. 73, dated 8th January 1907.	.....
647	To regard the Sádra Sub-Treasury as Political Head Treasury.	From Political Agent to Sub-Treasury Officer.	Practice	Full extent. (This will save a great deal of correspondence between the Sádra and Ahmedabad treasuries in passing bills, etc.)
648	To correspond direct with the Accountant - General in routine matters.	From Political Agent to Native Assistant as Treasury Officer.	.....	Full extent. (The Sub-Treasury at Sádra has no authority to make direct communication to the Accountant - General. Delegation of power as proposed will save much correspondence in the Political Agent's Office and the Huzúr Treasury Office, Ahmedabad.)
649	To sign salary bills of non-gazetted officers.	From Collector to Huzúr Deputy Collector and Treasury Officer.	.....	Entirely.
650	To make payment endorsements on all bills connected with agency establishments or offices, including police.	From Political Agent to Treasury Officer.	.....	The same powers as District Treasury Officer. (The delegation of the power will decrease greatly correspondence in all offices.)
651	To permit the carrying out of treasury transactions by *táluka* second *munshis*.	From Collector to Assistant or Deputy Collector.	Practice	Unlimited.
652	To cash travelling allowance bills direct at sub-treasuries when countersigned by the Collector.	From Huzúr Treasury Officer to Mámlatdár.	Article 312, Civil Account Code, and Rule 316 of the Bombay Treasury Manual.	.....
653	To cash refund bills without endorsement from the Huzúr Treasury.	From Huzúr Treasury Officer to Sub-Treasury Officer.	Rule 316, Bombay Treasury Manual.	In the case of all classes of refund bills where the refund has been ordered by competent authority. (This is most necessary not only to save correspondence but in the interests of the payees.)
		Ditto ...	Ditto ...	In cases in which the bills are countersigned by *Pránt* Officers for sums exceeding Rs. 5.
654	To cash cheques drawn by the authority sanctioning advances under the Land Improvement Loans Act, 1883, without payment order endorsed by the Huzúr.	Ditto ...	Paragraph 45, Sub-Treasury Manual.	To the full extent.
655	To countersign salary and contingent bills of the dispensary at Satlásna in Mahi Kántha.	From Personal Assistant to the Political Agent, Mahi Kántha, to Thánadár.	Political Agent's No. 1638, dated 6th March 1905.	.....

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
656	To authorise second *munshi* to sign treasury vouchers when the head *munshi* and *mukhtyárkar* are absent from headquarters.	From Assistant Collector to *Mukhtyárkar*.	.....	..... (If the proposal is sanctioned, considerable correspondence between *mukhtyárkars* and Assistant Collectors will be avoided.)
657	To issue remittance transfer receipts.	From Treasury Officer, Ahmedabad, to Treasury Officer, Pálanpur.	.....	Powers of District Treasury Officer.
658	To sign payment vouchers	From Huzúr Treasury Officer to Head Accountant, Huzúr Treasury.	.....	Up to Rs. 500.
659	To pay interest on promissory notes.	From Huzúr Treasury Officer to Sub-Treasury Officer.	.....	..... (This will save inconvenience to those who do not reside at headquarters. The Civil Account Code will have to be amended.)
660	To extend from a week to a fortnight the period for the return by the Treasury Officer of the audit objection statements of the Accountant-General with the necessary explanations.	.....	Article 15, Civil Account Code.	..... (The effect of the present rule is that very few objections are disposed or within the seven days; but many replies come in the next week. The main items are cleared in the first objection statement, while fewer remain for the further statement which the Accountant-General sends back to the Treasury.)
661	To prepare for transmission to the Public Debt Office, Calcutta, quinquennial instead of annual lists of promissory notes on which interest is payable at a treasury.	.....	Article 181, ditto...	When the quinquennial list is introduced, changes in the year need only be communicated annually.
662	To prepare a monthly instead of an annual clearance register of outstanding deposit balances.	.....	Article 253, ditto...	..... (On 1st April 1907 a clearance register of all items over one clear account year old had to be prepared. It included all unpaid deposits from April 1905 (24 months old) to March 1906 (13 months old). There are always a far larger number of items in the recent months. These clearance registers arrive in a mass at the Accountant-General's Office and congest the work in deposits and its branch for several months. If a clearance register of all items exactly 24 months old were sent every month and the extract register of non-lapsed deposit only were sent on 1st April, the labour in district offices would be much reduced and the Accountant-General's work would go in uniformity all the year. The code should be amended so as to reduce and improve work.)
663	To raise from three to six months the time when outstanding cash orders should be treated as lapsed.	.....	Article 322, Note 1, Civil Account Code.	..... (Payees do not wilfully refrain from cashing the orders as they lose by the delay. The number of cases is not considerable and there is no risk to Government or increase of labour in giving cash orders a longer currency.)
664	To dispense with the receipts and repayment registers at the Huzúr Treasury of revenue deposits which are received and are repayable in the *táluka*.	.....	Articles 364 and 366, ditto.	The detailed receipt register is kept both at the *táluka* and at Huzúr Treasury. It does not seem necessary to have the detailed account at the Huzúr Treasury for those deposits which are received and are repayable in the *táluka*. Similarly with repayment register extracts. (It is believed that in Bengal the extract registers of deposits received are kept separate in the Accountant-General's Office for the Sádra and Sub-Treasuries, thereby greatly relieving the work of the Sádra Treasuries while not hindering audit or impairing its currency. The plus and minus memorandum and a covering list of deposits paid with the vouchers is in other provinces sufficient and can be with advantage tried in Bombay.)

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
665	To discontinue the monthly verification by the Treasury Officer of the Post Office Account.	.....	Article 508, Civil Account Code.	..... (The postal account is verified monthly in the Huzúr Treasury. The same entries have been initialled by the Treasury Officer in the Pass Book, and the further verification of the monthly account never does any good. In the Public Works Department no such verification is required. The Post Office procedure should be similarly simplified.)
666	To dispense with the six-monthly statement of expenditure on account of plague.	.....	Accountant-General's General Letter No. T.A P. —339, dated 1st August 1902.	No statement need be sent to the Accountant-General when no expenditure is incurred. (Instead of every one being directed to send a report, even though there is no expenditure, it may be ordered that a report should be sent only when expenditure is incurred.)
667	To fix permanent advances of officers.	From Government to Inspector-General of Registration.	Article 77, Civil Account Code.	..... (So far references to Government under Article 77 of the Civil Account Code have been few in number as Sub-Registrars have defrayed expenditure on contingencies out of their own commission. Now that the payment of commission is stopped, a permanent advance will be necessary for every Sub-Registrar's office in the Presidency. This may be fixed in consultation with the Accountant-General.)
		From Commissioner to Collector.	Ditto ...	Commissioner's powers as specified in item No. 1 of the statement accompanying Government Resolution, Financial Department, No. 2422. dated 15th July 1904.
		Ditto ...	Ditto ...	Absolute power.
		Ditto ...	Ditto ...	Within district grant. (The Collector should be the best judge as to this.)
668	To dispense with the annual report regarding permanent advances.	.....	Article 78, Civil Account Code, and paragraph 22, Accountant-General's Contingent Charges Circular.	..... (Whenever an officer hands over charge to another, a report is sent. Annual reports seem to be unnecessary.)
669	To sanction advances for house building.	From Government to Collector.	Article 136, Civil Account Code.	Subject to the rules under Article 136, Civil Account Code.
670	To sanction advance of pay to Gazetted Officers.	From Government to Conservator of Forests.	Article 155, Forest Department Code.	Powers of Local Government. (Conservators have power to sanction advances in cases of transfer.)
671	To sanction advances for the purchase of conveyances or tents required for touring purposes.	From Government to Commissioner.	Article 137 (*a*), Civil Account Code.	Up to Rs. 400.
		From Commissioner to Collector.	Government Resolutions, Financial Department, No. 2881, dated 27th July 1901, and No. 510, dated 5th February 1906.	In the case of men appointed by the Collector. (Collectors are the best judges of the necessities of their men. It is also desirable that the applications should be disposed of promptly.)
672	To sanction advances to non-gazetted officers for the purchase of conveyances required for touring purposes.	Ditto ...	Government Resolution, Financial Department, No. 510, dated 5th February 1906.	Two months' salary as in the case of tent advances.
		Ditto ...	Ditto ...	In the case of Collector's subordinates.
		From Conservator of Forests to Divisional Forest Officer.	Ditto ...	Powers of the Conservator of Forests.
673	To sanction advances to officers under orders of transfer.	From District Officer to Subordinate Head of Office.	Article 137 (*b*), Civil Account Code.	..... (The advance to be useful requires immediate sanction.)
		From Collector to Treasury Officer or Sub-Treasury Officer.	Ditto ...	In respect of non-gazetted officers under the Collector, and to the extent of one month's pay in the case of transfer within the district.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
674	To sanction the inclusion of new or unusual items of expenditure in forest budget estimates.	From Government to Conservator of Forests.	Article 133 (ii) Forest Department Code, and Government Resolution, Revenue Department, No. 4968. dated 11th August 1900.	Powers of Local Government.
675	To deal with budget requirements under various heads, such as petty construction and repairs, arms, ammunition and accoutrements, handcuffs, targets, bugles, compensation for land, house rent, other articles of stores, etc.	From Government to Inspector-General of Police.	Rule 42 (*o*) (2) (*i*), page 74, Police Manual.	To full extent. (The Inspector-General of Police at present has to submit to Government an elaborate consolidated report on the requirements under the items mentioned in column 2 for formal sanction, which is usually accorded. No useful purpose is served by Government giving provisional approval for inclusion under *some* contingent heads prior to sanction to general budget. If a simple report on requirements, supported by facts, be submitted by District Superintendents of Police with the 20—Police Budget, through the Deputy Inspectors-General of Police, the latters officers will check the requirements and forward the budgets with their opinions. The Inspector-General of Police should make any alterations he thinks necessary in forwarding the budgets to the Accountant-General for submission to Government. The present elaborate procedure for including provisions in budgets requires simplification.)
676	To distribute between the Deputy Inspectors-General of Police lump allotments under 20, Police budget sanctioned by Government and to empower the Deputy Inspectors-General to be controlling officers in respect to such allotments.	From Government to Inspector-General of Police and Deputy Inspectors-General of Police.	Rule 42, page 72, Police Manual.	.....
677	To sanction re-appropriations from one head to another under 20, Police.	From Government to Inspector-General of Police.	Rule VI (13) on page 85, Police Manual.	Subject to the limit of Rs. 200 in each case and to general control of Government. (If the Inspector-General of Police is to be a real Head of the Police Department and controlling officer in every respect, this power will be fouud most useful in the interests of the department and public. It will obviate references to Government in matters of re-appropriation.)
678	To transfer funds from one major head to another under non-contract contingent grants.	From Government to Controlling Officer.	Article 76, Civil Account Code, and Instruction No. 12 under Rule 97 of the Bombay Treasury Manual.	Powers of Local Government. (Controlling and disbursing officers have been given wide powers to transfer budget grants under the same major head, and to transfer savings in contract grants from one major head to another. It is generally towards the close of a year that a number of applications are made for supplementary grants of small sums, *e.g.*, for postage and telegram charges. Government will be saved a lot of pretty work if the proposal is approved.)
		From Government to Commissioner of Customs, Salt, Opium and Abkári.	Ditto ...	Powers of Local Government.
679	To sanction expenditure not provided for in the budget.	From Government to Inspector-General of Police.	Article 158, Civil Account Code.	Applications should come to the Inspector-General of Police through the Deputy Inspectors-General of Police when no re-appropriation from the grants of the districts in the range is possible. And to meet such applications, Government should place at the disposal of the Inspector-General of Police a discretionary grant of, say, Rs. 4,000. The Inspector-General will sanction applications to the extent of Rs. 200 in each case and applications for expenditure above this limit will go up to Government. This grant will be used to supplement both countersigned and contract grants (if the latter is transferred to the Inspector-General of Police from the Commissioners) when all other sources fail.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
680	To sanction actual expenditure in excess of the budget grant under :— (*a*) 3.—Land Revenue—Allowances to district and village officers, and (*b*) 20.—Police—Allowances to heads of village police and watchmen.	From Government to Commissioner.	Article 158, Civil Account Code.	Powers of Local Government.
681	To sanction additions to the budget grant under travelling allowances.	Ditto ...	Ditto ...	From increased discretionary grant.
682	To sanction additional grants required by Collectors to meet the cost of collection of income tax.	Ditto ...	Ditto ...	Within budget allotment.
683	To sanction additional grants for post and telegram charges.	Ditto ...	Ditto ...	From discretionary grant to be made for the purpose.
684	To sanction re-appropriations from items sanctioned in the budget.	From Government to the Honourable the Chief Justice.	Article 158, Civil Account Code, and Accountant-General's Contingent Charges Circular, paragraph 11.	In respect of re-appropriations out of savings of non-contract grants to supplement the contract grant. (Since the grants have been once sanctioned by Government in the budget, the power of sanctioning a necessary re-appropriation may well be given to the Honourable the Chief Justice.)
		From Government to Director of Public Instruction.	Article 158, Civil Account Code.	All re-appropriations. (Matters for which sanction for re-appropriating money is solicited are always of an urgent nature and sanction has often to be solicited at the last moment. There are almost no instances in which Government refused to sanction the re-appropriations proposed. Powers may therefore with advantage be vested in the Director of Public Instruction to sanction re-appropriations.)
		From Government to Inspector-General of Registration.	Ditto ...	Full power in respect of the grants placed at the disposal of the Inspector-General of Registration.
		From Government to Commissioner.	Ditto ...	Power to transfer savings from one district to another in all detailed heads under the same major head and on the previous report of the Accountant-General from one major head to another. (Under paragraph 12 of the Accountant-General's Contingent Charges Circular and Government Resolutions, Financial Department, No. 1448, dated 21st April 1904, and Revenue Department, No. 6067, dated 17th June 1907, certain powers have been delegated to Collectors and Commissioners, but in other cases the sanction of Government has to be obtained. Generally there is much correspondence on this subject, and that too during the last two months of the year. The power delegated in the orders quoted in the preceding column are neither sufficiently understood by Collectors' offices nor go far enough. There seems no reason why a Collector should not be authorized to utilize to the best advantage his savings under the same major head and the rule might therefore be made elastic. The grant of power to transfer savings from one major head to another was negatived in Government Resolution, Revenue Department, No. 737, dated 23rd January 1907, on the ground that it might involve inconvenience to Government, who might at times wish to re-appropriate savings. The cases for re-appropriation which come before the Commissioner are generally of small amounts and confined to a few major heads ; and Government might fix a limit up to which a Commissioner should be allowed to sanction such re-appropriations and further stipulate that it should not be done without the previous report of the Accountant-General which Government themselves generally require.)
		From Government to Collector.	Article 158, Civil Account Code.	From one major head to another, provided that no extra amount is required under the head from which an appropriation has been sanctioned.
		From Government or Commissioner to Collector and District Magistrate.	Ditto ...	Power to authorize re-appropriation of savings in all detailed heads under the same major head.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Government to District Judge.	Accountant - General's Contingent Charges Circular, paragraph 12.	To the extent of the budgetted grant from one major head to another. (On the analogy of paragraph 11 of the Accountant-General's Contingent Charges Circular this power may be granted to the District Judge.)
685	To transfer grants from the head of travelling allowances to non-contract contingencies.	From Government to Controlling Officer.	Article 158, Civil Account Code.	Full powers.
686	To sanction overdrawal of the balance of a District Local Board during the financial year.	From Government to Commissioner.	Article 1373. Civil Account Code, and Government Resolution, Financial Department, No. 2923, dated 29th June 1898.	Powers of Local Government.
687	To transfer funds from the Civil to the Public Works Department for the execution of works through Public Works Department agency.	From Government to Inspector-General of Police.	Paragraph 2107-E., Public Works Code, and Government Resolution, Financial Department, No. 186, dated 19th January 1903.	To the extent of budget allotment. (Instances occur when professional assistance is indispensable for the construction of a work and for additions and alterations to buildings not on the Public Works Department list, but which may have to be transferred to the Public Works Department for future maintenance.)
688	To sanction appropriations from the Commissioner's discretionary grant to meet deficiencies in all budget grants controlled by him.	From Government to Commissioner.	Paragraph 6 of Accountant - General's Contingent Charges Circular.	Up to the limit of the Commissioner's grant. (At present the Commissioner's discretionary grant can be utilized to meet deficiencies only in the cases specified in the Circular mentioned in column 4. Applications for supplementary allotments are very frequent, especially towards the closing months of the financial year. In most of these cases references have to be made to Government either because the grant is exhausted or because the charges are such as cannot be debited to it. All these could be complied with and much time and correspondence saved if each Commissioner's discretionary grant were increased to Rs. 10,000 (the grant for the Central Division now stands at Rs. 1,400) and he was allowed to sanction appropriations from it for all classes of expenditure, *e.g.*, for cases in which— (i) budget provision for a newly sanctioned establishment should have been made, but was omitted ; (ii) supplementary grants are required for *chavdis*, or sanitation, or water-supply ; (iii) money is required for rewards for the destruction of wild animals, for encouragement of inoculation or the like ; (iv) additions to the contract and contingent grants of collectors are necessary for the purchase of office furniture, or service stamps, or clothing for táluka peons, &c.).
689	To transfer grants for special contingencies.	From Government to Commissioner of Customs, Salt, Opium and A'bkári.	Instruction No. 12 under Rule 97, Bombay Treasury Manual.	Powers of Local Government.
690	To transfer grants from countersigned contingency to contract contingency whenever necessary.	From Government to Commissioner.	Ditto ...	When the amount to be transferred does not exceed Rs. 200.
691	To pass additions to contract contingent charges of the office of the Sheriff of Bombay.	From Government to Accountant-General.	Articles 76 and 158, Civil Account Code.	Up to Rs. 500. (During the five years 1902-03 to 1906-07 the expenditure, which is of a very fluctuating nature depending upon the work and duration of the High Court Criminal Sessions, exceeded twice the budget grant allotted to the Sheriff's office.)
692	To pass additions to countersigned contingent charges of the office of the Sheriff of Bombay.	Ditto ...	Ditto ...	Up to Rs. 500. (During the five years 1902-03 to 1906-07 the expenditure, which is of a very fluctuating nature depending upon the work and duration of the High Court Criminal Sessions, exceeded thrice the budget grant of the Sheriff's office.)

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
693	To sanction additions to contract grants by re-appropriation from other grants.	From Government to District Judge.	Article 158, Civil Account Code, and paragraphs 5 and 10 of Accountant-General's Contingent Charges Circular.	Full powers of Local Government so far as applies to grants sanctioned to the Subordinate Courts.
694	To transfer grant from one budget head to another, *e.g.*, from 3—Land Revenue to 19A—Law and Justice and *vice versâ*.	From Government to Collector.	Article 158, Civil Account Code.	Any amount from any one budget head to another. (This power will enable the Collector to transfer grants from one budget head to another where there is a deficit.)
695	To sanction re-appropriations from one head to another of district budget.	From Government or Controlling Officer to Collector.	Ditto ...	Wholly. (To save necessity of formal applications for sanction. It is impossible to provide in the budget actual requirements under each head. In some cases expenditure may be slightly more and in others slightly less than budgetted amounts. The Collector should be able to make necessary transfers on his own authority.)
696	To transfer funds from one head of contingencies to another.	From Government to District Judge.	Article 158, Civil Account Code, and Accountant-General's Contingent Charges Circular, paragraph 13.	..... (The re-appropriation may be merely reported to the Accountant-General.)
697	To sanction charges classed as special contingencies, so far as they can be met by re-appropriation.	Ditto ...	Paragraph 7 of Accountant-General's Contingent Charges Circular.	Full powers of Local Government. (The District Judges to inform the Accountant-General accordingly.)
698	To sanction annual appropriation statement of revenue and expenditure.	From Government to Conservator of Forests.	Article 129 (i), Forest Department Code.	Powers of Local Government. Within the total amount sanctioned for a circle.
699	To re-appropriate funds from any head under "A—Conservancy and Works" to one under "B—Establishment" under 11.—Forest.	From Government to Conservator of Forests, Central Circle.	Article 129 (iii), Forest Department Code.	Powers of Local Government.
		From Government to Conservator of Forests.	Ditto ...	Any sum within the total amount sanctioned for each division and circle.
700	To sanction re-appropriations of funds exceeding Rs. 2,000 from one budget head to another in the Forest Department.	From Government to Conservator of Forests, Central Circle.	Ditto ...	Powers of Local Government.
		From Government to Conservator of Forests.	Article 129 (iii), Forest Department Code, and Government Resolution, Revenue Department, No. 2045, dated 15th March 1904.	Up to Rs. 5,000.
		Ditto ...	Government Resolution, Revenue Department, No. 2045, dated 15th March 1904.	Within the total amount sanctioned under the head "A—Conservancy and Works" for each Division.
701	To re-appropriate capital expenditure funds for ordinary expenditure and *vice versâ* in the Forest Department.	From Government to Conservator of Forests, Central Circle.	Article 129 (iii), Forest Department Code.	Powers of Local Government.
		From Government to Conservator of Forests.	Article 129 (iii), Forest Department Code, and Government Resolution, Revenue Department, No. 2045, dated 15th March 1904.	Up to Rs. 2,000.
		Ditto ...	Ditto ...	Any sum within the total amount sanctioned for each division and circle.
702	To sanction additional grant for which provision was not originally made in the forest budget.	Ditto ...	Article 130, Forest Department Code.	Up to a limit of Rs. 1,000.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
703	To sanction excess expenditure under 3.—Land Revenue, 6.—Stamps, 7.—Excise, and 32.—Miscellaneous, provided the grant for the following year is reduced by a corresponding amount.	From Commissioner to Collector.	Article 74, Civil Account Code, and Government Resolution, Financial Department, No. 2777, dated 7th September 1887.	Up to Rs. 100. (Power may safely be delegated to the Collector as contract grant is carefully watched and in view of proviso and limits.)
704	To transfer contract grants from one major head to another.	Ditto ...	Instruction No. 11 under Rule 97, Bombay Treasury Manual.	The re-appropriation statement may be submitted to the Accountant-General, and the Commissioner of Division or the Commissioner of Customs, as the case may be, informed of the fact. (This appears to be unobjectionable since it does not entail any enhancement in the grant and merely makes for administrative efficiency.)
		Ditto ...	Government Resolution, Financial Department, No. 1448, dated 21st April 1904.	Within officer's grant. (Only grants under the Collector's control will be affected, the transfer being duly intimated to the Commissioner and Accountant-General.)
		Ditto ...	Ditto ...	Unlimited. (References are not numerous but they are always lengthy and have to pass through several officers. Collectors should be given discretionary grants from which to spend in any way they please, subject only to giving an account of the expenditure in the Annual Administration Report.)
705	To transfer grants for contingent expenditure.	From Commissioner or other Controlling Officer to Collector.	Instruction No. 12 under Rule 97, Bombay Treasury Manual.	Powers of the controlling officers to be exercised by the Collector whenever re-appropriation can be made from the grants of the same district.
706	To sanction re-appropriation of grants within ranges.	From Inspector-General of Police to Deputy Inspectors-General of Police.	Rule VI (13), page 85, Police Manual.	Power to sanction re-appropriations from one head of the countersigned grant to another of the same class in the districts of the range, with reference to districts in the same range, as well as with reference to the grants in the same districts. (If the Deputy Inspector-General of Police is to be the authority for sanctioning expenditure from countersigned grants as proposed, the power to re-appropriate should also be accorded to him. He will have to be notified as countersigning officer for all countersigned contingencies and the Inspector-General of Police as the controlling officer.)
707	To transfer allotment for petty construction and repairs from one work to another in the Police Department.	From Commissioner to District Magistrate.	.....	.....
708	To sanction expenditure under the several heads of contract and countersigned contingencies.	From Collector of Salt Revenue to Assistant Collector of Salt Revenue.	Paragraphs 11 and 12 of Accountant-General's Contingent Charges Circular.	To the extent of the total amount of grant allotted to the range by the Collector.
709	To sanction refund of forest revenue.	From Government to Conservator of Forests.	Article 168, Forest Department Code.	Up to Rs. 1,000 in each case.
		Ditto ...	Ditto ...	Up to Rs. 5,000 in each case.
710	To sanction refund of sums paid to Government by mistake.	From Commissioner to Collector.	Government Resolution, Revenue Department, No. 251, dated 21st January 1862.	Power now exercised by Commissioner.
711	To grant refund of excise revenue exceeding Rs. 100 in each case.	Ditto ...	Government Resolution, Revenue Department, No. 8543, dated 10th December 1891.	Extent unlimited.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
712	To grant refund of over-collections without any limitation of time.	From Commissioner to Collector.	Commissioner in Sind's No. 3332, dated 7th June, 1899.	..... (Such refunds have to be made in any case, and there is no need to obtain the Commissioner's sanction, which is merely formal. Under the present system if an over-collected amount is not refunded within 12 months from the date of discovery of the mistake, the sanction of the Commissioner in Sind is obtained to the amount being so refunded. To refund a charge due to a holder is a certain liability on Government and has to be discharged in all cases, and there can be no go from it. The Collectors might therefore be authorized to sanction refunds in all cases irrespective of the period of 12 months above referred to. Now that the system has been introduced by which money to be refunded can be sent to a holder by money-order, there will be fewer cases in which 12 months will have elapsed from the date of discovery of the mistake.) Up to Rs. 100 of over-collections of land revenue if the prescribed period for refund has been exceeded. (The Collector is in a better position than the Commissioner to judge whether there are good grounds for the grant of the refunds or not, and it is difficult to see what objection can be raised to the proposal if the sanction is retained with the Commissioner in the case of all large sums which might affect the annual revenue to any appreciable extent.)
713	To make direct payment of refund of income tax.	From Collector to Assistant or Deputy Collector and Mámlatdar.	Article 100, Civil Account Code.	Assistant and Deputy Collectors up to Rs. 100, and Mámlatdárs up to Rs. 50, in each case. (As the claims if valid must be admitted and paid, the proposed powers will avoid delay in making payment and lessen a number of correspondences.)
		From Collector to Mámlatdár.	Ditto ...	Without any money limit when payment is sanctioned by higher authority.
714	To grant refund of excise revenue.	From Collector to Sub-Divisional Officer.	Ditto ...	Up to Rs. 100.
		From Collector to Mámlatdár.	Ditto ...	Up to Rs. 50.
715	To grant refund of over-collections made and credited to excise.	From Collector to Sub-Divisional Officer.	Government Resolution, Revenue Department, No. 8543, dated 10th December 1891.	Up to Rs. 25 in each case.
		From Collector to Mámlatdár.	Ditto ...	.....
716	To refund over-collections of *takávi* advances.	From Collector to Sub-Divisional Officer,	.....	Up to Rs. 100 in each case. (This is a formal matter.)
		From Collector to Mámlatdár.	.....	Up to Rs. 50 in each case. (The Collector sanctions the refund on the recommendation of the Mámlatdár.)
717	To grant refund of over-payments.	From Collector to Mámlatdár.	.....	Up to Rs. 50 in each case.
718	To grant refund of over-collections of money paid in advance for the cost of measuring or similar operations undertaken by Government for private persons in connection with land.	From Collector to Mámlatdár and *Mahálkari*.	Government Resolution, Revenue Department, No. 3168, dated 14th June 1903.	..... (In making partitions under section 113 of the Bombay Land Revenue Code, 1879, a rough estimate is made of the cost and that amount is recovered from the parties. After the work is completed, the actual amount of cost is ascertained, and in that case surplus amount, if any, has to be refunded to the parties. The balance is generally small and the Mámlatdár can safely be entrusted to refund the amount. The correspondences are unnecessarily tossed about between the Mámlatdár's and the Collector's offices. The amount is credited to the deposits and therefore can be refunded by the Mámlatdár. Under the existing orders the partition is ordered by the Collector and therefore references are made by the Mámlatdárs to grant refunds.)

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Collector to Mámlatdár.	Government Resolution, Revenue Department, No. 3168, dated 14th June 1903.	Up to a limit of Rs. 25 instead of the present limit of Rs. 5 in each case. (In the Poona District there were about 100 references in 1906 by Mámlatdárs for permission to refund excess measurement charges. The amount to be refunded rarely exceeds Rs. 10, and if the limit of the Mámlatdár's power, *viz.*, Rs. 5, were raised, many references could be saved. The power is scarcely susceptible of abuse. The public have a right to get the surplus back. Hence the reference to higher authorities is meaningless.)
719	To refund assessment levied at five or ten times the ordinary rates on lands unauthorizedly occupied and remitted on appeal to the Collector and Commissioner.	From Collector to Sub-Divisional Officer.	Government Resolutions, Revenue Department, No. 5246, dated 1st December 1869, and Financial Department, No. 720, dated 8th March 1887.	Up to Rs. 50 in each case.
		From Collector to Mámlatdár.	Ditto ...	Up to Rs. 50 in each case. Mámlatdárs should append the orders in appeal to the refund bill.
720	To refund assessment on lands declared alienated by the Collector.	From Collector to Sub-Divisional Officer.	Ditto ...	Up to Rs. 50 in each case.
721	To grant refund of over-collections of land revenue or local funds.	From Collector to Mámlatdár.	Government Resolutions, Revenue Department, No. 6495, dated 23rd December 1871, and No. 4581, dated 26th June 1893.	Land revenue up to Rs. 100. Local funds up to Rs. 20.
		From Sub-Divisional Officer to Mámlatdár.	Symonds' Manual of Revenue Accounts, *Táluka* Form No. 2, paragraph 10, page 143.	Up to Rs. 50. (Mámlatdárs now sanction only up to Rs. 5.)
		Ditto ...	Government Resolutions, Revenue Department, No. 6495, dated 23rd December 1871, and No. 4581, dated 26th June 1893.	Land revenue up to Rs. 50. Local funds up to Rs. 10.
		Ditto ...	Ditto ...	Land revenue up to Rs. 25.
		Ditto ...	Ditto ...	Ditto Rs. 10.
		From Sub-Divisional Officer to Mámlatdar and *Mahálkari*.	Ditto ...	Ditto Rs. 25. Local funds up to Rs. 10.
		Ditto ...	Government Resolution, Revenue Department, No. 6495, dated 23rd December 1871.	Land revenue up to Rs. 20.
722	To make direct payment of refund of excess collections of land revenue pertaining to previous year.	From Collector to Mámlatdár.	.....	Without any money limit.
723	To make direct payment of refund of spoiled stamps.	Ditto ...	.....	Without any money limit when payment is sanctioned by higher authority.
724	To make direct payment of refund of court-fees on certificates granted by Civil Courts.	Ditto ...	.....	Without any money limit.
725	To grant refunds	From Sub-Divisional Officer to Mámlatdár.	Article 100, Civil Account Code.	Up to Rs. 50 in each case.
726	To write off the loss caused by the sale of damaged and unserviceable articles in stationery stores.	From Government to Superintendent of Stationery.	Article 279, Civil Account Code, and Government Resolution, General Department, No. 6063, dated 5th November 1902.	Powers of Local Government.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
727	To write off amount of Government money misappropriated by any subordinate in case it cannot be recovered from any other source.	From Government to Conservator of Forests.	Article 279, Civil Account Code.	Powers of Local Government. (The sanction accorded by Government is merely formal.) (*Note.*—In Financial Department letter No. 4463, dated 18th November 1907, the Government of India have been asked to permit the delegation of power to certain Heads of Departments to write off the irrecoverable value of stores or irrecoverable public money up to a limit of Rs. 200 in each case provided that the loss does not affect imperial revenues nor disclose a defect of system the amendment of which requires the orders of Government.)
728	To write off excess payment of a political pension.	From Government to Commissioner.	Article 279A, ditto	Up to three months' pension.
729	To write off leave allowances drawn in excess of what is due.	From Government to Inspector-General of Police.	Articles 279A and 841 (*b*), ditto.	To the extent of Rs. 20. (If the power is granted, the Inspector-General of Police will communicate to the Accountant-General all sums so written off with the pension papers.)
730	To write off bad debts or outstandings of Government medical institutions.	From Government to Surgeon-General.	Article 989, ditto...	..... (The concessions granted to the Account Officers mentioned in Article 989, Civil Account Code, may be extended.)
731	To write off irrecoverable advances of money.	From Government to Conservator of Forests.	Article 211, Forest Department Code.	The existing limit of Rs. 250 may be raised to Rs. 500.
732	To write off amounts which cannot be recovered from judgment-debtors.	From Government to Remembrancer of legal affairs.	No. 143 of the Rules for the conduct of legal affairs of Government.	..... (*Note.*—In Financial Department letter No. 4463, dated 18th November 1907, the Government of India have been asked to permit the delegation to the Remembrancer of legal affairs of power to write off sums due to Government on Court decrees up to a limit of Rs. 1,000 in each case, subject to report to Government in half-yearly statements.)
733	To dispose of unserviceable articles at the Government Central Press.	From Government to Superintendent, Government Central Press.	.....	Up to a small limit.
734	To write off irrecoverable balances of forest revenue.	From Commissioner to Conservator of Forests.	Article 108, Forest Department Code.	Conservator has power to write off amounts up to Rs. 200. The limit may be raised to Rs. 500.
		Ditto ...	Ditto, and Government Resolution, Revenue Department, No. 4756, dated 10th July 1899.	Sums exceeding Rs. 200, but not exceeding Rs. 1,000.
		From Commissioner to Conservator of Forests, Central Circle.	Government Resolution, Revenue Department, No. 1714, dated 3rd March 1904.	In excess of Rs. 1,000.
		From Commissioner to Conservator of Forests.	Ditto ...	Up to Rs. 250.
735	To write off irrecoverable balances of revenue advances.	From Commissioner to Collector.	Article 119, Civil Account Code.	Full power as at present exercised by Commissioner.
736	To write off all kinds of irrecoverable revenue and *takávi*.	Ditto ...	Government Resolution, Revenue Department, No. 1714, dated 3rd March 1904.	Up to Rs. 500 in each case. (The raising of the limit of the Collector's power from Rs. 100 to Rs. 500 as proposed will save delay and references.)
		Ditto ...	Ditto ...	Entirely in the case of land revenue and *takávi*.
		Ditto ...	Ditto ...	Up to Rs. 250 in each case.
737	To write off attachment expenses of certain Khoti villages in the Ratnágiri district.	Ditto ...	Ditto ...	Power now exercised by Commissioner.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
738	To write off irrecoverable balances of income-tax.	From Commissioner to Collector.	Government Resolution, Financial Department, No. 2155, dated 11th July 1888.	Unlimited powers, or at least up to Rs. 100 in each case. (In entry No. 33 of the statement appended to Government Resolution, Financial Department, No. 279, dated 26th January 1903, Government had approved, subject to the sanction of the Government of India, of the delegation to Collectors of the power to write off irrecoverable arrears of the income-tax demand without any limitation. But this was negatived by the Government of India (*vide* paragraph 2 of Government Resolution, Financial Department, No. 2422, dated 15th July 1904). The matter may be reconsidered and if there is still objection to grant Collectors unlimited powers, a limit of Rs. 100 in each case may be fixed on the analogy of the power given to them in Government Resolution, Revenue Department, No. 1714, dated 3rd March 1904, in regard to writes-off of irrecoverable balances of other kinds of revenue and *takávi*.)
		Ditto ...	Ditto ...	Up to Rs. 42 in each case.
		Ditto ...	Ditto ...	Powers now exercised by Commissioner. (Under several Acts the Collector has such powers,)
		Ditto ...	Government Resolution, Financial Department, No. 2306, dated 6th July 1904.	Up to Rs. 100 in each case. (The order depends on questions of fact which the Commissioner has no means of ascertaining except from the District Officers themselves.) (The writes-off may be included in the prescribed quarterly return submitted to the Commissioner in the case of other kinds of irrecoverable revenue.) (This is a small matter to trouble the Commissioner about.)
739	To write off outstanding balances on account of expenditure on boundary marks.	Ditto ...	Government Resolution, Revenue Department, No. 7264, dated 13th October 1886.	Up to Rs. 5 in each case.
740	To write off outstanding balances on account of expenditure on the erection of and repairs to boundary marks and cost of boundary marks lost by erosion.	Ditto ...	Government Resolutions, Revenue Department, No. 7264, dated 13th October 1886, and No. 9380, dated 16th November 1894.	Extent Rs. 500. (Just as in the case of land revenue writes-off.)
741	To write off items from *jamabandi* owing to over-assessment, mistake or wrong entry in number *shumari*.	Ditto ...	Practice	..... (Collectors have been given power to refund, but for writing off the Commissioner has to be written to, the Commissioner generally sanctioning the proposal.) (This is usually a matter of formal application and sanction.)
742	To write off irrecoverable costs due to Government in pauper cases.	From Remembrancer of Legal Affairs to Collector.	No. 143 of the Rules for the conduct of the legal affairs of Government.	Full authority. A quarterly return of the writes-off may be sent to the Remembrancer of legal affairs instead of the usual reports requesting his sanction. (The Legal Remembrancer's sanction is practically a matter of pure formality. Delegation of power would, if anything, reduce the Collector's labour, and there is no risk of his improperly writing off amounts which might otherwise be recovered, especially as under the rule steps for recovery are to be unremittingly continued until the period of limitation expires.)
743	To dispose of unserviceable articles of dead-stock and books in high and middle schools, training colleges, and offices of deputy educational inspectors and their assistants.	Ditto ... From Director of Public Instruction to Educational Inspector of Division.	Ditto ... Practice	Up to Rs. 100 in each case. ..... (The Inspectors inspect these articles and books at their annual inspections of the institutions, and on their recommendation the Director of Public Instruction now sanctions the disposal.)

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed,
1	2	3	4	5
744	To write off unserviceable articles of dead-stock.	From Inspector-General of Police to Deputy Inspectors-General of Police and District Superintendent of Police.	Rule V on page 287, Police Manual.	The existing limit of Rs. 10 in the case of District Superintendents may be removed altogether.
		From Inspector-General of Registration to District Registrar.	Government Resolution, General Department, No. 172, dated 9th January 1902.	Full powers.
		From Collector to Sub-Divisional Officer.	Government Resolution. Revenue Department, No. 5941, dated 26th August 1902.	Up to Rs. 10 in each case.
		From Collector to Sub-Divisional Officer and Mámlatdár ...	Ditto ...	Up to Rs. 50.
			.....	Up to Rs. 10. (The proposed delegation will save avoidable correspondence.)
		From Collector to Sub-Divisional Officer and Mámlatdár and *Makálkari*.	Government Resolution, Revenue Department, No. 5941, dated 26th August 1902.	To the extent of the value of Rs. 50. Ditto Rs. 5.
		From District Judge to Subordinate Judge.	Government Resolution, General Department, No. 3482, dated 6th June 1901.	When the original cost of the article does not exceed Rs. 10, and subject to report to the District Judge.
		Ditto ...	Ditto ...	When the original cost of the article does not exceed Rs. 25, and report should be made to the District Judge when the articles are written off.
745	To write off cattle-pound fees due on cattle that have died whilst in the pounds.	From District Magistrate to Sub-Divisional Magistrate.	.....	..... (The Sub-Divisional Magistrate is fully competent to issue final orders.)
746	To sanction expenditure not provided in the budget of attached or managed estate.	From Collector to Mámlatdár.	.....	Up to Rs. 50 in each case, provided the amount can be made available by re-appropriation from some other head or from some unforeseen charges. The delegation of the power may be made by the Collector at his discretion.
747	To sanction budgets of estates with a revenue not exceeding Rs. 1,000.	From Political Agent, Rewa Kántha, to Assistant or Deputy Assistant Political Agent.	Practice	.....
748	To incur expense already sanctioned, to enter amounts in the budget, and to sanction re-appropriations in the case of estates whose revenue does not exceed Rs. 1,000.	Ditto ...	Ditto ...	.....
749	To incur expenditure already sanctioned in the budgets of estates whose revenue exceeds Rs. 1,000.	Ditto ...	Ditto ...	Up to Rs. 100.
750	To remit fines imposed by Magistrates on failure to pay income tax.	From Commissioner to Collector.	Section 34, Income Tax Act, 1886 ...	Full powers. (The matter is not of much importance.)
751	To grant remissions of income tax erroneously imposed.	Ditto ...	Government Resolution, Financial Department, No. 4816, dated 18th December 1906.	Up to Rs. 42.
		Ditto ...	Ditto ...	Power now exercised by Commissioner.
		Ditto ...	Ditto ...	Up to Rs. 100 in each case.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
752	To issue notices for the recovery of arrears of income tax.	From Collector to *Mukhtyárkar*.	Section 30, Income Tax Act, 1886.	..... (Collector's previous sanction to issue of notices is given as a matter of course.)
753	To sanction issue of coercive process for the recovery of income tax.	From Sub-Divisional Officer to Mámlatdár and *Mahálkari*.	Ditto ...	To issue notices and attach moveable property. (Much formal correspondence will be saved and outstanding balances will be removed promptly.)
754	To sanction Mounted Police Fund budgets.	From Government to Inspector-General of Police.	Rule 17 on page 283, Police Manual.	To sanction finally the budget and send a copy to the Accountant-General. The budget should come through the Deputy Inspectors-General of Police.
755	To sanction money from cash balance of a Mounted Police Fund in order to supplement budgetted allotments.	Ditto ...	Article 158, Civil Account Code.	Wholly. (The Inspector-General of Police already has the power of reappropriation from one head to another.)
756	To sanction when necessary the sale of Government securities belonging to a Mounted Police Fund in order to supplement budgetted allotment, such sale not having been provided in the budget.	Ditto ...	.....	Up to the amount required.
757	To invest in Government securities surplus balances of Mounted Police Funds.	Ditto ...	Paragraph 9 of the instructions at page 189, Police Manual.	.....
758	To sanction expenditure in excess of Rs. 20 from Mounted Police Fund.	From Inspector-General of Police to Deputy Inspector-General of Police.	Rule 12, page 195, Police Manual.	Full, with the exception of compensation claims, advances on account of purchase of grain and grass, and new recurring charges. Subject to general control of Inspector-General of Police and budget provision.
759	To countersign bills for Mounted Police Funds and cash accounts.	Ditto ...	Rule 10 on page 180, Police Manual.	Wholly. (This proposal is a natural sequence to the proposal in the preceding entry.)
760	To administer the Northern Frontier Mounted Police Fund.	From Commissioner of Customs, Salt, Opium and Abkári to Assistant Collector of Salt Revenue, Northern Frontier.	Northern Frontier Mounted Police Fund Rules.	Whole.
761	To sanction— (*a*) budgets of local funds in political agencies, and (*b*) reappropriations from the general balances of these funds.	From Government to Agent to the Governor, Káthiáwár.	Government Resolution, Political Department, No. 331, dated 13th January 1902.	To the extent to which the powers are now exercised by the Local Government in respect of the *Pránt* and *Thána* Funds Station Funds, and Consolidated Local Fund.
762	To sanction budgets of *Thána* Funds.	From Government to Commissioner.	Ditto ...	.....
763	To sanction reappropriations from the general balance of local funds in political agencies.	From Government to Political Agent.	Ditto ...	Up to Rs. 500.
764	To sanction advances from the general balance of any local fund on account of emergent business.	Ditto ...	Government letter, Political Department, No. 3092, dated 11th May 1904.	Up to Rs. 500.
765	To exercise control over the Mevás Administration Fund and the Agency General Fund in Rewa Kántha.	From Commissioner to Political Agent.	Government Resolution, Political Department, No. 331, dated 13th January 1902.	The Political Agent, Rewa Kántha, should be the controlling officer of the funds. The budget should be submitted by the Political Agent to Government direct. Within the aggregate of the budget estimate the Political Agent should have the full power to sanction expenditure and to reappropriate grants at his discretion. The Political Agent should have authority to sanction establishments and other charges at his discretion subject to the limitations laid down in the Civil Account Code and Civil Service Regulations regarding the power of the Local Government in regard to provincial expenditure, and to the general rule that expenditure may not be sanctioned for objects other than those for which the funds exist. Bills for contingent expenditure of an unusual nature and for original public works or repairs costing more than Rs. 1,000 should be countersigned by the Political Agent.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
766	To sanction the entertainment of temporary establishments at the cost of the Pálanpur Agency General Fund.	From Commissioner to Political Agent.	Government Resolution, Political Department, No. 331, dated 13th January 1902.	Powers of the controlling officer. (The Political Agent, Pálanpur, used to exercise such powers previously.)
767	To sanction expenditure from *Thána* or other Local Funds in Political Agencies.	Ditto ...	Ditto ...	Powers of controlling officer as defined in the rules of 1902. (The Political Agent, Pálanpur, used to exercise the powers of the controlling officer previously.)
		From Political Agent to Sub-Divisional Officer.	Ditto ...	Powers of administering officer.
768	To pass contingent and travelling allowance bills of non-pensionable servants of Local Funds.	From Political Agent to Treasury Officer.	.....	Complete. (The delegation of the power will in no way remove any check and will save considerable trouble to two officers.)
769	To sanction budget estimates of the *Panchgani* and *Mahábaleshvar* Station Funds.	From Government to Commissioner.	Practice	..... (These are small budgets and the Commissioner may be trusted to deal with them.)
770	To incur expenditure of unforeseen nature from the uninvested balance of Ports Funds.	From Government to Commissioner of Customs, Salt, Opium, and Abkári.	.....	.....
771	To sanction establishments payable from the Steam Vessel Survey Fund.	From Government to Port Officer, Bombay.	Article 287, Civil Account Code.	Temporary or permanent establishment up to a limit of Rs. 30 per mensem or alteration of existing establishment, the power to be exercised only in the case of peons and crew of the Government Surveyor's launch. (At present the Port Officer is authorized to sanction contingent charges within budget limits.)
772	To sanction expenditure in excess of the grants sanctioned in the budget of of the Steam Vessel Survey Fund.	Ditto ...	Government Resolution, Financial Department, No. 5758, dated 29th December 1900.	To sanction, subject to audit, expenditure in excess of budget grants which can be met from the credit balance.
773	To sanction the investment of surplus balance of the Steam Vessel Survey Fund.	Ditto ...	.....	..... (The Port Officer is the administrator of the Fund and should be responsible for the investment of surplus balance.)
774	To countersign contingent bills of the Sea Pilotage Fund, Karáchi.	From Commissioner in Sind to Chief Collector of Salt Revenue in Sind.	.....	..... (A good deal of delay would be avoided if the Collector were appointed countersigning officer, as he is now for more important expenditure under 9.—Customs.)
775	To sanction *takavi* advances.	From Government to Commissioner.	Rules under the Land Improvement Loans Act, 1883.	Up to Rs. 10,000 under the Land Improvement Loans Act, 1883.
		From Commissioner to Collector.	Ditto ...	Up to Rs. 5,000 under the Land Improvement Loans Act, 1883.
		Ditto ...	Rules under the Agriculturists' Loans Act, 1884.	Under the Agriculturists' Loans Act, 1884, Collectors should have full powers in the case of advances exceeding Rs. 1,000.
		Ditto ...	Ditto ...	Up to Rs. 2,000 under the Agriculturists' Loans Act, 1884.
		From Collector to Assistant or Deputy Collector.	Ditto ...	Up to 1,000 under the Agriculturists' Loans Act, 1884.
		From Collector to Assistant Collector in Presidency proper.	Ditto ...	Up to Rs. 500 under the Agriculturists' Loans Act, 1884. (The present limit of the Assistant Collector's power is Rs. 200 in the Presidency proper).
		From Collector to Assistant or Deputy Collector.	Rules under the Land Improvement Loans Act, 1883.	Up to Rs. 2,000 under the Land Improvement Loans Act, 1883.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Sub-Divisional Officer to Mámlatdár.	Rules under the Acts mentioned in column 5.	Up to Rs. 100 under the Land Improvement Loans Act, 1883, and the Agriculturists' Loans Act, 1884. (At present Mámlatdárs have the power to grant *takávi* advances up to Rs. 50 under the Agriculturists' Loans Act only. The price of two bullocks at present ranges from Rs. 60 to Rs. 100.)
		Ditto ...	Ditto ...	Up to Rs. 200 under the Land Improvement Loans Act, 1883, and Rs. 100 under the Agriculturists' Loans Act, 1884. The sanction is generally accorded on the recommendation of the Mámlatdár and the proposed raising of the limit will curtail the references in the Sub-divisional and Collector's offices and tend to the speedy disposal of the applications.)
		Ditto ...	Ditto ...	Up to Rs. 250 under the Land Improvement Loans Act, 1883. (The delegation of this power will save delay in the disposal of applications.)
		Ditto ...	Ditto ...	Up to Rs. 200 in cases under the Land Improvement Loans Act, 1883, which the Mámlatdárs themselves investigate. (There are numerous correspondences from every *taluka*. In very few cases loans exceeding Rs. 1,000 are asked and the bulk of the work thus falls on the Assistant Collector. In a vast majority of cases the inquiries are made by the Mámlatdárs, the final orders only being passed by the Assistant Collectors. The *mukhtyárkars* in Sind can grant loans up to Rs. 200 for clearing water courses.)
		From Sub-Divisional Officer to *Mukhtyárkar*.	Ditto ...	Up to Rs. 500 under the Land Improvement Loans Act, 1883, and the Agriculturists' Loans Act, 1884. (Delay in disposal of *takávi* matters is a great evil, and the only way to avoid it is to give local officers a free hand. Proposals are seldom refused sanction.)
		From Sub-Divisional Officer to *Mahálkari*.	Ditto ...	Up to Rs. 100 under the Land Improvement Loans Act, 1883, and the Agriculturists' Loans Act, 1884.
		Ditto ...	Ditto ...	Up to Rs. 200 under the Land Improvement Loans Act. 1883.
776	To sanction remissions of *takávi* advances under the Land Improvement and Agriculturists' Loans Acts.	From Government to Collector.	Article 134 (*a*), Civil Account Code.	Same power as for land revenue remissions.
777	To sanction extension of time for the completion of works carried out from *takávi* advances.	From Collector to Assistant Collector.	No. 11A of the Rules under the Land Improvement Loans Act, 1883.	..... (The Collector can hardly disagree with the man on the spot.)
778	To sanction suspension of *takávi* instalment under No. 19 of the Rules under the Land Improvement Loans, Act 1883.	From Collector to Assistant or Deputy Collector.	Rule 19, ditto ...	Full powers under the rules. (Assistant Collectors and Deputy Collectors have already got this power under the Agriculturists' Loans Act.)
		Ditto ...	Ditto ...	In cases in which they can grant loans under the rules.
		Ditto ...	Ditto ...	For one year.
		Ditto ...	Ditto ...	Up to Rs. 100 in each case.
		Ditto ...	Ditto ...	Up to Rs. 100 in each case for one year.
779	To transfer *takávi* grants from Act XIX of 1883 to Act XII of 1884 and *vice versá*.	From Collector to Sub-Divisional Officer.	.....	Entirely.
780	To draw up and sign documents relating to *takávi* advances.	From Sub-Divisional Officer to Mámlatdár and *Mahálkari*.	*Takávi* Rules ...	..... (All documents of *takávi* the grant of which has been sanctioned by the Assistant or Deputy Collector have to be sent to him for signature. When the grants are once sanctioned, all documents may be signed by the Mámlatdár.)
781	To substitute quarterly for monthly returns of *takávi* advances.	.....	.....	..... (The monthly returns are at present submitted by Sub-Divisional Officers to the Collector.)

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
782	To dispense with the submission to Government of proposition statements for additional establishments.	From Government to Commissioner.	Article 57, Civil Account Code.	Up to the limit of the Commissioner's power to sanction such establishment.
783	To dispense with the submission to Government of proposition statements showing the financial effect consequent on changes in the cadre of (i) Civil Assistant Surgeons, and (ii) Hospital Assistants.	From Government to Surgeon - General.	Ditto ...	As changes in the cadre are effected with the sanction of the Local Government, the proposition statements may be verified in consultation with the Accountant-General and recorded by the Surgeon-General.
784	To sanction revision of the establishments of District and Subordinate Courts.	From Government to High Court.	Ditto ...	When the cost of establishment does not exceed the sanctioned cost. (At present application has to be made to Government through the High Court.)
785	To sanction increase of pay of menial staff.	From Government to Commissioner.	Ditto ...	Complete.
786	To create permanent places of menial establishments.	From Government to Director of Public Instruction.	Ditto ...	In the case of menial establishments in all institutions and offices of the Educational Department. (No place of a menial ever carries pay exceeding Rs. 14. The matter is small and if the Director of Public Instruction is given power to create appointments of this kind provided there is saving in the budget, matters in this connection will be disposed of expeditiously. Any creation of new places will be reported to Government when submitting Director of Public Instruction's annual budget proposals. Whenever additional funds are required, Government will, of course, have to be approached.)
787	To sanction increase in the sanctioned cadre of (i) Civil Assistant Surgeons and (ii) Hospital Assistants.	From Government to Surgeon - General.	Ditto ...	In consultation with the Accountant-General, Bombay.
788	To sanction the entertainment of temporary establishments.	From Government to Commissioners and select Heads of Departments.	Article 57, Civil Account Code, and Article 78, Civil Service Regulations.	On pay not exceeding Rs. 50 per mensem, for a period of not more than three months in each year, and subject to the limit of budget provision. (Certain Commissioners and Heads of Offices have been already authorised to entertain temporary establishments in specified circumstances, and this delegation of powers was confirmed in the letter from the Government of India, Finance Department, No. 6671–Ex., dated 29th November 1906. The delegation of these powers has been found convenient in practice. It becomes often necessary to entertain temporary establishments for the performance of some special work, and if the Government of India, on reconsideration, sanction the extension of powers in the manner proposed in Bombay Government letter (Financial Department) No. 1734, dated 16th May 1903, there will be an appreciable saving in correspondence of a routine nature. In order that the authority may not be abused, the Local Government may ascertain the expenditure usually incurred in each division or office on temporary establishments and allot lump grants in each year's budget for the purpose.)
		From Government to Commissioner.	Article 57, Civil Account Code, and Article 78, Civil Service Regulations.	Period of employment not to exceed six months; maximum pay to an individual Rs. 50 per mensem; addition to any one office not to exceed three men; charge to be defrayed from the discretionary reserve of Rs. 10,000 proposed by the Commissioner to be placed at his disposal, or from grants at the disposal of the officer applying for the additional establishment. (The grant of the power will be extremely useful, as occasions often arise for temporary additions to sanctioned establishments. As an instance in point may be mentioned the employment of extra clerks to clear off arrears of sorting, filing and indexing work in offices and of additional

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
			circle inspectors to bring up to date accumulations of measuring work in a district. The Commissioner is in the best position to judge and the expenditure involved is hardly of such importance as to necessitate a reference to Government.) (*Note.*—In Financial Department letter No. 4463, dated 18th November 1907, the Government of India have been asked to permit the delegation of power to the Commissioners of Divisions and in Sind to sanction within budget provision temporary establishments for arranging records in offices subordinate to them.)	
		From Government to Commissioner.	Article 57, Civil Account Code, and Article 78, Civil Service Regulations.	Up to an allotment to be made to the Commissioner.
		Ditto ...	Ditto ...	In respect of circle inspectors for Government work.
		From Government to Heads of Departments.	Ditto ...	In the case of temporary establishments required for the benefit of private individuals, the cost of which including leave and pension contribution is to be recovered from them. (By Government Resolution, Revenue Department, No. 737, dated 23rd January 1907, Collectors have been empowered to sanction the entertainment of special circle inspectors and menials for partition and sub-division work, provided that the cost is recovered in advance from the parties concerned).
		From Government to Surgeon-General.	Ditto ...	To the extent of Rs. 500 per annum in the case of Government Medical Institutions to meet sudden emergencies. The Surgeon-General may be allowed to provide a lump sum for the purpose in the budget estimate up to a limit of Rs. 500 per annum for institutions for which no such provision exists. To entertain plague staff for inspection duty at Mahableshwar and Panchgani within the power vested in the Local Government by Article 78, Civil Service Regulations.
		From Government to Director of Public Instruction.	Ditto ...	To create temporary appointments for a period not exceeding six months, the salary in any case not to exceed Rs. 50 a month or the total expenditure in a year Rs. 1,000. If any temporary appointment is required to be kept up after six months, a report to Government, stating in full all the circumstances of requirements, should be made. If a discretionary grant is placed at the disposal of the Director to satisfy urgent and unforeseen demands, an enormous number of references to Government on trifling matters will be avoided. The Director would propose an annual discretionary grant of Rs. 20,000 for General Education and of Rs. 5,000 for Technical Education. (Heads of Departments have no powers in this connection The Director of Public Instruction has, however, been empowered to sanction the temporary appointments of clerks for the school final examination one at each centre on a salary not exceeding Rs. 25 per mensem and for a period not exceeding three months (*Vide* Government Resolution, Financial Department, No. 2016, dated 24th April 1907.)
		From Government to Inspector-General of Prisons.	Article 57, Civil Account Code, and Article 78, Civil Service Regulations.	Temporary appointments of matrons over condemned female prisoners, and clerks and warders in cases of urgency on pay not exceeding Rs. 30 for three months, report being made to Government only when sanction is required to the continued employment of the establishment after three months.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Government to High Court.	Article 57, Civil Account Code, and Article 78, Civil Service Regulations.	Temporary establishments under Assistant Judges and Additional Subordinate Judges up to a scale to be fixed by the High Court.
		From Government to District Judge.	Ditto ...	Temporary establishments under Assistant Judges and Additional Subordinate Judges, and to the extent of establishments ordinarily allowed. (When Government make the appointment of an Assistant Judge or a Joint Judge, the sanction for the establishments is simply formal.) (*Note.*—In Financial Department letter No. 4463, dated 18th November 1907, the Government of India have been asked to permit the delegation of power to District Judges to sanction within budget provision additional establishments on the following scale :— For each Additional Subordinate Judge, First Class, Rs. 59 per mensem. Ditto ditto Second Class, Rs. 49 per mensem. For each Assistant or Joint Judge, Rs. 104 per mensem.)
		From Government to Collector.	Article 57, Civil Account Code, and Article 78, Civil Service Regulations.	Within a specified budget grant and with limit as to period and salary.
		Ditto ...	Ditto ...	On pay not exceeding Rs. 20 per mensem for three months. (*Note.*—In Financial Department letter No. 4463, dated 18th November 1907, the Government of India have been asked to permit the delegation of power to the Collector of Customs, Bombay, and the Chief Collector of Customs in Sind to entertain within the limits of budget provision temporary preventive officers at a rate not exceeding Rs. 100 per mensem for the Custom House and Port of Bombay and for the Port of Karáchi, respectively.)
789	To sanction the continuunce of temporary establishments.	From Government to Commissioner.	Ditto ...	.....
790	To sanction the payment of pay to an extra peon entertained through mistake.	Ditto ...	Ditto ...	Within allotment for temporary establishment.
791	To sanction the payment of scale remuneration to *mahárs* for the first time.	Ditto ...	Ditto ...	Powers of Local Government.
792	To sanction the payment of cash remuneration of *kambharti* to *shetsanadis*.	Ditto ...	Article 283, Civil Account Code.	Within budget allotment.
793	To create appointments of *shetsanadis* for uninhabited villages.	From Government to Collector.	Article 57, Civil Account Code.	All cases.
794	To tranfer temporary establishments (such as surveyors, depôt officers and clerks) from one office to another in the Forest Department.	From Government to Conservator of Forests.	Ditto ...	Powers of Local Government.
795	To raise the pay of some of the classes of temporary forest establishments over the rates sanctioned by Government.	Ditto ...	Government Resolution, Revenue Department. No. 5181, dated 7th July 1904.	Up to the following rates in lieu of the existing scale, which is shown below :—

	Proposed rate.	Existing rate.
	Rs.	Rs.
Clerk ...	100	50
Peon ...	12	10
Sweeper ...	9	5
Surveyor ...	70	60
Draftsman ...	70	60
Mukadam ...	15	10
Chainman ...	15	10
Ranger ...	100	60
Forest Depôt—		
Peon ...	9	8
Mali ...	20	18
Gardener ...	15	12

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
796	To regulate progressive salary of non-gazetted officers.	From Commissioner to Collector.	Articles 157 (*b*) and 158, Civil Service Regulations, and Government Resolution. Financial Department, No, 2422, dated 15th July 1904.	In the case of officers appointed by the Collector.
797	To authorise the payment of claims against Government not preferred within six months of their becoming due.	From Accountant-General to Collector.	Article 5 (*b*), Civil Account Code.	In the case of claims preferred within two years of their becoming due. (Explanation of delay is invariably given in the voucher.)
		Ditto ...	Ditto ...	In the case of claims preferred within one year of their becoming due. (This will prevent many bills going to the Accountant-General for pre-audit.)
		Ditto ...	Ditto ...	Any amount. (The claims are for amounts actually due by Government and there is no help but to pay them. The Accountant-General does nothing but give permission for the payment if correct.)
798	To authorise investigation of claims to arrears of pay or allowances not preferred within two years of their becoming due.	From Commissioner to Accountant-General.	Article 5 (*c*), Civil Account Code, and Government Resolution, Financial Department, No. 2427, dated 22nd May 1900.	Powers exercised by Commissioner. (Explanation of delay is invariably given in the voucher.)
		From Commissioner to Conservator of Forests, Central Circle, and Collector and District Magistrate.	Ditto ...	..... (The power is already exercised by officers holding similar positions.)
		From Commissioner to Collector.	Ditto ...	In the case of all subordinates of the Collector. (It is but the payment of a debt which Government once owed and a claim to which ought to be investigated as soon as possible.)
		From the Honourable the Chief Justice to District Judge.	Ditto and Government Resolution, Financial Department, No. 5299, dated 30th November, 1900.	Full extent.
799	To dispose of claims of District Public Prosecutors and their Assistants for enhanced remuneration under No. 41 of the Law Officers' Rules.	From Remembrancer of Legal Affairs to District Magistrate.	No. 41 of the Rules for the conduct of Legal Affairs of Government.	Within the limit prescribed by the rule and with the concurrence of the trying Court concerned. (The maximum amount awardable is only Rs. 25 per day.)
800	Ditto ditto under No. 43 of the Law Officers' Rules.	Ditto ...	Rule 43, ditto ...	Within the limit prescribed by the rule. (The maximum amount awardable is only Rs. 50 per day.)
801	To sanction the employment of zabits (measurers) up to Rs. 20 per mensem each permanently.	From Commissioner in Sind to Collector.	Government Resolution, Revenue Department, No. 9090, dated 30th November 1889.	Within budget provisions. (References frequent, and budget provision must exist.) (Commissioner's sanction is and must be merely formal.)
802	To change the scale of pay of men on a contract establishment.	From Settlement Commissioner to Superintendent of Land Records and Registration.	Government Resolution, Revenue Department, No. 8385, dated 28th November 1903.	.....
803	To sanction the entertainment of temporary police establishments for plague purposes.	From Commissioner in Sind to Collector.	Government Resolution, Judicial Department, No. 6838, dated 20th December 1906.	Within budget estimates and in the same way as the collector sanctions temporary establishments for railway inspection, estimates and proposition statements being sent with a view to the grant being sanctioned.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
804	To sanction the payment of salary and allowances claimed on behalf of a deceased officer.	From Collector to Treasury Officer.	Article 27, Civil Account Code.	Up to Rs. 500. (Article 27 only authorises payment in non-disputed cases.)
		From Collector to Mámlatdár.	Ditto ...	Without any money limit.
		From Collector to Mámlatdár and *Mahálkari*.	Ditto ...	In all undisputed cases up to Rs. 50 each. (Payment of service pensions, pay, etc., to an undisputed heir is at present unnecessarily delayed for want of sanction from the Collector. In trivial cases the Collector, who is required to depend on the Mámlatdár's report, need not be troubled.)
805	To sanction the entertainment of extra *potdar* to expedite the examination of remittance of treasure.	From Collector to Treasury Officer.	Note 2 to Article 664 (*b*), Civil Account Code.	As many as are allowed by rule for the amount of coin to be counted. (When the Collector and Assistant Collector are on tour, sanction has to be anticipated in order to get coin counted.)
806	To make temporary appointments in cases in which Gazetted Officers grant privilege leave.	From Collector to Gazetted Officer who grants leave.	.....	To make temporary arrangements involving no transfers in the case of ministerial officers and menials.
		Ditto ...	.....	..... (At present the Collector generally approves of the arrangement proposed by the officer.)
807	To dispense with the production of physical fitness certificate in an individual case.	From Government to the Honourable the Chief Justice.	Article 50, Civil Service Regulations.	In rare cases of merit or of exceptional qualifications or on other grounds adjudged by the Honourable the Chief Justice.
808	Ditto, and to accept health and age certificate from any officer other than a medical man.	From Government to District Judge.	Ditto ...	Full powers of Local Government.
809	To grant permission to hand over charge by letter.	From Government to Director of Public Instruction.	Article 53, Civil Service Regulations.	Powers of Local Government. (It is not of any very great importance whether an officer gives charge by letter or in person. If this power be delegated, permission to hand over charge will only be granted under very special circumstances.)
		From Government to District Judge.	Ditto ...	In the case of Subordinate Judges.
		Ditto ...	Ditto ...	Powers of Local Government.
810	To allow a Subordinate Judge who is in charge of two courts to deliver over charge at either of the two stations.			
811	To grant permission to make over charge of office at a place other than headquarters. Also to receive charge by letter or telegram.	From Government to Conservator of Forests.	Ditto ...	.....
812	To grant permission to make over charge of office at a place other than headquarters.	From Collector to Assistant or Deputy Collector.	Ditto ...	When the transfer is made from or to the office of an itinerating officer. (The Accountant-General always insists upon permission of the Collector, which can only be formal, as the *kárkún* transferred must join the itinerating officer's establishment at whatever camp it might be.)
813	To fix the headquarters of an officer.	From Government to Commissioner.	Article 55, Civil Service Regulations.	In the case of gazetted officers of the Revenue and Forest Departments. (It will be seen from entry No. 12 in the statement appended to Government Resolution, Financial Department, No. 279, dated 26th January 1903, that Government had approved of the proposal that the Collector should have power to fix the headquarters of officers serving under him. The proposal was, however, negatived by the Government of India (*vide* paragraph 2 of Government Resolution No. 2422, dated 15th July 1904). The proposal may be revived so as to give the Commissioner power to sanction changes in the headquarters of Gazetted Officers.)

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Government or Commissioner to Collector.	Article 55, Civil Service Regulations.	In the case of officers serving under the Collector. (Special circumstances sometimes occur which necessitate the change of headquarters.) (Labour is wasted in obtaining formal sanction of Government.)
814	To change the headquarter stations of Provincial Service Officers in the Forest Department.	From Government to Conservator of Forests.	Ditto ...	Powers of Local Government.
815	To permit officers to go on beyond limits of jurisdiction.	From Government to Commissioner, C.D.	Articles 57 and 58, Civil Service Regulations.	In the case of subordinates proceeding to Bombay. (At present the Commissioners, Northern and Southern Divisions, and other controlling officers can send their subordinates on duty to Bombay, but the Commissioner, C.D., cannot do so as that City is not contiguous to any district of his Division.)
		From Government to District Judge.	Article 57, ditto ...	On journeys made to any place in the Bombay Presidency. (*Note.*—In Financial Department letter No. 4463, dated 18th November 1907, the Government of India have been asked to permit the delegation of power to certain Heads of Departments in the Revenue, Police, Jail, Political, Medical and Educational Departments to grant travelling allowances for journeys on duty beyond jurisdiction under Article 57, Civil Service Regulations.)
816	To sanction exchange compensation allowance.	From Government to Commissioner of Customs, Salt, Opium and Abkári.	Rules relating to exchange compensation allowance in Chapter 3 of the Civil Account Code.	Powers of Local Government.
817	To grant grain compensation allowance to Government servants.	From Government to Commissioner.	Article 72, Civil Account Code.	Ditto ditto.
		Ditto ...	Ditto ...	In respect of departments subordinate to the Commissioners of Divisions. (References on this subject are generally made in times of scarcity and are not frequent, but this is just the time when both Government and the Commissioner might be saved paper work as far as possible, and since the conditions and limits under which the concession can be granted are definitely laid down, there would be no harm in delegating the power of the Local Government to the Commissioners.)
		From Government to Collector.	Ditto ...	.....
818	To fix the staple food grain of a district or *táluka* for the purposes of grain compensation allowance.	From Commissioner in Sind to Collector.	Ditto ...	Power now exercised by the Commissioner in Sind subject to Civil Account Code Rules. (The Collector is in the best position to fix and at present the Commissioner always refers to him.)
819	To grant plague allowance to Commissioned Medical Officers, Assistant Surgeons and Hospital Assistants for doing plague duty in addition to their own.	From Government to Surgeon-General.	Government Resolution, General Department (Plague), No. 6928 / 7031-P., dated 19th December, 1898, and No. 5738-P., dated 20th September 1899.	Allowances not exceeding one-fifth of salary or Rs. 10 a day, whichever is less.
820	To grant cholera allowance to Assistant Surgeons and Hospital Assistants on cholera duty in addition to their own.	Ditto ...	Government Resolution, General Department, No. 6344, dated 7th November 1901.	To the extent of one-fifth of salary. (The Government of India have explained that as the duty of attending cholera patients during an epidemic is one with medical subordinates are frequently called on to fulfil in the ordinary course, that Government do not recognise the need, unless in exceptional circumstances, for granting any allowance whether under the name of cholera allowance or of a special or local allowance for such duty.)

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
821	To sanction the payment of honorarium for special work from a provincial budget grant.	From Government to Director of Public Instruction.	Article 72, Civil Service Regulations.	Up to Rs. 500.
822	To permit an officer of Government to receive a fee exceeding Rs. 100 but not exceeding Rs. 500 from a private person or body, or a public body whose funds are not administered by Government for work done for it.	From Government to the Honourable the Chief Justice.	Article 74, ditto ...	Powers of Local Government. (Such fees have to be paid to officers and subordinates in the High Court for work done by them in connection with the Pleaders' Examinations ; or fees in similar or other cases.)
823	To sanction the payment of a bonus of Rs. 100 to a Mámlatdár appointed to audit *janábandi* accounts of a district in which there is a Native District Deputy Collector.	From Government to Commissioner.	Government Resolution, Revenue Department, No. 2901, dated 23rd March 1906.	When the Commissioner can appoint the auditor.
824	To sanction the deputation of officers on special duty.	Ditto ...	Article 77 and 78, Civil Service Regulations.	For temporary work and within budget grant.
		From Government to Collector.	Ditto ...	Within a specified budget grant and with limit as to period and salary.
825	To sanction the payment of deputation allowance.	From Government to Commissioner.	Article 81, ditto ...	Powers of Local Government.
		Ditto ...	Ditto ...	Powers of Local Government in the case of non-gazetted officers, clerks and menials.
		From Government to Conservator of Forests.	Ditto ...	Power of Local Government in the case of subordinates employed on other than their legitimate duties.
826	To dispose of applications for charge allowances to Hospital Assistants in acting charge of dispensaries held by Assistant Surgeons.	From Government to Surgeon - General.	Article 140, ditto ...	A charge allowance of Rs. 20 per mensem, which is one-fifth of the minimum grade pay of an Assistant Surgeon.
827	To fix special acting allowance in the case of officers without a substantive appointment.	From Government to Commissioner of Customs, Salt, Opium and Abkári.	Article 145, ditto ...	In the case of non-gazetted executive and ministerial officers.
828	To gazette charge of current duties for the purpose of granting charge allowance.	From Government to Director of Public Instruction.	Article 161, ditto ...	In the case of officers in the Provincial and Subordinate Educational Service. (This is a matter of no great importance to trouble Government with. Cases often arise in which an officer is required to be placed in charge of the current duties of another officer for a few days (exceeding a week). If the powers now proposed be delegated to the Director of Public Instruction, only cases of officers of the Indian Educational Service will have to be dealt with by Government, which will be few and far between.) (After considering the views of other Local Governments on the question of the scale of allowances which the Government of Bombay proposed to grant to officers of the Provincial and Subordinate Educational Services appointed temporarily to carry on the duties of an office in addition to their own, the Government of India have in Home Department letter No. 191, dated 9th March 1907, decided not to proceed further in the matter as cases of the kind are not likely to be of frequent occurrence and can best be dealt with on the merits.)
829	To grant charge allowance to an officer placed in charge of the current duties of an office in addition to his own.	From Government to Commissioner.	Article 161, Civil Service Regulations.	In the case of— (*a*) Officers holding charge of *Mámlat* in addition to their own duties. (*b*) Head Accountants holding charge of Huzúr Treasuries. (*c*) Divisional Forest Officers.
		From Government to Commissioner of Customs, Salt, Opium and Abkári.	Ditto ...	In the case of non-gazetted executive and ministerial officers.
		From Government to Inspector-General of Police.	Ditto ...	In the case of Police Sub-Inspectors doing duties of Inspectors in addition to their own, and when funds are available for re-appropriation from savings under 20—Police.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Government to Surgeon - General.	Article 161, Civil Service Regulations.	In the case of Hospital Assistants and Vaccinators, and to the extent of one fifth of salary.
		From Government to Commissioner or Collector.	Ditto ...	To Collector in the case of appointments made by him. To Commissioner in other cases.
		From Government to District Judge.	Ditto ...	In the case of Clerks of Court at the rate allowed by the Civil Service Regulations.
		From Government to Sanitary Commissioners.	Ditto ...	Up to one-fifth of the salary of the appointment in which the officer is appointed to act.
		From Government to Conservator of Forests.	Ditto ...	Powers of Local Government. (The sanction accorded by Government in these cases is merely formal.)
		From Government to Officer authorised to make the appointment.	Ditto ...	To the extent admissible under the Civil Service Regulations.
830	To grant allowance to an officer for holding two or more independent appointments.	From Government to Commissioner of Customs, Salt, Opium and A'bkári.	Article 168, ditto ...	In the case of executive ministerial and menial officers.
831	To grant half-pay to *patels* and *talatis* who act in addition to their own duties for men on leave.	From Sub-Divisional Officer to Mámlatdár.	.....	For three months.
832	To permit the calculation of joining time by a route other than that habitually used by travellers.	From Government to Collector.	Article 178, Civil Service Regulations.	..... (The Collector has local knowledge and can easily ascertain the circumstances connected with each case.)
833	To grant extention of joining time.	From Government to Commissioners and select Heads of Departments.	Article 180, ditto ...	Powers of Local Government. (The limit up to which and the circumstances in which an extension of joining time should be allowed have been specified in Article 180. Heads of Departments may be trusted to use their discretion properly. Routine correspondence will be saved.)
		From Government to Heads of Departments.	Ditto ...	Powers of Local Government.
		Ditto ...	Ditto ...	Up to a maximum of five days.
		From Government to the Honourable the Chief Justice.	Ditto ...	Within the limit of 30 days.
		From Government to Commissioner.	Ditto ...	In respect of all non-gazetted officers of the Revenue and Forest Departments.
		Ditto ...	Ditto ...	In the case of ministerial officers and menials.
		Ditto ...	Ditto ...	In the case of officers whom the Commissioners appoint.
		From Government to Commissioner of Customs, Salt, Opium, and A'bkári.	Ditto ...	In the case of non-gazetted executive and ministerial officers.
		From Government to Inspector-General of Police.	Ditto ...	In the case of all police officers up to seven days over and above the period specified in Article 177, Civil Service Regulations.
		From Government to Director of Public Instruction.	Ditto ...	In the case of non-gazetted officers and of officers in the Provincial and Subordinate Educational Service.
		From Government to Surgeon-General.	Ditto ...	Powers of Local Government in respect of Civil and Military Assistant Surgeons and Hospital Assistants.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	3	3	4	5
		From Government to Collector.	Article 180, Civil Service Regulations.	In the case of non-gazetted officers. [Power to extend joining time as regards non-gazetted officers only was recommended to be given to Commissioners, but was negatived by the Government of India (*vide* Government Resolution, Financial Department, No. 2422, dated 15th July 1904).]
		Ditto ...	Ditto ...	In the case of officers appointed by the Collector.
		From Government to District Judge.	Ditto ...	In the case of subordinate officers and under special circumstances.
		From Government to Conservator of Forests.	Ditto ...	Excess joining time up to 10 days.
834	To grant transit pay to temporary establishments transferred from one office to another.	From Government to Heads of Departments.	Article 188, ditto ...	Powers of Local Government. (The amounts involved are usually very trifling and are generally sanctioned on the recommendation of Heads of Departments.)
		From Government to Surgeon-general.	Ditto ...	In respect of temporary Civil Assistant Surgeons.
		From Government to Conservator of Forests.	Ditto ...	Powers of Local Government.
835	To sanction extra expenditure for subsistance allowances granted to officers suspended.	From Government to Inspector-General of Police.	Article 193, ditto ...	The limit laid down in corrected Note under Article 193 (*b*) may be raised from Rs. 250 to Rs. 500 and the period during which an officer has remained unemployed through suspension or dismissal may be raised from six to twelve months.
836	To grant allowance to a dismissed or suspended officer on his reinstatement.	From Commissioner to Collector.	Entry No. 20 of the statement accompanying Government Resolution, Financial Department, No. 279, dated 26th January 1903.	In the case of subordinates whose appointments are made by the Collector.
		Ditto ...	Ditto ...	Payment to an officer under suspension if it involves an extra expense not exceeding Rs. 100.
		Ditto ...	Ditto ...	Powers now exercised by Commissioner.
		Ditto ...	Ditto ...	In the case of officers reinstated by the Collector.
837	To grant exemption from loss of appointment when overstaying leave.	From Government to Inspector-General of Police.	Article 230, Civil Service Regulations.	In the case of all police officers from inspectors downwards.
		From Government to High Court.	Ditto ...	Over seven days.
		From Government to District Judge.	Ditto ...	Up to seven days.
838	To condone interruptions of duty caused by (i) absence after the end of privilege leave, examination leave, or other kind of leave, or joining time, or (ii) suspension from office pending inquiry into an officer's conduct.	From Government to Commissioners and select Heads of Departments.	Articles 230, 253, 254 and 258, ditto	Powers of Local Government in the case of non-gazetted officers. (This will save petty work and Heads of Departments can be trusted to exercise the powers properly.) The matter is not of sufficient importance to require the orders of Government, and as the proposal to give these powers to Commissioners was approved of by the Local Government, it might be submitted for the reconsideration of the Government of India, who once negatived it. (*Vide* entry No. 21 in the statement appended to Government Resolution, Financial Department, No. 279, dated 26th January 1903, and paragraph 2 of Government Resolution, Financial Department, No. 2422, dated 15th July 1904.)
		From Government to District Judge.	Ditto ...	In the case of subordinates under the District Judge.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
839	To condone interruption of duty in the case of an officer overstaying privilege leave.	From Government to Commissioner.	Article 253, Civil Service Regulations.	In the case of ministerial officers and menials.
		From Government to Inspector-General of Police.	Ditto ...	In the case of all police officers of and below the grade of inspector.
		From Government to Commissioner of Customs, Salt, Opium and A'bkári.	Ditto ...	In the cases of non-gazetted executive and ministerial officers.
840	To condone interruptions of duty caused by overstaying examination leave or joining time, or by suspension from office.	Ditto ...	Articles 254 and 258, ditto.	Ditto ditto.
		From Government to District Judge.	Ditto ...	In the case of non-gazetted subordinates
841	To condone interruptions of duty in the case of absence after the end of examination leave or joining time.	From Government to Collector.	Article 254, ditto ...	..... (The Collector can see whether the reasons given for the absence are satisfactory and make a thorough local inquiry.)
842	To decide whether suspension from office pending inquiry into an officer's conduct interrupts duty or not, or to order whether the time passed under such suspension does or does not qualify for privilege leave.	From Government to Inspector-General of Police.	Article 258, ditto ...	In the case of all police officers of and below the inspector's grade provided that the man under suspension is not considered guilty after criminal prosecution or departmental inquiries.
843	To dispense with the condition that no leave without pay can be granted when any other kind of leave is by rule admissible in cases of grant of extraordinary leave for a period not exceeding two months.	From Government to the Honourable the Chief Justice.	Article 339, ditto ...	Powers of Local Government.
844	To grant privilege leave to all Gazetted Officers of Revenue and Forest Departments except Collector and Conservator.	From Government to Commissioner.	Article 825, ditto ...	Up to three months provided there is no extra cost.
845	To grant privilege leave to Gazetted Officers.	From Government to Commissioner of Customs, Salt, Opium and A'bkári.	Ditto ...	Up to six weeks. (Commissioners of Divisions have been given the power.)
846	To grant privilege leave to Commissioned Medical Officers.	From Government to Surgeon-General.	Ditto ...	..... (Under Government Resolutions, General Department, No. 1334, dated 1st April 1889, and No. 2227, dated 31st May 1895, the Surgeon-General is competent to sanction applications for privilege leave of absence to Gazetted Officers in the Medical Department for periods not exceeding 30 days in cases where no substitute is required and no extra expense is involved.)
847	To grant privilege leave to District, Joint and Small Cause Court Judges in the Presidency proper.	From Government to High Court.	Government Resolutions, Judicial Department, No. 5367, dated 16th September 1878, No. 5838, dated 12th August 1884, and No. 3356, dated 26th June 1889.	.....
848	To grant privilege leave in excess of 30 days to Gazetted Officers.	From Government to Conservator of Forests.	Government Resolutions, Revenue Department, No. 2149, dated 20th March 1889, and No. 2569, dated 3rd April 1889.	Government sanction the grant of leave upon obtaining a report from the Accountant-General as to the title of the leave applied for. Conservators might be empowered to do the same subject to the condition that no substitute is required.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
849	To sanction leave and acting arrangements within the periods of leave in the case of officers of the provincial and subordinate Educational Service.	From Government to Director of Public Instruction.	Government Resolution, Educational Department, No. 1220, dated 1st July 1907.	..... (The Director of Public Instruction has power recently delegated to him to sanction leave and to make acting appointments in the case of head masters of high schools and deputy educational inspectors in the subordinate Educational Service. Similar powers in the case of all Educational Officers on the cadre of the provincial and subordinate Educational Service may be vested in the Director, so that Government will have only to consider the cases of officers in the Indian Educational Service.)
850	To grant privilege leave or leave of any kind to Subordinate Judges when no *locum tenens* is necessary in the opinion of the District Judge.	From High Court to District Judge.	High Court Civil Circular No. 174.	No report to the High Court is necessary. Might be done by the District Judge directly.
851	To grant privilege leave up to six weeks to Gazetted Officers when no extra expense is involved.	From Commissioner to Political Agent.	Government Resolution, Financial Department, No. 279, dated 26th January 1903.	.....
		From Commissioner to Inspector-General of Police.	Government Resolution, Judicial Department, No. 6155, dated 19th November 1906, and amended Rule 2, page 475, Police Manual.	In the case of gazetted police officers. (The Inspector-General of Police exercises this power with respect to Railway Police Gazetted Officers.)
852	To grant privilege leave to Assistant or Deputy Collector for one month.	From Commissioner to Collector.	Government Resolution, Financial Department, No. 279, dated 26th January 1903.	When no substitute is to be entertained. (The delegation of power is proposed to avoid correspondence and delay.)
853	To grant privilege leave up to three months to *Mukhtyárkars*, City and Resident Magistrates, Head Accountants, Distillery and A'bkári Inspectors and Collectors' head *munshis*.	From Commissioner in Sind to Collector.	Paragraph 4, Commissioner's Special Circular No. 5.	At present Collectors can grant privilege leave to *Mukhtyárkars*, head accountants and head *munshis* only, and acting arrangements have to be sanctioned by the Commissioner. Privilege leave to all other officers mentioned in column 2 may also be sanctioned by the Collector or Deputy Commissioner, who may also make acting arrangements himself. (Numerous references will thereby be saved.)
854	To grant leave to *Mukhtyárkars* and head accountants up to six months and to fill up acting vacancies in these changes.	Ditto ...	Ditto ...	Subject to report to the Commissioner in Sind of the acting arrangements made. (Under the existing Orders the Collector or Deputy Commissioner can grant privilege leave only to either of these officers and fill up acting vacancy up to *six weeks* in the case of head accountants only. In the case of *Mukhtyárkars* and of vacancies of over six weeks in the case of head accountants they are generally as a rule filled up by the Commissioner. The enhancement of these powers to the extent proposed will result in a considerable reduction of correspondence and also tend towards efficient administration inasmuch as the Collector concerned can fill up vacancies on the spot from amongst the best of his subordinates. Of course in making appointments due regard will be had to the qualifying examinations, *i.e.*, higher standard in the case of *Mukhtyárkars* and head accountants examination in the case of head accountants, but in certain cases officers of proved merit and exceptional ability whose ignorance of the knowlege of English debars them from passing the higher standard examination might be appointed to the acting vacancies.)
855	To grant leave to police sub-inspectors.	From Inspector-General of Police to Deputy Inspectors-General of Police.	Article 841 (*b*), Civil Service Regulations.	.....
856	To grant privilege leave to establishments.	From Authority making the appointment to Heads of Offices.	Ditto ...	Up to one month in cases where the duty can be performed by entertaining a complementary hand. (The delegation may save delay and inconvenience to subordinates requiring leave.)

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	5	5
857	To grant privilege leave to subordinate clerks on entertaining a substitute.	From Conservator of Forests to Divisional Forest Officer.	Article 841 (*b*), Civil Service Regulations.	..... (The sanction accorded at present in cases of this kind is merely formal.)
858	To grant privilege leave to ministerial officers of Subordinate Judges.	From District Judge to Subordinate Judge.	Ditto ...	When substitutes have not to be provided from other Courts.
859	To grant privilege leave to head constables and constables.	From District Superintendent of Police to Assistant Superintendent of Police.	Ditto ...	In the case of officers in the Assistant Superintendent's division.
860	To grant leave to *munshis* ...	From Collector to *Mukhtyárkar*.	Ditto ...	*Mukhtyárkars* may be allowed to grant one month's leave to their establishments and *tapedárs* and cattle-pounds *munshis*, except the head *munshi*, whose application for leave must be submitted to the Collector for orders. Every order made by the *Mukhtyárkar* should be reported to the Collector through the Assistant Collector.
861	To grant leave to subordinates in the offices of Assistant Political Agents, etc.	From Political Agent, *Pálanpur*, to Assistant or Deputy Assistant Political Agent, Jail Superintendent, and Medical Officer.	Practice	Subject to one month's limit, and when no extra expense is involved.
862	To grant leave with or without substitute up to three months to peons.	From Sub-Divisional Officer to Mámlatdár.	Section 21, Bombay Land Revenue Code, 1879.	.....
863	To grant leave to menial servants.	From Assistant or Deputy Assistant Political Agent to *Thándar*.	Political Agent, Rewa Kántha's, No. 401, dated 1st September 1890.	Subject to the proviso that no additional expenditure is incurred.
864	To authorise the payment of leave allowance to a non-gazetted officer.	From Collector to Treasury Officer.	Article 865. Civil Service Regulations.	In the case of Mámlatdárs. (Mámlatdárs can pay leave allowances of *kárkúns*.)
865	To suspend lien on the appointment of an officer on deputation if it is likely to last for more than three years.	From Government to Commissioner.	Article 89, ditto ...	In the case of all non-gazetted officers of the Revenue and Forest Departments. (The proposal to delegate this power to Commissioners was negatived by the Government of India in 1904. *Vide* entry No. 14 in the statement appended to Government Resolution, Financial Department, No. 279, dated 26th January 1903, and Government Resolution, Financial Department, No. 2422, dated 15th July 1904.)
		From Government to Commissioner and Surgeon-General.	Ditto ...	..... To Surgeon-General in the case of Hospital Assistants Inspectors of Sanitation and Vaccination, vaccinators and clerical establishments. (The Commissioners and the Surgeon-General have been empowered to sanction the transfer of certain non-gazetted officers to foreign service. As a corollary to this power, it seems desirable that they should have the power now proposed.)
		From Government to Director of Public Instruction.	Ditto ...	As a corollary to the power of transferring non-gazetted educational employés to foreign service proposed to be delegated to the Director.
866	To transfer the services of Civil Assistant Surgeons to Native States and other bodies.	From Government to Surgeon-General.	Article 753, ditto ...	.....

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
867	To grant increase of pay not exceeding 20 per cent. of the original pay in foreign service of the first kind at intervals of not less than three years in such service.	From Government to heads of departments who have power to transfer non-gazetted officers to foreign service.	Article 753, (iv) (*c*) (2), Civil Service Regulations.	Subject to the conditions prescribed in the rule mentioned in column 4, *viz.*, if the increase is justified with reference to the qualifications of the officer and the nature of his duties. (Heads of Departments may be trusted to see that the prescribed conditions are faithfully observed.)
868	To transfer non-gazetted officers to foreign service.	From Commissioner to Inspector-General of Police.	Article 753, Civil Service Regulations, and Government Resolution, Financial Department, No. 2422, dated 15th July 1904.	In the case of non-gazetted police officers.
		From Commissioner to Director of Public Instruction.	Ditto ...	In the case of officers of the Educational Department. (Under the resolution quoted in column 4 the sanction of the Commissioner of Division or in Sind has to be obtained whenever an educational employee is transferred to foreign service. The Director of Public Instruction is the head of his department, and he should have similar powers with regard to officers of his department.)
		From Surgeon-General to Sanitary Commissioner.	Ditto ...	In the case of vaccinators.
		From Commissioner to Political Agent.	Ditto ...	..... (Much correspondence will be saved.)
869	To transfer servants paid from provincial revenues to foreign service of the 1st and 3rd kind, and *vice versâ*.	From Surgeon-General to Sanitary Commissioner.	Government Resolution, General Department, No. 2910, dated 17th August 1886.	.....
870	To grant long leave to police officers in foreign service.	From Commissioner to Inspector-General of Police.	Article 790, Civil Service Regulations, and Government Resolution, Financial Department, No. 2422, dated 15th July 1904.	Full, with respect to all non-gazetted police officers.
871	To permit alteration of an entry of age or date of birth of a Government servant once entered in the annual return of establishment (except in case of clerical error).	From Government to the Honourable the Chief Justice.	Article 55 (1), Civil Account Code.	In the case of all Gazetted Officers and non-gazetted subordinates in the High Court.
872	To permit alteration of the entry of age or date of birth of an officer once entered in his service book (except in case of clerical error).	Ditto ...	Government Resolutions, Financial Department, No. 3181, dated 24th September 1890, and No. 4117, dated 13th December 1894.	In the case of all non-gazetted subordinates in the High Court.
		From Government to Inspector-General of Police.	Government Resolution, Financial Department, No. 4117, dated 13th December 1894.	In the case of police officers from inspectors downwards.
		From Commissioner to Collector.	Entry No. 25 of the statement appended to Government Resolution, Financial Department, No. 279, dated 26th January 1903.	In the case of officers appointed by the Collector.
873	To permit the correction of clerical errors in the recorded age of birth in service books.	From Inspector-General of Police to Deputy Inspectors-General of Police.	Government Resolution, Financial Department, No. 4117, dated 13th December 1894.	In the case of head constables and constables.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
874	To declare that previous service shall not be forfeited by reason of unauthorised absence in continuation of authorised leave of absence.	From Government to Commissioner of Customs, Salt, Opium and Abkári.	Article 420 (*b*), Civil Service Regulations.	In the case of non-gazetted executive and ministerial officers, and to make the declaration under the rule mentioned in column 4 within six months instead of three months from the end of the authorised leave of absence.
875	To commute retrospectively absence without leave into leave without allowance.	From Government to Commissioners and other officers empowered to sanction pensions.	Article 421, ditto...	In the case of all officers to whom they are competent to grant pensions. (A proposal to grant this power was negatived by the Government of India in 1904 (*vide* Government Resolution, Financial Department, No. 2422. dated 15th July 1904), but it might be reconsidered now. The Board of Revenue, and the Inspector-General of Police, Madras, exercise the power conferred by Article 421 in the case of officers subordinate to them drawing Rs. 20 per mensem or less. There appears to be no reason why Heads of Departments should not be allowed to exercise this power as a corollary to their power of sanctioning pensions. It is generally on the retirement of low-paid servants, such as policemen, that the question arises. The proposal is strongly recommended as there will be a large reduction of petty work. In case the Government of India consider that the power of commuting the periods of absence should not be unlimited, a maximum period up to which the power might be exercised, say, one year, might be prescribed.)
		From Government to the Honourable the Chief Justice.	Article 421, Civil Service Regulations.	In the case of all non-gazetted subordinates in the High Court. (The power of sanctioning ordinary pensions in the case of these subordinates has been delegated to the Honourable the Chief Justice.)
		From Government to Commissioner.	Ditto ...	This power should be exercised by the authority empowered to grant privilege leave.
		From Government to Inspector-General of Police.	Ditto ...	In the case of all non-gazetted officers whose pensions the Inspector-General of Police is empowered to sanction.
		From Government to Commissioner of Customs, Salt, Opium and Abkári.	Ditto ...	In the case of non-gazetted executive and ministerial officers and menials.
		From Government to Collector.	Ditto ...	In the case of ministerial officers and menial servants. (Heads of districts are in far better touch with all the circumstances.)
		Ditto ...	Ditto ...	Interruption of one day in the service, *viz.*, from acting appointments to substantive appointments.
876	To condone interruptions or deficiency in service.	From Government to Commissioner.	Articles 422 and 423, Civil Service Regulations.	In the case of all officers to whom the Commissioner is competent to grant pensions. (Proposal to grant to the Commissioner powers under this head was negatived by Government Resolution, Financial Department, No. 279, dated 26th January 1903, but might be reconsidered now.)
		From Government to the Honourable the Chief Justice.	Ditto ...	In the case of all non-gazetted subordinates in the High Court. (The power of sanctioning ordinary pensions to the subordinates referred to has been delegated to the Honourable the Chief Justice.)
		From Government to Officer sanctioning pension.	Ditto ...	Power exercised by Local Government.
		From Government to Commissioner of Customs, Salt, Opium and Abkári.	Ditto ...	In the case of non-gazetted executive and ministerial officers and menials. To condone interruptions for twelve months if the pension is a provincial charge.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Government to Inspector-General of Police.	Articles 422 and 423, Civil Service Regulations.	To condone interruptions up to three months under clause (*i*) of Article 422, and up to twelve months under clause (*ii*) of the same article in the case of all non-gazetted officers whose pensions the Inspector-General of Police sanctions, and to exercise the Local Government's power regarding condonation of deficiencies in service in the case of the same class of officers.
		From Government to Conservator of Forests.	Ditto ...	Subject to any conditions Government might see fit to prescribe.
		From Government to Collector.	Ditto ...	In the case of officers appointed by the Collector.
		From Government to District Judge.	Ditto ...	Full powers of Local Government in the case of non-gazetted subordinates.
877	To grant pension to an officer who is incapacitated for employment only in some particular branch of the Public Service.	From Government to Inspector-General of Police.	Articles 453, 914 and 921, ditto.	Wholly in the case of all non-gazetted officers whose pension the Inspector-General of Police sanctions.
878	To retain in service officers after the date of medical certificate of incapacity for further service.	From Government to District Judge.	Article 455, ditto...	For a period not exceeding fifteen days.
		From Commissioner to Collector.	Ditto ...	In the case of officers appointed by the Collector.
		From Commissioner to Conservator of Forests.	Ditto ...	..... (The sanction accorded in cases of this kind is merely formal.)
		From Commissioner to Collector and District Magistrate, and Conservator of Forests.	Ditto ...	In the case of subordinates on Rs. 20 and less per mensem. (As a corollary to the proposed delegation of power to grant pensions and gratuities to these subordinates.)
879	To grant extension of service to an officer who has attained 60 years.	From Government to Commissioner.	Articles 459 and 462, ditto.	In the case of all non-gazetted subordinates. (It will be seen from entry No. 23 in the statement appended to Government Resolution, Financial Department, No. 279, dated 26th January 1903, that a proposal was made that the power to grant extensions of service and to order retirements should be given to Collectors and Commissione as regards all officers appointed by them respectively. was remarked that there was no need for giving power to grant extensions up to 60 years to one authority and beyond 60 years to another. The proposal was not approved by Government. If Government are still opposed to the idea of giving the Collectors the discretion of retaining men in service after 60 years, the power might at least be given to the Commissioner. Government have seldom any occasion to differ from the recommendations of the local officers.)
		From Government to Director of Public Instruction.	Articles 459 and 462, Civil Service Regulations.	In the case of non-gazetted officers paid from provincial, Local Board and Municipal Funds. (Sanction of Government in this matter in the case of these officers is immaterial.)
		From Government to the Honourable the Chief Justice.	Articles 459 and 462, Civil Service Regulations, and Government Notification, Judicial Department, No. 2462, dated 8th May 1889.	In the case of non-gazetted officers of the High Court. (The Honourable the Chief Justice has power to permit a non-gazetted subordinate to remain in service up to but not beyond the age of 60 years. This power might well be extended.)
		From Government to District Judge.	Article 459, Civil Service Regulations, and Government Resolution, Financial Department, No. 2711, dated 1st July 1892.	Extension of service to non-gazetted officers beyond the age of 60 until they retire.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
880	To grant extensions of service and to order retirements.	From Government to the Honourable the Chief Justice.	Article 459, Civil Service Regulations.	In the case of Gazetted Officers of the High Court up to the age of 60 years.
		From Government to High Court.	Article 459, Civil Service Regulations, and Government Resolutions, Financial Department, No, 1235, dated 10th April 1895, and No. 2395, dated 18th July 1905.	Extension o fservice to Subordinate Judges up to the age of 60 years.
		From Government to Director of Public Instruction.	Article 459, Civil Service Regulations, and Government Resolution, Educational Department, No. 1973. dated 18th September 1890.	Extension of service up to the age of 60 to officers of the provincial and subordinate Education Service. (The Director of Public Instruction always carefully considers the applications of officers asking extensions of service, and makes his recommendations to Government, which are usually sanctioned. If any officer is dissatisfied with the decision of the Director, it is open to him to make an appeal to Government.)
		From Government to Surgeon - General.	Article 459, Civil Service Regulations.	Local Government's powers of granting extension of service to Civil Assistant Surgeons. (The Surgeon-General may be authorised to deal with this matter as he can ascertain the applicant's physcial and mental fitness to continue in service.)
		From Inspector - General of Police to Deputy Inspectors-General of Police, Ranges and Railways.	Article 462, Civil Service Regulations, and Rule 14 at page 29, Police Manual.	In the case of head constables and constables. (The Deputy Inspectors - General of Police have more opportunities for personally seeing the men concerned.)
		From Commissioner to Collector and District Magistrate.	Article 462, Civil Service Regulations, and Government Resolution, Financial Department. No. 2827, dated 22nd August 1890.	In the case of all officers appointed by the Collector or District Magistrate. (This is required to be submitted annually to the Commissioner for sanction, which is invariably accorded. The Collector knows his subordinates and is the best judge of their physical and mental fitness and it would be reasonable if he is left to deal with the question so far as regards the officers he appoints. A proposal to this effect was made (*vide* item No. 23 of the statement accompanying Government Resolution, Financial Department, No. 279, dated 26th January 1903), but negatived by Government. Twenty superannuation statements of men less than 60 years were received in the office of the Commissioner, C.D., in 1906, and orders issued by him according to the Collector's recommendations without any occasion for further inquiries. It seems therefore useless to trouble the Commissioner with these statements.)
		From Commissioner to Collector.	Ditto ...	Extension for one year to Collector's subordinates. (The Commissioner sanctions extensions on the recommendation of the Collector.)
		Ditto ...	Ditto ...	To all, except Mámlatdárs and head accountants.
		Ditto ...	Ditto ...	Extension up to 60 years to non-gazetted officers.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From selected Officers empowered in this behalf to Officers making the appointments.	Article 462, Civil Service Regulations, and Government Resolution, Financial Department, No. 2827, dated 22nd August 1890.	The power now exercised by selected officers. (The delegation of power will save correspondence. If the appointments are made by Heads of Departments, it is but just and equitable that the power of granting extensions should be granted to them.)
		From Conservator of Forests to Divisional Forest Officer.	Ditto ...	In the case of forest guards who have completed the age of 55 years. (Under Government Resolution, Revenue Department, No. 7324, dared 25th July 1907, only Deputy Conservators of not less than ten years' service have this power. All Divisional Forest Officers might be given this power as the sanction now accorded by the Conservator is merely formal.)
		From Commissioner to Assistant or Deputy Collector.	Ditto ...	Extension of service up to 60 years to inferior servants.
		From Director of Public Instruction to Educational Inspector of Division.	Article 462, Civil Service Regulations, and Government Resolution, Educational Department, No. 1973, dated 18th September 1890.	Extension of service up to the age of 60 to primary school masters and teachers in the service of Local and Municipal Boards. (The Educational Inspectors who control primary education recommend extensions of service in the case of these masters after having satisfied themselves as to the desirability of granting them. The Director's sanction is only formal.)
881	To deal with an appeal to the Government of India against the Commissioner's orders refusing extension of service to a non-gazetted officer.	From Government to Commissioner.	Government of India Notification No. 147 of 19th January 1905, Memorial Rule No. 6.	Power to refuse to send memorial on.
882	To sanction reduction of pension in case of misconduct.	Ditto ...	Article 470 (*b*), Civil Service Regulations.	In cases in which the Commissioner sanctions ordinary pensions.
883	To dispose of pension applications from non-gazetted officers in cases in which all the conditions of the regulations are not fulfilled.	Ditto ...	Article 470 (*b*) and 918, ditto.	Same as in ordinary pensions.
884	To calculate pension on average emoluments instead of on emoluments which have been reduced during last three years.	From Government to Commissioner of Customs, Salt, Opium and A'bkári.	Articles 474 (*a*) and 482, ditto.	In the case of non-gazetted executive and ministerial officers and menials.
885	To offer re-employment to an officer discharged with a compensation pension.	Ditto ...	Article 437, ditto ...	Ditto ditto.
		From Government to Collector.	Ditto ...	In the case of officers appointed by the Collector.
886	To sanction the re-employment of pensioners on temporary duties.	From Government to Surgeon-General.	Articles 520–521, do.	Powers of Local Government in the case of re-employment of retired Assistant Surgeons (Civil and Military) and Hospital Assistants on duty of a temporary nature.
		From Government to Commissioner, Conservator of Forests, Collector and District Magistrate, and District Superintendent of Police.	Article 524, Civil Service Regulations, and Government Resolution, General Department (Plague), No. 1419-P., dated 27th March 1901.	To re-employ pensioners for a period not exceeding one year in temporary vacancies (due to any cause) which the officers mentioned in column 3 are competent to fill. (This power has already been delegated to the Commissioners in connection with the plague (*vide* Government Resolution, General Department (Plague), No. 1419-P., of the 27th March 1901), and to the Commissioners, Collectors, District Superintendents of Police, etc., in connection with famine. But there are other occasions on which the re-employment of pensioners is found necessary (*e.g.*, Government Resolution, Judicial Department, No. 75, dated 8th January 1907), and officers who have the power to make appointments might be trusted to re-employ pensioners for short periods when other suitable candidates are not available.) [*Note.*—In Financial Department letter No. 4463, dated 18th November 1907, the Government of India have been asked to permit the delegation to the Commissioners of Divisions and in Sind of power to re-employ Government pensioners on *bonâ fide* temporary duty lasting not more than a year.]

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Government to Lord Bishop of Bombay.	Article 524, Civil Service Regulations.	In the case of re-employment of a pensioner as bishop's clerk.
		From Government to Collector.	Article 520, ditto...	In the case of pensioners employed by a Local Board as menials.
		Ditto ...	Articles 520 and 521, ditto.	..... (This is particularly desirable in famine times ; the Local Government cannot possibly know so well as the Collectors whether it is proper to re-employ or not.)
		Ditto ...	Article 521, ditto...	Pensioner *peons* may be re-employed and Military and Police pensioners may be employed as *peons*. (A pensioner cannot be re-employed without Government sanction. The most frequent cases are those of *peons* who may be re-employed as village *havildars*, or military and police pensioners re-employed as *peons*. Collectors may be given the power to re-employ pensioners to this extent. In ordinary times the necessity is not much felt, but this power would be of much use in times of famine when a staff of trained menials is required for all sorts of duty.)
		Ditto ...	Article 524, Civil Service Regulations, and Government Resolution, General Department (Plague), No. 1419-P., dated 27th March 1906.	Subject to rules in the Civil Service Regulations. (The matter is too trivial to necessitate reasons in support of it.)
887	To grant extraordinary pension and gratuity.	From Government to Commissioner.	Articles 739 and 740, Civil Service Regulations.	To class of persons to whom the Commissioner grants ordinary pensions.
888	To grant pensions payable from the Steam Vessel Survey Fund.	From Government to Port Officer, Bombay.	Article 800, ditto...	To sanction, subject to audit, the grant and payment of pensions to *peons* and crew of the Government Surveyors' launch.
889	To admit service the verification of which is impossible for pension purposes.	From Government to Inspector-General of Police.	Article 914, ditto ...	If the Inspector-General of Police can collect collateral evidence as contemplated in Article 908 (*e*), he should be empowered to sanction pension without submitting the papers to Government in the case of all non-gazetted officers.
890	To dispose of applications for pensions and gratuities	From Government to Commissioner.	Article 918, ditto ...	In the case of Deputy Collectors and Gazetted Officers below them.
		From Government to Accountant-General.	Ditto ...	When the amount of pension does not exceed Rs. 50 and no special orders of Government are required.
		From Commissioner to Collector.	Article 919, Civil Service Regulations, and item No. 6 of the statement accompanying Government Resolution, Financial Department, No. 2422, dated 15th July 1904.	In the case of non-gazetted officers and inferior servants after previous reference to the Accountant-General. (This was mooted before but the proposal was negatived (*vide* item No. 22 of the statement accompanying Government Resolution, Financial Department, No. 279, dated 26th January 1903).)
		Ditto ...	Ditto ...	To menial establishments. (As the pension or gratuity is determined by the Accountant-General in the first instance, the Collector may pass order for payment of the amount determined.)
		Ditto ...	Ditto ...	In respect of menials and clerks and *karkuns* below Rs. 50, subject to Accountant-General's certificate regarding admissibility of proposed pension.
		From Commissioner to Political Agent.	Ditto ...	In the case of menial establishments and members of the Agency Police Force. (Correspondence will be reduced to a certain extent.)

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Commissioner to Heads of Offices.	Article 919, Civil Service Regulations, and item No. 6 of the statement accompanying Government Resolution, Financial Department, No. 2422, dated 15th July 1904.	As certified by the Accountant-General in the case of revenue and forest subordinates.
		From Commissioner to Conservator of Forests.	Do. and Government Resolution, Financial Department, No. 4301, dated 15th November 1906.	Power at present exercised by Commissioner in respect of officers in superior service.
		From Commissioner to Divisional Forest Officer.	Ditto ...	In the case of forest guards of all grades.
		From Inspector-General of Police to Deputy Inspectors-General of Police, Ranges and Railways.	Article 921, Civil Service Regulations, and Government Resolution, Financial Department, No. 4878, dated 21st December 1906.	From head constables downwards in all cases involving no complications and in which the period of service is continuous and verified. (The proposal involves no risk in so much as all sanctions are subject to the final scrutiny of the Accountant-General, the applicant being informed that the grant of pension or gratuity is liable to revision and a claim for refund of any excess over and above what he is entitled to under the Regulations.)
891	To grant pensions and gratuities in cases in which there are no unusual features and which have been certified by the Accountant-General as admissible under the Regulations, and to accept a medical certificate under Article 442 or 911 (*c*), Civil Service Regulations.	From Commissioner to Conservator of Forests, and Collector and District Magistrate.	Article 919, Civil Service Regulations, and Government Resolution, Financial Department, No. 2422, dated 15th July 1904.	All subordinates on Rs. 20 and less per mensem. (It will be seen from entry No. 22 in the statement appended to Government Resolution, Financial Department, No. 279, dated 26th January 1903, that it was proposed to grant power to Collectors to deal with pension cases of all men appointed by them; but this did not apparently meet with the approval of Government, who enhanced the Commissioner's powers which were then confined to men drawing Rs. 20 and less. If Government do not wish to reconsider the old proposal, at least power to grant pensions to men drawing Rs. 20 and less may be granted to the Collectors as well as to the Conservators of Forests. As this power is to be confined to cases which have been certified by the Accountant-General as admissible under the Regulations, and as cases in which reductions are proposed will have to go to Government, there seems no danger in giving the proposed power. It will save considerable correspondence, 85 pension cases of men in the Revenue and Forest Departments having been dealt with by the Commissioner, Central Division, in 1906, of which more than half were of men drawing Rs. 20 and less. The other powers which it is proposed to delegate to these officers follow as a corollary to the power of sanctioning pensions, and may be granted to them.)
892	To accept a medical certificate bearing a later date than that on which an officer ceased to be borne on an establishment.	From Commissioner to Conservator of Forests.	Government Resolution, Financial Department, No. 2422, dated 15th July 1904.	Power at present exercised by Commissioner.
893	To condone breaks in service due to discharge or resignation.	From Inspector-General of Police or Commissioner to Deputy Inspectors-General of Police.	Article 502, Civil Service Regulations.	In the case of police officers in receipt of pay not exceeding Rs. 20 who re-enlist within a year after discharge or resignation. (The proposal is in accordance with the suggestion in letter No. 1155, dated 20th November 1905, from the Government of India to the Government of Bombay.)

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Commissioner to Political Agent.	Article 502, Civil Service Regulations.	..... (The Political Agent is the officer who is best able to judge the matters, and the sanction of the Commissioner is only made on the Political Agent's recommendation.)
894	To permit transfer of payment of pension from one treasury in a district to another outside the district.	From Accountant-General to Collector.	Article 950, ditto ...	.....
895	To sanction payment for the first time of pension in arrears for more than six months.	From Commissioner to Collector.	Article 957, ditto ...	Powers of Commissioner.
		From Commissioner to Collector and District Magistrate.	Ditto ...	As regards arrears for more than six months but less than one year. (This can hardly raise any question worthy of the Commissioner's notice.)
		Ditto and Conservator of Forests.	Ditto ...	In the case of subordinates who drew Rs. 20 per mensem or less.
896	To sanction the payment of pensions in arrears for more than six months in cases which require the sanction of the Accountant-General.	From Accountant-General to Collector.	Ditto ...	In cases in which arrears are claimed within one year of their becoming due.
		Ditto ...	Articles 957–959, ditto.	..... (There is no control over pensioners, and the sanction of the Accountant-General is a mere formality which only gives futile work.)
897	To sanction the payment of arrears of pension to the heirs of deceased pensioners.	From Commissioner to Collector.	Article 959 (*a*), Civil Service Regulations, and Rule 338, Clause III, Bombay Treasury Manual.	Powers of Commissioner.
		Ditto ...	Article 959 (*a*), Civil Service Regulations.	Payment of arrears within one year of their becoming due.
		From Collector to Treasury Officer.	Article 960, ditto ...	When the amount does not exceed Rs. 500. (Arrears can only be checked by reference to the Treasury Officer, and Article 960 only allows payment in non-disputed cases.)
		Ditto ...	Ditto ...	..... (Much correspondence will be saved if this power is delegated.)
898	To permit transfer of payment of pensions within district.	From Collector to Huzur Deputy Collector.	Article 952, ditto ...	To full extent. (As the applications for transfer are generally granted for the convenience of the pensioners, the Treasury Officer may fairly deal with such correspondence.)
899	To declare the shortest route between any two stations for the purpose of travelling allowances.	From Government to District Judge.	Article 996 (*b*), ditto.	Full powers.
900	To calculate travelling allowance by a route other than the shortest or cheapest.	From Government to Director of Agriculture. From Government to District Judge. From Government to Conservator of Forests.	Article 997, ditto ...	Powers of Local Government.
901	To sanction charges for the carriage of camp equipment and horses by rail or steamer.	From Government to Commissioner.	Article 1000, Civil Service Regulations, and Government Resolution, Financial Department, No. 1052, dated 20th March 1894.	Without having to submit a half-yearly statement to Government. (Government have seldom occasion to overrule the Commissioners' orders, and having regard to Government Resolution, Financial Department, No. 1948, dated 18th April 1907, which allows wider discretion, the half-yearly return might be dispensed with.)
		From Government to Director of Agriculture.	Article 1000, Civil Service Regulations.	In respect of officers in the Agricultural Department.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Government to Inspector-General of Police.	Government Resolution, Judicial Department, No. 2931, dated 16th May 1907.	Powers of Local Government, subject to the limitations prescribed by Government in respect to the maximum weight of camp equipment and number of horses to be carried.
		From Commissioner to Conservator of Forests.	Article 1000, Civil Service Regulations.	..... (Officers at the head of some other departments have already been given this power.)
902	To grant to an officer holding charge of two separate appointments permanent travelling allowance in addition to that attached to one of them.	From Government to select Heads of Departments.	Article 1009, ditto	Powers of Local Government.
903	To grant double horse allowance to inspector in charge of two beats owing to transfer or leave of inspector of neighbouring beat.	From Government to Collector of Salt Revenue.	Ditto ...	Ditto.
904	To sanction the payment to an officer placed in charge of the current duties of an office the travelling allowance attached to it.	From Government to Inspector-General of Police.	Article 1010, ditto	In the case of sub-inspectors and head constables.
		From Government to Conservator of Forests.	Ditto ...	Powers of Local Government.
905	To permit travelling by steamer by a class higher than eligible.	From Government to Commissioner of Customs, Salt, Opium, and Abkári.	Article 1020, ditto	In the case of non-gazetted executive and ministerial officers and menials.
906	To sanction the payment of permanent travelling allowance to an extra Assistant Conservator when placed in charge of a division.	From Government to Conservator of Forests.	Article 1049, Civil Service Regulations, and Government Resolution, Revenue Department, No. 2021, dated 17th March 1893.	Powers of Local Government.
907	To grant actual expenses of keeping up camp equipage.	From Government to Commissioner of Customs, Salt, Opium and Abkári.	Articles 1054 and 1059, Civil Service Regulations.	In the case of non-gazetted executive and ministerial officers and menials.
		From Government to Collector.	Ditto ...	.....
908	To grant halting allowance to establishments for more than ten days of a halt at one place.	From Government to Commissioners and select Heads of Departments.	Article 1056, ditto	Powers of Local Government subject to submission to Government of half-yearly returns of sanctions accorded under delegated powers. [Cases which come up to Government are not infrequent, and in many cases sanction is accorded as a matter of course.]
		From Government to Commissioner.	Ditto ...	Powers of Local Government.
		From Government to Agent to the Governor, *Káthiáwár*.		
		From Government to Director of Agriculture.		
		From Government to Head of Office.		
		From Government to the Honourable the Chief Justice.	Ditto ...	In the case of District Judges.
		From Government to High Court and District Judge.	Ditto ...	Ten days in excess of ten days already allowed. Power to High Court in the case of District Judges and to District Judges in the case of all their subordinates.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Government to Inspector-General of Prisons.	Article 1056, Civil Service Regulations.	..... [These cases only occur when clerks accompany the Inspector-General of Prisons on tour.]
		From Government to Settlement Commissioner and Director of Land Records.	Ditto ...	In the case of (i) Junior Civilians and Circle Inspectors attending the survey class, and (ii) village accountants attending the survey class at *tálukas* other than their own, for the whole period of the class, and in the case of surveyors of field parties for three months at a time.
		From Government to Inspector-General of Police.	Ditto ...	Up to one month with respect to all police officers, (gazetted and non-gazetted) and ministerial police establishments, except those to whom Rule 27A on page 58 of the Police Manual applies. (In connection with inspection duties and investigation of crime it frequently happens that the ten days' rule interferes with the business in hand, and in order to evade the operation of the rule, camps are unnecessarily changed to the detriment of public interests and at avoidable expense to Government.)
		From Government to Collector.	Ditto ...	Powers of Local Government.
		From Government to Political Agent.	Ditto ...	Ditto.
		From Commissioner to Political Agent.	Rules 27 and 28 on pages 58 and 59 of Police Manual.	In the case of members of the Agency Police going outside their sphere of duty.
909	To sanction the actual expenses of maintaining a camp to an officer compelled to leave it in case of sudden emergency, in addition to the allowances admissible under Chapter LII. of the Civil Service Regulations.	From Government to Director of Agriculture.	Article 1061, Civil Service Regulations.	Powers of Local Government.
		From Government to Commissioner of Customs, Salt, Opium and Abkári.	Article 1061 (*a*), ditto.	In the case of non-gazetted executive and ministerial officers and menials. (The Commissioners of Divisions have been given this power.)
		From Government to Superintending Engineer in the Presidency proper.	Article 1061, ditto	In the case of executive engineers.
		From Government to Executive Engineer.	Ditto ...	In the case of all subordinate officers.
910	To grant daily allowance of two annas to inferior servants accompanying an Inspecting or a Controlling Officer whose circuit of inspection extends beyond the limits of a single district.	From Government to Commissioners and select Heads of Departments.	Article 1063, exception (*c*), Civil Service Regulations.	Powers of Local Government. (The delegation of power will relieve Government of petty work and is not likely to lead to increased expenditure.)
911	To permit an officer or class of officers whose salary does not exceed Rs. 200 a month, to draw allowances under Chapter LII. (mileage allowance), Civil Service Regulations, for the whole period of absence from headquarters.	From Government to Commissioner of Customs, Salt, Opium and Abkári.	Article 1066, ditto	In the case of non-gazetted executive and ministerial officers and menials.
912	To sanction conveyance allowance at an increased rate to lower subordinates in the Public Works Department when in charge of sub-divisions.	From Government to Superintending Engineer.	Article 1077, ditto	Powers of Local Government.
913	To sanction the payment of passage money to families of certain classes of officers on transfer.	From Government to Commissioners and select Heads of Departments.	Article 1097 (*b*), ditto.	..... (Nothing is gained by the submission to Government of these cases, which are generally treated as routine.)

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Government to Surgeon-General.	Article 1097 (*b*), Civil Service Regulations.	In the case of Assistant Surgeons and Hospital Assistants.
		From Government to Commissioner of Customs, Salt, Opium and Abkári.	Articles 1097 (*b*) and 1098 (*c*), ditto.	In the case of non-gazetted executive and ministerial officers and menials, the period of two months prescribed in Articles 1098 (*c*) to be extended to six months.
		From Government to Collector.	Article 1097 (*b*), ditto.	Powers of Local Government.
		From Government to Conservator of Forests.	Article 1097 and 1098, ditto.	Ditto.
914	To grant travelling allowance to an officer transferred for misconduct.	From Government to Commissioner of Customs, Salt, Opium and Abkari.	Article 1100, ditto	In the case of non-gazetted executive and ministerial officers and menials.
915	To grant to an inferior servant travelling allowance for journey on transfer.	From Government to the Honourable the Chief Justice.	Article 1107, ditto	Powers of Local Government.
916	To sanction the payment of travelling allowance for journeys made to appear at the head accountants' examination.	From Government to Collector.	Article 1116 (note), ditto.	In all cases.
917	To sanction travelling allowance for journeys to procure medical certificate in case of invalid pension, when application is made voluntarily and not under the direction of the applicant's official superior.	From Government to Commissioner.	Article 1138, ditto	Powers of Local Government.
918	To authorise the payment of travelling allowance to an assessor beyond Rs. 20.	From Government to Sessions Judge.	Government Resolution, Financial Department, No. 1877, dated 5th May 1906.	To any amount proper under the circumstances of the case, say Rs. 50.
919	To sanction conveyance allowances specified in Article 1077, Civil Service Regulations, to Upper and Lower Subordinates in the Public Works Department.	From Superintending Engineer to Executive Engineer.	Article 1077, Civil Service Regulations.	Powers at present exercised by Superintending Engineers. (The sanction given at present by the Superintending Engineers is a mere formality.)
920	To grant travelling allowance to (*a*) menials on transfer and (*b*) temporary establishment when on duty.	From Agent to the Governor, *Káthiáwár*, to Political Agent in charge of *Pránt*, and Superintendent, Managed Estates.	(*a*) Article 1107, Service Regulations. (*b*) Practice.	Powers of Agent to the Governor.
921	To countersign bills of establishment proceeding beyond jurisdiction of the district on public business.	From Commissioner to Collector.	Article 1159, Civil Service Regulations.	In the case of ministerial and menial officers. (The officer proceeds on public duty under orders of his superior, and there seems no objection if the Collector countersigns the bills as in the case of journeys within the district.)
922	To countersign travelling allowance bills.	Ditto ...	Ditto ...	In the case of Sub-Divisional Officers.
		Ditto ...	Ditto ...	In the case of Assistant and Deputy Collectors who are not in receipt of permanent travelling allowance, *e.g.*, Junior Civilians and Deputy Collectors not placed in charge of *tálukas* and Personal Assistants to Collectors, when required by Collectors to go on tour, and of subordinates deputed for training in survey.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
				(In both these cases the power might safely be granted to Collectors, who are better able to attend to the duties imposed on controlling officers by Article 1161 of the Civil Service Regulations than the Commissioners.)
		From Commissioner to Collector.	Article 1159, Civil Service Regulations, and Government Resolution, Financial Department, No. 2918, dated 27th August 1895.	In the case of salt and excise establishments subordinate to Collectors and Deputy Commissioners in Sind.
		From Director of Public Instruction to Divisional Educational Inspector.	Article 1159, Civil Service Regulations.	In the case of officers and establishments subordinate to the educational inspectors and of head masters of high schools and high school establishments, and subject to the separate allotments provided in the budget for each officer and establishment. (The employment returns of travelling officers subordinate to the inspectors were discontinued to be submitted to the Director of Public Instruction. These employment returns are recorded in the offices of the educational inspectors, and in fact there is no administrative convenience to check these bills in the office of the Director of Public Instruction. These powers have been granted to the educational inspector in Sind as per Government Resolution, Educational Department, No. 861 of 4th June 1886.)
		From Inspector-General of Police to Deputy Inspectors-General of Police.	Article 1159, Civil Service Regulations, and Government Resolution, Judicial Department, No. 4893, dated 12th September 1906.	In the case of all police officers from sub-inspectors downwards and sergeants. (At present all travelling allowance bills of police of all grades are countersigned by the Inspector-General of Police. A partial delegation of this duty will greatly relieve the pressure of work in the Inspector-General's office, where scrutiny of these bills is excessively heavy. Moreover, Deputy Inspectors-General of Police should be more in touch with the movements of the officers in their ranges and have closer personal knowledge of distances, alternative routes, etc., in their ranges. If the proposal is approved, Deputy Inspectors-General will have to be declared controlling officers to the limited extent proposed under Article 1159, Civil Service Regulations.) In the case of clerical establishments of Deputy Inspectors-General of Police, Superintendents of Police and Assistant Superintendents of Police. (If the power to countersign bills of police officers of and below the grade of sub-inspectors is delegated to Deputy Inspectors-General of Police, power to countersign bills of clerical establishments may for the same reasons be given.)
		From Commissioner in Sind to Chief Collector of Customs and Salt Revenue in Sind.	Article 1159, Civil Service Regulations.	In the case of gazetted and non-gazetted officers in the Salt and Customs Departments in Sind. (The Collector's signature might be held sufficient as in the case of Land Revenue establishments (non-gazetted).)
		From Commissioner to Superintendent of Land Records and Registration.	Ditto ...	In the case of the establishment of the Superintendent, Land Records and Registration.
		From Sanitary Commissioner to Deputy Sanitary Commissioner.	Ditto ...	In the case of vaccinators.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From District Judge to Judge of Small Causes Court and Subordinate Judge.	Article 1159, Civil Service Regulations.	In the case of subordinate establishments.
923	To determine which scale of daily allowances should be allowed to policemen of and below the rank of head constable, 3rd class (with exemption from the operation of the 10 days' halt rule), when transferred on special duty.	From Commissioner to Political Agent.	Rule 27 A on page 58, Police Manual.	Powers of Commissioner.
924	To pass travelling allowance bills in any case in which a warrant could have issued under the Credit Note System.	From Inspector-General of Police to Deputy Inspectors-General of Police.	Rule 29 A (1), page 59, Police Manual.	Full powers. (If the proposal to empower Deputy-Inspectors-General of Police to countersign travelling allowance bills is sanctioned, the present proposal follows, as a matter of course, without any change in the rule quoted in column 4.)
925	To sanction travelling allowance for journeys made by police officers without railway warrants.	From Commissioner to Political Agent.	No. 1 of the Warrant Credit Note Rules appended to Government Resolution, Judicial Department, No. 2579, dated 21st May 1904.	..... (As the system of Railway Warran Credit Note has been introduced, the correspondence and bills, etc., have been curtailed to some extent; but as police officers deputed to duty in Native States jurisdiction had sometimes to travel by rail without railway warrants, the Accountant-General raised many objections and the Commissioner, Northern Division, was requested to sanction such journeys. It causes a great de of unnecessary correspondence.) (Any indiscrimination in the exercise of this power by political agents can be checked by the Commissioner, who passes travelling allowance bills of Agency policemen, and even if the latter power is delegated to political agents, still there will be a check in the Accountant-General's office, where the bills are sent as vouchers. There is no fear of abuse nor of expense. Money has to be paid in either case.)
926	To deal with reports regarding defalcation of Government money.	From Government to Commissioner.	Article 20, Civil Account Code.	Powers of Local Government.
927	To sanction allotments for special repairs to *khárs*.	Ditto ...	Article 73, ditto ...	Up to a limit of allotment to be made for the purpose.
928	(*a*) To increase the sanctioned grants of Government medical institutions on accounts of diets, medicines and instruments, bedding and clothing, and contract contingencies. (*b*) To sanction special grants on account of special aseptic furniture, surgical instruments and medical appliances, etc., for Government medical institutions.	From Government to Surgeon-General.	Ditto ...	As the Surgeon-General's discretionary contract grant of Rs. 2,000 is not sufficient to recoup deficiencies in grants of the medical institutions, it may be increased to Rs. 10,000 so as to enable him to supplement the deficiencies under each of the detailed heads mentioned in case (*a*) in column 2. To the extent of Rs. 5,000 per annum in case (*b*) mentioned in column 2.
929	To sanction refund of law expenses incurred by Government officers.	From Government to Commissioner of Customs, Salt, Opium and Abkári.	Ditto ...	Up to the limit of Rs. 500. (*Note.*—In Financial Department letter No. 4463, dated 18th November 1907, the Government of India have been asked to permit the delegation of power to the Commissioners of Divisions and in Sind to sanction expenses incurred by public servants in defending themselves against suits or prosecutions for acts done in the discharge of their duties, subject to a limit of Rs. 500 in each case and to the expenditure being met from budget provision.)

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
930	To sanction the purchase of boats costing more than Rs. 150.	From Government to Commissioner of Customs, Salt, Opium and Abkári.	Article 73 and 75, Civil Account Code.	Up to Rs. 1,000.
931	To sanction the purchase of furniture for a newly created office.	Ditto ...	Ditto ...	Full powers.
		From Government to Inspector-General of Police.	Article 73, Civil Account Code, and paragraph 2 B (*a*) of Accountant - General's Contingent Charges Circular.	Up to Rs. 100 in the case of offices of non-gazetted police officers. (The creation of a new office having been sanctioned, a supply of furniture follows, as a matter of course, and it saves time and correspondence if power is delegated.)
932	To sanction the purchase of (i) furniture for a newly created office, and (ii) iron safes and matting irrespective of cost.	From Government to Commissioner.	Article 73, Civil Account Code, and paragraph 7 and column B (*a*) of Annexure A to Accountant-General's Contingent Charges Circular.	When the cost can be met from the contract grants of the officers concerned or from the Commissioner's discretionary grant. (Applications for the sanction of these contingencies are not of frequent occurrence, but hard and fast rules in such petty matters at times cause inconvenience, and officers in the position of Commissioners may be relied upon to use their powers with discretion.)
933	To sanction the purchase of furniture for a newly created office and for travellers' and district bungalows.	From Government to Collector.	Article 73, Civil Account Code.	Up to Rs. 200, and subject to budget provision.
934	To sanction the purchase of article falling under special contingencies, including iron safes, livestock, &c. [*Note.*—Under Government Resolution, General Department, No. 7463, dated 12th December 1907, iron safes of Indian manufacture costing not more than Rs. 300 each can be purchased by heads of offices without reference to Government.]	From Government to Inspector-General of Prisons.	Instruction No. 7 under Rule 97, and Annexure A, Bombay Treasury Manual.	In the case of purchase of safes and livestock within budget allotment.
		From Government to Lord Bishop of Bombay.	Ditto ...	In the case of purchase of safe.
		From Government to Collector.	Ditto ...	Powers of Local Government.
935	To sanction the purchase of articles of furniture for existing offices or institutions the cost of which cannot be met from provision made in the budget.	From Government to Commissioner.	Instruction No. 40 under Rule 97, Bombay Treasury Manual.	.....
936	To sanction the purchase of matting for Government offices.	From Commissioner to Collector.	Article 73, Civil Account Code, and Government Resolution, Financial Department, No. 279, dated 26th January 1903.	Up to Rs. 30, and subject to budget provision. (The Collector exercises this power when the cost can be met from his contract grant.)
937	To sanction the purchase of articles for office use.	From District Judge to Subordinate Judge.	Government Resolution, Financial Department, No. 1906, dated 21st July 1887.	To the extent of the grant allotted by the District Judge.
938	To sanction the destruction of articles of dead-stock and purchase of new articles.	From Collector to Assistant or Deputy Collector.	Practice	Within allotment.
939	To sanction the purchase of new dead - stock articles and sale of old ones.	From Collector to Mámlatdár.	.....	Up to Rs. 5 in each case.
940	To sanction section-writing and copying charges.	From Government to Inspector-General of Police.	Article 98 (*c*), Civil Account Code.	Up to Rs. 500 per year. (At times there is congestion of work in the office of the Inspector-General of Police, and the need for some provision of this sort is felt.)

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
2	2	3	4	5
941	To sanction the payment of extra remuneration for section-writing to an officer in receipt of a salary from Government.	From Government to the Honourable the Chief Justice.	Article 98 (*c*), Civil Account Code.	..... (The clerks have to be given some portion of the work of section-writing in urgent cases or with a view to reduce any heavy amount of work.)
942	To dispose of requisitions for the supply of official publications issued in India and not stocked at the Government depôt, or for an increase in the number of copies supplied.	Ditto ...	Article 98 (*d*), ditto	The presses or the publishers may be authorised to comply with the requisitions of the High Court forwarded direct to them.
943	To supply books such as Civil Service Regulations and Civil Account Code to departmental officers.	From Government to Inspector-General of Registration.	Ditto ...	Full powers.
944	To purchase books and publications. [*N.B.*—By Government Resolution, Financial Department, No. 538, dated 30th January 1908, certain Heads of Departments, Collectors, and District Judges have been empowered to purchase any book, newspaper or periodical at a cost not exceeding Rs. 10 in any one case, or Rs. 50 in the aggregate in any year.]	From Government to heads of departments.	Article 98 (*e*), ditto	Within the limit of the budget grant.
		From Government to Commissioner of Customs, Salt, Opium and Abkári.	Ditto ...	Up to the limit of Rs. 100.
		From Government to Commissioner.	Ditto ...	When the cost can be met from the contract grants of the officers concerned or from the Commissioner's discretionary grant. The proposal should cover purchase of dictionaries and commentaries on legal enactments. (Hard and fast rules in such petty matters at times cause inconvenience and the Commissioners may be relied upon to use their powers with discretion.)
		From Government to Settlement Commissioner and Director of Land Records.	Ditto ...	Rs. 50 in each case.
		From Government to Inspector-General of Registration.	Ditto ...	..... (If necessary, a proviso may be attached that the cost must be met from the contract grant.)
		From Government to Inspector-General of Prisons.	Ditto and Rule 488, Jail Manual.	For prison libraries and for reference. Within budget allotment.
		From Government to Director of Agriculture.	Ditto and Government Resolutions, General Department, No. 3360, dated 13th September 1884, and Financial Department, No. 2200, dated 7th June 1889.	Existing powers under Government Resolution, Revenue Department, No. 531, dated 23rd January 1905, to be extended to cover Indian books and periodicals and orders for foreign publications direct from home.
		From Government to Collector.	Article 98 (*e*), Civil Account Code.	Within the Collector's contract grant. (It was proposed by the Commissioners in a joint report (*vide* entry No. 4 of statement accompanying Government Resolution, Financial Department, No. 279, dated 26th January 1903) to treat this as a contract contingent item. But the proposal was negatived by Government on the Accountant-General's remarking that the sanction of the Government of India would be necessary.)
		Ditto ...	Ditto ...	Up to Rs. 25, subject to budget provision.
		From Government to High Court.	Paragraph 64 of Accountant-General's Contingent Charges Circular.	Full extent.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Government to Director of Public Instruction.	Government Resolution, Financial Department, No. 3360, dated 13th September 1884.	In entirety. (Government have placed at the disposal of the Director of Public Instruction an annual grant of Rs. 500 for the purchase of books, etc., for the use of educational officers who have no library grant of their own (*vide* Government Resolution, No. 1843, Educational Department, of 5th October 1905). But under the existing orders conveyed in Government Resolution quoted in column 4 no officer can purchase books for his contract grant without the sanction of Government. Many officers find it necessary to purchase ordinary books of reference, such as the *Times of India* Calendar, but they think it too much to trouble Government with a request in such a paltry matter.)
		From Government to Inspector-General of Police.	Government Resolution, General Department, No. 941, dated 5th March 1889.	Within budget grant and in respect to provision for his own office and those of district police officers.
		From Government to district heads of offices having contract grants.	Ditto ...	To purchase books necessary for office use, the cost being met from the contract grant.
		From Government to Commissioner of Police, Bombay.	Ditto ...	Subject to budget provision. (It often happens that books of obscene literature or objectionable character have to be purchased for police purposes. Hitherto such cost has been defrayed from the Secret Service money.)
		From Government to District Judge.	Paragraph 64 of Accountant-General's Contingent Charges Circular, and Government Resolution, General Department, No. 941, dated 5th March 1889.	Up to Rs. 50 when the cost can be met from the contract grant.
		From Government to Deputy Inspectors-General of Police.	Rule 47, page 95, and Rule (1) on page 483, Police Manual.	Within budget grant in respect to provision for their own offices.
		From Government to Subordinate Judge.	Article 98 (*e*), Civil Account Code.	Purchase of guides and petty books for ordinary use to the extent of Rs. 20 out of contract grant.
945	To sanction the local purchase of articles of stationery usually supplied by the Stationery Office.	From Government to the Honourable the Chief Justice.	Article 98 (*f*), ditto	..... (As such purchases may have to be made in case of urgency, the power to make them would appear to be necessary.)
		From Government to Commissioner.	Ditto ...	..... (In General Department letter No. 5316, dated 26th September 1902, the Government of India were asked to empower the Commissioners of Divisions to sanction charges on account of local purchase of stationery. In their letter No. 5616-S. R., dated 25th October 1902, the Government of India regretted their inability to sanction the proposal, observing that, while the proposed delegation of power would not affect much curtailment in official correspondence, it was open to the objection that it was calculated to encourage officers to obtain stationery otherwise than from the Stationery Department, which was undesirable, as the purchase of stationery in large quantities by a department established for the purpose was more economical than local purchase in small quantities by individual offices.)
		From Government to Settlement Commissioner and Director of Land Records.	Article 98 (*f*), Civil Account Code.	..... (The restriction imposed by Article 98 (*f*), Civil Account Code, at present entails considerable inconvenience.)

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Government to Superintendent of Stationery.	Article 98 (*f*), Civil Account Code.	.....
		From Government to Commissioner of Police, Bombay.	Government Resolution, General Department, No. 3659, dated 6th July 1892.	.....
946	To purchase from the local market articles of European manufacture costing more than Rs. 50.	From Government to the Honourable the Chief Justice.	Article 98 (*k*), Civil Account Code.	..... (As such purchase may have to be made in cases of urgency, the power to make them would appear to be necessary.)
		From Government to Heads of offices.	Ditto ...	Within budget allotment. (Except in the case of machinery and articles requiring special expert knowledge for their selection, European stores can be obtained as cheaply in this country as by indent on the India Office ; also better, because the officer interested in the matter can see and choose exactly what suits his requirements.)
		From Government to Commissioner.	Ditto ...	When the cost can be met from the contract grants of the officers concerned or from the Commissioner's discretionary grant. (Hard and fast rules in such petty matters at times cause inconvenience, and Commissioners may be relied upon to use their powers with discretion.)
		From Government to Commissioner of Customs, Salt, Opium and Abkári.	Ditto ...	Up to Rs. 100.
		From Government to Inspector-General of Prisons.	Ditto ...	Up to Rs. 200.
		From Government to Director of Public Instruction.	Ditto ...	In entirety.
		From Government to District Judge.	Ditto ...	Ditto.
		From Government to Conservator of Forests.	Government Resolution, General Department, No. 568, dated 26th January, 1900.	Ditto.
		From Government to Collector of Bombay.	.....	In the case of stores paid for from the Steam Boiler Inspection Fund. (This fund is an incorporated local fund to which the rules regarding the purchase locally of stores of European manufacture chargeable to general revenues apply.)
947	To purchase articles of European manufacture costing more than Rs. 50.	From Government to Surgeon-General.	Article 98 (*k*), Civil Account Code.	The submission to Government of home indents for special aseptic furniture, surgical instruments and medical appliances, etc., for Government medical institutions to be dispensed with and the Surgeon-General to be authorized to permit officers to obtain from home firms direct articles of European manufacture so as to ensure prompt delivery.
		From Government to Director of Agriculture.	Article 98 (*k*), Civil Account Code, and Government Resolutions, Financial Department, No. 595, dated 13th February 1883, and General Department, No. 1809, dated 1st April 1902.	To purchase stores required for experimental purposes direct from makers in England and other countries instead of by indent on the Director-General of Stores, through Government. (Under the present procedure stores cannot be ordered direct from England, and the Director is required to send annually to Government a forecast of stores on 1st August and indents in printed forms on 15th May following. The experimental work is delayed for want of ready means of obtaining stores when required. Under Article 98 (*k*) of the Civil

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
			Account Code, chemicals and apparatus required by Bacteriological or Pathological Laboratories may be obtained direct from the manufacturers or agents in England instead of through the Stores Department of the India Office, within the limit of the funds annually allotted for the purpose of each laboratory. Similarly, the Provincial Agriculture Departments can obtain the agricultural implements and machinery they require direct from the makers in England or America, provided that the annual expenditure incurred in each province does not exceed Rs. 4,000 and that the orders are confined to articles required for purely experimental purposes.)	
948	To sanction recurring contingent charges.	From Government to Commissioner.	Article 98 (*m*), Civil Account Code.	When the recurring charge does not exceed Rs. 3 per mensem.
949	To sanction contingencies to *talátis*.	Ditto ...	Ditto ...	According to scale.
950	To sanction office rent ...	From Government to Inspector-General of Registration.	Ditto ...	Up to Rs. 50 per annum.
		From Government to Commissioner of Customs, Salt, Opium and A'bkári.	Ditto ...	Up to the limit of Rs. 100.
		From Government to Inspector-General of Police.	Ditto ...	Up to the limit of Rs. 15. (In every case the Executive Engineer has to certify that there is no suitable building available, and if the need is absolute, there is no alternative for Government but to sanction rent that may be necessary. To save correspondence and delay in minor cases, such as renting offices for police stations (there will be many applications for some years as stations are opened), the power asked for seems expedient.) (NOTE.—In Financial Department letter No. 4463, dated 18th November 1907, the Government of India have been asked to permit the delegation of powers to the Commissioners, Commissioner of Customs, Salt, Opium and A'bkári, Inspector-General of Police, Inspector-General of Registration and certain other Heads of Departments to sanction within budget provision rent on account of lands and buildings leased by Government up to Rs. 100 a year in each case, subject to the Executive Engineer's certificate prescribed in Article 98 (*n*) of the Civil Account Code.)
		From Government to Collector.	Article 98 (*m*). Civil Account Code.	Up to Rs. 30, and subject to budget provision.
		From Government to District Judge.	Ditto ...	In respect of Joint or Additional Sub-Judges when the total annual expense does not exceed Rs. 100 a year and the amount is available from the budgetted grant.
		From Government to Conservator of Forests.	Article 156, Forest Department Code.	Rent exceeding Rs. 20 per mensem in any one case, or Rs. 200 per mensem for the whole circle.
951	To grant free quarters to police sub-inspectors.	From Government to Inspector-General of Police.	Article 1068 (V), Public Works Department Code; and Goverment Resolution, Judicial Department, No. 2362, dated 19th April 1907.	With respect to granting house rent until quarters are built, subject to the limitation of Rs. 15. (Applications for house rent are likely to be numerous for some years as new stations are opened. As it has been ruled that sub-inspectors should be provided with free quarters, it follows that, pending the provision of Government quarters, rent in lieu should be granted. It will save time and correspondence if the power proposed is delegated to the Inspector-General of Police.)
952	To grant free quarters to police inspectors.	Ditto ...	Government Resolution, Judicial Department, No. 2362, dated 19th April 1907.	Discretion to sanction the use of vacant Government quarters, if any exist, free of rent. Should such quarters be available in buildings outside the control of the Inspector-General of Police, the authorities concerned should be consulted before sanction is accorded.

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
953	To authorise excesses over the limit of Rs. 6 per man for providing temporary accommodation for policemen stationed in infected areas.	From Government to Inspector-General of Police.	Government Resolution, Judicial Department, No. 9318, dated 21st December 1897.	To the limit of Rs. 10 per man under exceptional circumstances. (This will save unnecessary reference to Government and time in emergencies.)
954	To sanction the cost of temporary accommodation for police in infected areas.	From Inspector-General of Police to Deputy Inspectors-General of Police and District Superintendent of Police.	Government Resolutions, Judicial Department, Nos. 9318 and 1003, dated 21st December 1897 and 25th February 1905, respectively.	Deputy Inspectors-General to sanction expenditure over Rs. 30 within the allotted grant and subject to Standing Orders on the subject. District Superintendents of Police to incur expenditure up to Rs. 30 in emergencies, subject to Standing Orders and confirmation by Deputy Inspectors-General of Police. (Devolution of power is urgently called for here as often valuable time is lost in securing what is after all a formal sanction. Moreover, the limit of expenditure per man and the circumstances under which it may be incurred are clearly defined in the orders of Government.)
955	To sanction regularly recurring expenditure of the nature of rent for houses or land.	From Conservator of Forests to Divisional Forest Officer.	Article 156, Forest Department Code.	Not exceeding Rs. 20 in any one case, or Rs. 200 for the whole division.
956	To obtain type-writers from the Stationery Office.	From Government to the Honourable the Chief Justice.	Article 98 (*v*), Civil Account Code.	.....
		From Government to Commissioner.	Ditto ...	.....
		From Government to Sanitary Commissioner.	Ditto ...	For the offices of the Sanitary Commissioner and the Deputy Sanitary Commissioners.
957	To sanction the purchase of type-writers.	From Government to Surgeon-General.	Government Resolution, Financial Department, No. 1064, dated 1st March 1899.	.....
958	To sanction allotments for repairs to boundary marks applied for by Collectors.	From Government to Commissioner.	Article 114, Civil Account Code.	In all cases of recoverable advances.
959	To sanction excess charge in respect of clothing of office *peons*.	From Government to Accountant-General.	Article 278–A, ditto	The Accountant-General sanctions an increase of Re. 1 at present and has this power generally in respect of all objections. This limit may be increased to Rs. 5 or even Rs. 10 to save many petty references to Government and objections which are withdrawn after much correspondence. (The cost of the correspondence is usually greater than the interests of the State.)
960	To utilise unexpended balance in any year's clothing budget.	From Government to Deputy Inspectors-General of Police.	Rule 18 (2), page 168, Police Manual.	To add the balance to the next year's provision and utilise it, if required, without being budgetted for. (This should prevent grants lapsing at the end of the quinquennial period, and enable Superintendents to make use of the previous year's balance, if any, for unforeseen expenditure. This proposal follows the lines of the contract grant, which the capitation grant practically is.)
961	To sanction the supply of clothing to *peons* on temporary establishments.	From Government to Conservator of Forests.	Government Resolution, Financial Department, No. 1079, dated 24th March 1891.	..... (Conservators might be given the authority, as it is they who are to decide whether the establishment will be entertained for two complete years for which the supply of clothing is intended to last.)
962	To sanction expenditure on police clothing.	From Inspector-General of Police to Deputy Inspectors-General of Police.	Rule 10, page 84, and Rule 24, page 173, Police Manual.	Within budget provision and in accordance with Standing Orders. (The Inspector-General of Police has not the same time for inspection as the Deputy Inspectors-General have.)

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
		From Inspector-General of Police to Superintendent of Police.	Rule 24, page 173, Police Manual.	Up to Rs. 50 instead of Rs. 20.
963	To authorise biennially expenditure on account of clothing, *kamlis* and umbrellas to *peons*.	From District Judge to Subordinate Judge.	.....	.....
964	To sanction unusual expenditure of a novel, doubtful or irregular nature in the Forest Department.	From Government to Conservator of Forests.	Article 159, Forest Department Code.	The limit of the Conservator's power might be raised from Rs. 100 to Rs. 500.
965	To sanction additional contingent expenditure on account of railway police.	From Government to Inspector-General of Police.	Rule 15, page 435, Police Manual.	After obtaining concurrence of the agent.
966	To sanction municipal water tax and *hahálkhor* tax.	From Government to District Judge.	Paragraph 70 of Accountant-General's Contingent Charges Circular.	Full powers of Local Government.
967	To sanction special rewards above Rs. 100 to policemen and others in criminal cases.	From Government to Inspector-General of Police.	Annexure A of Accountant-General's Contingent Charges Circular.	To the extent of Rs. 500.
968	To sanction rewards to informers and others for the successful detection of crime and apprehension of criminals.	Ditto ...	Rules (1) and (2), pages 246 and 247, Police Manual.	To the extent of Rs. 500 in each case both on railways and in districts. (In Eastern Bengal the powers here asked for have been accorded.)
		From Inspector-General of Police or Commissioner to Deputy Inspectors-General of Police.	Rules on pages 246 and 247, Police Manual.	Up to Rs. 200 and within budget provision if the limit of the Inspector-General's power is raised from Rs. 200 to Rs. 500.
		From District Magistrate to District Superintendent of Police.	Rules on page 246, Police Manual, and Rule 9 (*b*) on page 249, Police Manual, and Government Resolution, Judicial Department, No. 8809, dated 10th December 1900.	Beyond Rs. 20 and up to Rs. 50 from countersigned contingencies grant. (The proposal will save correspondence and give Superintendents a freer hand.)
969	To grant rewards in A'bkári cases and to sanction expenditure incurred in making payments to informers as *Batmi* expenses.	From Commissioner of Customs, Salt, Opium and A'bkári to Collector.	Rules under section 59, Bombay A'bkári Act, 1878.	Up to Rs. 25 in each case even though fine may not have been inflicted and there may not have been any proceeds from confiscated property.
970	To grant rewards in A'bkári cases.	From Collector to Assistant Collector of Excise.	Ditto ...	Cases for special rewards should only be submitted for order of Collector. (The Assistant Collector of Excise being concerned chiefly with the administration of the A'bkári Act knows best the amounts of reward which should be granted, having regard to the skill exhibited by various detectors.)
971	To offer special rewards for killing man-eaters.	From Commissioner to District Magistrate.	Paragraph 88 of Accountant-General's Contingent Charges Circular.	Up to Rs. 200.
972	To grant rewards for special exertions in the recovery of amounts due to Government under decrees.	From Remembrancer of Legal Affairs to Collector.	No. 141 of the Rules for the conduct of legal affairs of Government.	Full authority.
973	To grant rewards in salt cases.	From Collector to Assistant or Deputy Collector by virtue of his office instead of by name.	Government Resolution, Revenue Department, No. 1658, dated 1st April 1878.	.....

Financial Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
974	To grant rewards in opium cases.	From Collector to Assistant Collector of Excise.	Government Resolution, Revenue Department, No. 1164, dated 17th February 1903.	Cases for special rewards should only be submitted for order of Collector. (The Assistant Collector of Excise being concerned chiefly with the administration of the Opium Act knows best the amounts of reward which should be granted, having regard to the skill exhibited by various detectors.)
975	To dispose of Government buildings no longer required for their original purpose.	From Government to Commissioner.	Government Resolution, Financial Department, No. 1529, dated 17th June 1887.	Buildings not exceeding Rs. 10,000 in value, such as abandoned *kacheris*, post offices, etc.
976	To sanction triennial contracts for conservancy work in Bombay City Hospitals.	From Government to Surgeon-General.	Government Resolution, General Department, No. 1188, dated 2nd April 1894.	Powers of Local Government.
977	To sanction the payment of fees to an interpreter who is not in Government service.	From Government to Collector and District Magistrate.	Government Resolution, Financial Department, No. 3888, dated 12th October 1906.	Up to Rs. 10 a day.
978	To sanction grant-in-aid to a leper asylum.	From Government to Commissioner.	Practice	From a grant to be made to the Commissioner for contributions to such institutions.
979	To sanction the printing of forms and any other matter required for the Registration Department.	From Government to Inspector-General of Registration.	.....	Full power.
980	To sanction charges for delivery of the official post to Divisional Forest Officers in special bags at the various post towns in the district.	From Government to Conservator of Forests.	.....	Powers of Local Government.
981	To utilise *chowra* allowance towards the construction or repairs of *chárdis*.	From Government to Collector.	.....	..... (*Chowra* allowances lapse at the end of the year owing to the circumstance that some villages do not happen to possess *chowras*. These lapses in the Ahmedabad District amounted— in 1901-02 to Rs. 305 „ 1902-03 „ 590 „ 1903-04 „ 408 „ 1904 05 „ 404 „ 1905-06 „ 485. The allowances can be utilized as proposed only on the understanding that the amount for a particular village under the sanctioned scale should not be exceeded without the sanction of Government. This would involve frequent and needless references.)
982	To sanction expenditure in connection with petty construction.	From Commissioner to Collector.	Article 73. Civil Account Code.	Up to Rs. 500, and subject to budget provision.
983	To sanction the construction of any new forest building costing less than Rs. 2,500.	From Commissioner to Conservator of Forests.	Government Resolution, Revenue Department, No. 4968, dated 11th August 1900.	Within the sanctioned allotment of each division and in cases in which the charge has not been included in the budget, but its necessity, after the submission of it, is urged.
984	To sanction expenditure on frontier boundary marks.	From Commissioner to Collector.	Item No. 10 (*b*) of the statement accompanying Government Resolution, Financial Department, No. 279, dated 26th January 1903.	Up to any extent.
		Ditto ...	Government Resolution, Revenue Department, No. 2754, dated 23rd April 1891.	To the extent of budget estimate.
985	To sanction the cost of and repairs to boundary marks between Sind and Native States.	Ditto ...	Government Resolutions, Financial Department, No. 720, dated 8th March 1887, and Revenue Department, No. 2754, dated 21st April 1891.	Within budget limits. (Bounded as the Thar and Párkar District is on all sides by Native States, the Deputy Commissioner might well be given this power to the extent of the amounts sanctioned in the budget estimates.)

Financial Department—concluded.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
986	To sanction expenditure on petty construction and repairs.	From District Magistrate to Deputy Inspectors-General of Police.	Rule 10 on page 84, Police Manual, and Government Resolutions, Judicial Department, No. 3639, dated 7th July 1906, and No 5058, dated 21st September 1906.	Expenditure in excess of Rs. 50.
		From District Magistrate to District Superintendent of Police.	Government Resolution, Judicial Department, No. 3031, dated 3rd June 1903.	Above Rs. 50 and up to Rs. 100.
987	To sanction expenditure on boundary marks in Government waste lands.	From Collector to Sub-Divisional Officer.	Government Resolution, Financial Department, No. 279, dated 26th January 1903.	Up to Rs. 50 in each case.
988	To pass charges for postal money order commission.	From Head of AccountOffice to Collector.	Article 98 (*r*), Civil Account Code.	When the commission paid does not exceed annas 8.
989	To sanction expenditure in connection with— (*a*) *post-mortem* examination charges, (*b*) materials for local repairs, including re-browning, under the head component parts of arms, (*c*) purchase of and repairs to targets, (*d*) repairs to handcuffs and bugles.	From Commissioner in case (*a*) and Inspector-General of Police in cases (*b*), (*c*) and (*d*) to District Superintendent of Police.	Rule 12, page 54, Police Manual.	To the limit of budget provision. (In respect to (*b*), (*c*) and (*d*) District Superintendents have at present authority to sanction expenditure up to Rs. 10.)
990	To sanction the purchase of accoutrements.	FromInspector-General of Police to Deputy Inspectors-General of Police.	Rule 10, page 84, Police Manual.	Subject to budget provision and in accordance with Standing Orders.
991	To sanction payment of orphan grants.	From Director of Public Instruction to Inspector of European Schools.	Government Resolution, Educational Department, No. 4617, dated 6th December 1881.	Power to pass the grants and countersign bills on account of them to the extent of the budget allotment, a consolidated list of grants being submitted to the Director of Public Instruction annually.
992	To authorize the sale or destruction of damaged books issued to Collectors for sale or for use.	From Commissioner to Collector.	Government Resolution, General Department, No. 3321, dated 11th August 1883.	Extent unlimited. (There is no reason why this power should now be retained by higher authority.)
993	To sanction expenditure on medicines, &c., during epidemics.	Ditto ...	Government Resolution, General Department, No. 137, dated 13th January 1891.	Up to Rs. 500. (During epidemics prompt measures have to be taken to afford relief to the sufferers.)
994	To sanction expenditure in connection with *darbár* presents.	Ditto ...	Government Resolution, Financial Department, No. 279, dated 26th January 1903.	Up to Rs. 50, and subject to budget provision.
995	To dispense with the annual certificate regarding funds held in trust for a public or *quasi*-public purpose.	.....	Government Resolution, Financial Department, No. 2373, dated 9th July 1902.	The submission of the certificate to Government may be done away with when no funds of the nature referred to are held in trust.
		Public Works Department.		
996	Sanction to estimates and allotments for additions and alterations to Church of England buildings and for supply and repair of furniture for them.	From Government to Lord Bishop of Bombay.	Public Works Department Code, Vol. II, Appendix 10, Part IV, Rules XXIII and XXIV and paragraph 5 of Government Resolution No. A-529, dated 28th February 1903.	Up to the limit of Rs. 1,500 in each case on the understanding that, before any expenditure is incurred, the estimate shall be approved by the Superintending or Executive Engineer as the case may require, in consultation with the Examiner of Public Works Accounts.

Public Works Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
997	Transfer of furniture from one church to another.	From Government to Lord Bishop of Bombay.	Public Works Department Code, Vol. II, Appendix 10, Part IV, Rule XXIV.	The power of the Local Government, subject to Rule XXIV of Appendix 10, Part IV, Public Works Department Code, Vol. II, and also subject to the condition that a demand should never be made for supply of new furniture to a church from which furniture had been transferred.
998	Administrative approval to Salt Minor Works and allotment of funds.	From Government to Commissioner of Customs, Salt, Opium and Abkári, and Commissioner in Sind.	Public Works Department Code, paragraph 981, and Government Resolution (Public Works Department) No. A—2648, dated 21st October 1904.	The existing limit of according administrative approval may be raised from Rs. 500 to Rs. 5,000 and that of allotting funds from Rs. 2,500 to Rs. 5,000.
999	Dismantlement or sale of permanent provincial public buildings.	From Government to Superintending Engineer.	Public Works Department Code, Vol. I, paragraph 1057.	To demolish buildings costing not more than Rs. 5,000 in consultation with the Heads of Departments concerned (except in the case of purely Public Works department buildings in which the Superintending Engineers might act on their own authority) that they are not required by the departments to which they belong and with the Commissioners concerned that they are not required by any other department.
		From Government to Executive Engineer.	.....	To demolish in consultation with the local Heads of Departments concerned, buildings costing not more than Rs. 500 in the case of selected Executive Engineers and Rs. 200 in the case of all Executive Engineers.
1000	Exemption from the payment of rent, under the circumstances mentioned in paragraph 1067 of Public Works Department Code, Volume I, of the incumbent of an appointment for whose benefit a house has been constructed, purchased or leased by Government.	From Government to Superintending Engineer.	Public Works Department Code, Vol. I, paragraph 1067.	To exercise full powers of the Local Government in consultation with the Examiner of Public Works Accounts in the case of Public Works Department Officers.
		From Government to Commissioner.	.....	To exercise full powers of the Local Government in consultation with the Superintending Engineers concerned and the Examiner in the case of officers other those of the Public Works Department.
1001	Write-off of a portion of the original capital cost of a residential building when any portion thereof having been ruined by a natural calamity is renewed.	From Government to Superintending Engineer.	Public Works Department Code, Vol. I, paragraph 1068 I (*h*).	Full powers of the Local Government.
1002	Remission or reduction of rent when a building in Class I is occupied by an official who, under a special or general order of the Government of India, is entitled to accommodation rent-free or at rents assessed otherwise than as provided in Rule I under paragraph 1068 of Public Works Department Code.	Ditto ...	Ditto paragraph 1068 II (*a*).	To exercise full powers of the Local Government in consultation with the Examiner of Public Works Accounts.
1003	Transfer of public buildings to local bodies on condition of keeping them in repair, &c.	Ditto ...	Ditto ... Note under paragraph 1068, XII.	To transfer buildings costing not more than Rs. 5,000, in consultation with the Heads of Departments concerned, and to impose the necessary conditions as to up-keep, additions and alterations, &c., and to the buildings and land reverting to Government when no longer required for the purpose for which they were lent.
1004	Purchase of office furniture and supply of tents.	Ditto ...	Ditto paragraphs 303, 709 and 714.	The present limit of Rs. 50 for each set of purchase may be raised to Rs. 1,000.
1005	Entertainments of special police guards by the local officers for the protection of treasure or valuable Government property in cases where the Police Department is unable to supply a guard from the regular police force.	Ditto ...	Ditto paragraphs 716 and 1151.	Full powers of the Local Government.

Public Works Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
1006	Local purchase of stationery and drawing materials which are obtainable from the Superintendent of Stationery and the Executive Engineer, Presidency or Karáchi, respectively, but which for any special reasons have to be purchased in the local market.	From Government to Superintending Engineer.	Public Works Department Code, Vol. I, paragraphs 721 and 727.	To sanction purchases up to Rs. 50 for special purposes.
		To Executive Engineer.		To sanction purchases up to Rs. 10 for special purposes.
1007	Purchase of type-writers required for use in the offices of the local officers.	From Government to Superintending Engineer.	Ditto paragraphs 729, clauses (3) and (4).	Full powers of the Local Government.
1008	Local purchase, under special circumstances, mentioned in Rule I of Appendix 30, of articles of foreign manufacture other than those the purchase of which is absolutely prohibited in Rule 2 of the same Appendix.	Ditto ...	Public Works Department Code, Vol. II, Appendix 30, Rule 3.	The present limit of Rs. 1,000 for the purchase of each article or any number of similar articles purchased at one time may be raised to Rs. 2,500.
		To Executive Engineer, or Assistant Engineer holding charge of a district.		The present limit of Rs. 200 for each article or any number of similar articles purchased at one time may be raised to Rs. 1,000.
1009	Recovery of contribution (in connection with contribution works undertaken by the department) by suitable instalments on fixed dates instead of in advance.	From Government to Superintending Engineer.	Public Works Department Code, Volume I, paragraph 1013.	Full powers of the Local Government to fix amounts and dates of payment of instalments.
1010	Purchase of live-stock ...	Ditto ...	Ditto paragraph 303.	Up to Rs. 500 per district per annum.
1011	Sanction to the payment of law charges.	Ditto ...	Ditto paragraph 1379.	To authorize the payment of law charges, after being taxed, in cases where the institution or defence of the suit has been sanctioned by Government.
1012	Supply, free of charge, in special cases, of copies of the Public Works Department Code, Volume I, to Sub-Overseers who understand English.	Ditto ...	Ditto paragraph 519.	A limited number of copies might be supplied to Superintending Engineers and they might be empowered to distribute them to individual sub-overseers under their control without reference to Government.
1013	Allotment of funds from the lump-sum discretionary grant for Minor Works under "45.—Civil Works."	Ditto ...	Ditto paragraph 311 (*g*).	The Limit of "Minor Works" as defined in paragraph 2026 of Public Works Departments Code, Volume II, might be raised from Rs. 2,500 to Rs. 5,000 and the Superintending Engineers authorized to allot funds up to Rs. 5,000.
1014	Acceptance of tenders for contracts for sanctioned original works.	Ditto ...	Ditto paragraph 900, and Government Resolution (Public Works Department) No. 154E —741, dated 9th May 1892.	To have power to accept tenders without limit. (At present Superintending Engineers can accept tenders up to Rs. 20,000.)
1015	Allotment to funds for provincial tools and plant.	Ditto ...	Ditto paragraph 311 (*g*) and Government Resolution (Public Works Department) No. A—3031, dated 14th December 1905.	Superintending Engineers might have power to allot funds up to Rs. 5,000. (At present the Superintendent Engineers can sanction allotments up to Rs. 2,500.)
1016	Allotment of funds for works under "43.—Minor Works and Navigation" from the lump-sum Minor Works grant.	Ditto ...	Ditto paragraph 311 (*g*) and Government Resolution (Public Works Department) No. 31 A.I. —293, dated 16th February 1893; No. A.I. — 1855, dated 24th July 1902; and No. A —3031, dated 14th December 1905.	Up to the limit of Rs. 5,000. (At present Superintending Engineers in the Deccan and Gujarát can sanction allotments up to Rs. 2,500 and those in Sind up to Rs. 4,000.)
		From Government to Executive Engineer.	.....	All Executive Engineers up to Rs. 500 and selected officers up to Rs. 2,500, administrative approval being obtained in all cases from Superintending Engineers.

Public Works Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
1017	Allotment of funds for works under "42—Major Works—Working Expenses."	From Government to Superintending Engineer. Executive Engineers.	Public Works Department Code, Vol. II, paragraph 2107.	Up to the limit of Rs. 5,000. All Executive Engineers up to Rs. 500 and selected officers up to Rs. 2,500, administrative approval being obtained in all cases from Superintending Engineers.
1018	Re-appropriation of funds from one original work in progress to another original work in progress or from extensions and improvements to maintenance and repairs or *vice versâ* under "42—Major Works—Working Expenses" and "43—Minor Works and Navigation."	From Government to Superintending Engineer.	Public Works Department Code, Vol. II, paragraph 2107 and Government Resolutions (Public Works Department) No. A.I.—682, dated 15th March 1902, and No. A.-3031, dated 14th December 1905.	Up to the limit of Rs. 10,000, re-appropriations to or from works sanctioned by Government being reported immediately to Government. (At present the Superintending Engineers can sanction re-appropriations, up to their power of sanctioning estimates, only from extensions and improvements to maintenance and repairs and *vice versâ* under "43—Minor Works and Navigation.")
1019	Re-appropriation of funds for Irrigation Works under "35—Protective Irrigation Works" and "49—Irrigation Works."	Ditto ...	Public Works Department Code, Vol. II, paragraph 2107.	Up to the limit of Rs. 10,000, re-appropriations to or from works sanctioned by Government being reported immediately to Government.
1020	Extensions of dates of completion fixed for works sanctioned by the Local Government under the Open Capital Account Rules.	Ditto ...	Ditto paragraph 2155—VI 2209—VI.	Full powers.
1021	Grant of presidency allowance.	From Government to Superintending Engineer, Northern Division, Consulting Architect to Government, and Examiner of Public Works Accounts.	Public Works Department Code, Vol. I, paragraph 36.	The same powers as are at present exercised by the Local Government.
1022	Grant of sub-divisional allowance to sub-overseers when placed in charge sub-divisions.	From Government to Superintending Engineer.	Ditto paragraph 39.	Ditto ditto.
1023	Formation of new sub-divisions.	Ditto ...	Ditto paragraph 314.	Ditto ditto.
1024	Grant of transit pay and travelling allowance to temporary establishment.	Ditto ...	Ditto paragraph 474.	The same powers as are at present exercised by the Local Government.
1025	Professional examination of Assistant Engineers.	Ditto ...	Ditto paragraphs 169 to 171.	The Superintending Engineers may have power to convene committees for the professional examination of Assistant Engineers and to forward the information required by paragraph 169 of the Public Works Department Code with the Committee's reports regarding the results of the examinations.
1026	Journeys beyond jurisdiction	Ditto ...	Ditto paragraph 478 and Articles 57 and 58 of the Civil Service Regulations.	The Superintending Engineers may have power to sanction journeys beyond their jurisdiction of officers and subordinates serving under them, the purpose of journeys being clearly explained in travelling journals.
1027	Colloquial examination of Assistant Engineers.	Ditto ...	Ditto paragraph 175.	Same powers as are at present exercised by the Local Government.
1028	Appointments and promotions of Accountants which require approval of the Local Government.	From Government to Accountant-General and Examiner of Public Works Accounts.	Ditto paragraphs 101 and 102.	The power to appoint and promote Accountants, 4th and 3rd Grades, may be given to the Examiner and the power to promote above the 3rd Grade may be delegated to the Accountant-General, Public Works Department, whose approval is now necessary before the Local Government can promote Accountants.
1029	Grant of two periodical increments of Rs. 50 per month each to Accountants, 1st Grade, of long and meritorious service.	From Government to Examiner of Public Works Accounts.	Ditto paragraph 25.	The Examiner may have the power to sanction these increments.

Public Works Department—cont.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
1030	Grant of minimum pay of Rs. 80 per mensem to Accountants, 4th Grade, while on probation.	From Government to Examiner of Public Works Accounts.	Public Works Department Code, Vol. I, paragraph 26.	The Examiner may have the power to grant the minimum pay of Rs. 80 per mensem to Accountants, 4th Grade, while on probation.
1031	Sanction to the sale of surplus articles at site of any work at their full value.	From Government to Executive Engineer.	Ditto paragraph 347.	To raise the present limit of Rs. 200 to Rs. 500 in the case of all Executive Engineers, and to Rs. 1,000 in the case of selected Executive Engineers.
1032	Sanction to the sale of articles on the stock accounts for the full value plus the usual charge of 10 per cent.	Ditto ...	Ditto paragraph 347.	Ditto ditto.
1033	Re-arrangement of existing sub-divisions.	Ditto ...	Ditto paragraph 314.	The Executive Engineers may have power to sanction re-arrangement of sub-divisions but not to form new sub-divisions.
1034	Acceptance of tenders for contracts for sanctioned original works.	Ditto ...	.....	All Executive Engineers up to the limit of Rs. 5,000 and selected Executive Engineers up to Rs. 50,000.
		From Government to Assistant Engineers, 1st Grade.	.....	Up to Rs. 500.
1035	Delegation of increased powers to selected Executive Engineers authorised by the Code rules.	From Government to Superintending Engineer.	Public Works Department Code Rules.	The Superintendng Engineers may be authorised to delegate increased powers to selected Executive Engineers within Code limits or to rescind powers that have been given if they are not judiciously exercised.
1036	Re-appropriation of funds from one original work in progress to another original work in progress under "45—Civil Works—Provincial," "33—Famine Relief," "44—Military Works — Imperial" and "45—Civil Works—Imperial."	Ditto ...	Government Resolution (Public Works Department) No. A—3031, dated 14th December 1905.	Superintending Engineers might have power to sanction re-appropriations up to Rs. 10,000 for works under "45—Civil Works—Provincial," and "33—Famine Relief" and only for B. Class works under "44—Military Works—Imperial" and "45—Civil Works—Imperial," re-appropriations to or from works sanctioned by Government being reported immediately to Government.) (At present the Superindenting Engineers can sanction re-appropriations under the fund heads quoted up to Rs. 2,500.)
1037	Registers of landed property	From Government to Superintending Engineer and Examiner of Public Works Accounts.	Government Resolution (General Department) No. 3000, dated 10th June 1903.	The Superintending Engineer may have power to record registers of Assistant Engineers, and upper and lower subordinates, and the registers of Accountants may be recorded in the office of the Examiner of Public Works Account.
1038	Call for plans and estimates for, and according administrative approval to, provincial works and allotment of funds therefor from the discretionary grants.	From Government to Commissioners, Surgeon-General, Director of Public Instruction, Inspector-General of Prisons, Inspector-General of Police and Director of Agriculture.	Government Resolution (Public Works Department) No. A–529, dated 28th February 1903.	Up to the limit of Rs. 5,000. This limit will also hold good in the case of residential buildings, provided that Government have determined that residences should be built for particular officers or class of officers and provided also that the rent, calculated under the rules in paragraph 1068 of Public Works Department Code, Vol. I., will not exceed 8 per cent. of the salary and allowances, if any, of the officers who will usually occupy them.
1039	Purchase of office furniture and supply of tents.	From Superintending Engineer to Executive Engineer.	Public Works Department Code, Vol. I, paragraphs 303, 709 and 714.	The present powers of Superintending Engineer, *i.e.*, up to a limit of Rs. 50 for each set of purchase.
1040	Sanction to expenditure on printing locally forms, conditions of contract, specifications, schedule of rates, &c.	Ditto ...	Ditto paragraph 734.	Full powers of a Superintending Engineer.
1041	Issue of orders for the disposal of all unserviceable or surplus stores.	Ditto ...	Ditto paragraphs 311 (*y*) and 1590.	Ditto ditto.

Public Works Department—concluded.

Serial No.	Nature of the power.	From and to whom to be delegated.	Existing rule or authority.	Extent of delegation proposed.
1	2	3	4	5
1042	Sanctioning the writing off the returns of tools and plant of all tools and plant the full value of which has been recovered.	From Superintending Engineer to Executive Engineer.	Public Works Department Code, Vol. I, paragraph 347.	The present powers under Public Works Department Code, Vol. I, paragraph 347 (*b*—*i*) may be enlarged in the case of selected Executive Engineers so as to cover cases in which even part values have been recovered for some causes which the Executive Engineer considers reasonable.
		From Executive Engineer to Assistant Engineer.	.....	The present powers of Executive Engineers under paragraph 347 (*b*—*i*) of Public Works Department Code, Vol. I, *i.e.*, to accord the necessary sanction when the full value has been recovered.
1043	Purchase of materials from any Government workshop authorized to undertake work for other departments.	From Superintending Engineer to Executive Engineer.	Public Works Department Code, Vol. I, pararaph 1412.	The present limit of Rs. 500 may be abolished and the Executive Engineers may be authorized to exercise full powers of a Superintending Engineer.
1044	Conveyance of furniture and tents from one office to another.	Ditto ...	Ditto paragraph 713.	Full powers of a Superintending Engineer.
1045	Establishment of a treasure chest for a sub-division.	Ditto ...	Ditto paragraph 1143.	Ditto ditto.
1046	Appropriation of the provision for contingencies to new works or repairs not provided for in the estimate.	Ditto ...	Ditto paragraphs 347 (*e*) and 786.	All Executive Engineers up to the limit of Rs. 500 and selected Executive Engineers up to Rs. 2,500.
1047	Sanction to repairs including those for other departments within the assignments made by the Superintending Engineers from the budget allotments.	Ditto ...	Ditto paragraphs 339, 340 and 347 (*f*).	Ditto ditto.
1048	Fixing of headquarters of Sub-Divisional Officers (Assistant Engineers).	Ditto ...	Ditto paragraph 348.	The Executive Engineers may have power to fix headquarters of Sub-Divisional Officers (Assistant Engineers under Executive Engineers) without reference to Superintending Engineer.
1049	Grant of advance of pay and travelling allowance.	Ditto ...	Ditto paragraph 503.	The Executive Engineers may have power to grant advances within the limits laid down to Assistant Engineers and Subordinates, etc.
1050	Grant of sub-divisional allowance to upper subordinates in charge of sub-divisions.	Ditto ...	Ditto paragraph 39.	The Executed Engineers may have power to sanction sub-divisional allowances to upper subordinates in charge of sub-divisions.
1051	Approval to place an Assistant Engineer or a subordinate in charge of a subdivision.	Ditto ...	Ditto paragraph 315.	The Executive Engineers may have full control in this matter.
1052	Allotment of funds for original works and repairs.	Ditto ...	.....	All Executive Engineers up to Rs. 500 and selected Executive Engineers up to Rs. 2,500, administrative approval being obtained in all cases from the Superintending Engineer. (At present all Executive Engineers can allot funds up to the limit of Rs. 200 and selected Executive Engineers up to Rs. 500.)
1053	Travelling allowance journals of Assistant Engineers and Sub-Divisional Officers.	Ditto ...	.....	The Executive Engineers may be made the controlling officers for journals of Assistant Engineers and Sub-Divisional Officers.
1054	Certificates regarding charges for entertainment of *khalásis* or tent-pitchers engaged for pitching Government tents used wholly or partly for office purposes by officers on tour.	Ditto ...	.....	The Executive Engineers may have power to countersign certificates of charges for carriage of tents of Sub-Divisional Officers and Engineer and subordinate establishments which are at present countersigned by Superintending Engineers.

APPENDIX VI.

Resolution of Government, General Department, No. 7569, dated the 17th December, 1907.

His Excellency the Governor in Council is desirous of securing the co-operation of Commissioners, other Heads of Departments and the more experienced Collectors in ascertaining in a practical manner the matters in which the control of higher authority may be held to be unnecessary. He is therefore pleased to grant temporarily to Commissioners and the other Heads of Departments specified below* authority to assume the previous sanction of Government in all matters in which they consider themselves justified in so doing either by the course of precedents on their record, or by their general knowledge of the policy of Government, provided such previous sanction is not required by law. Any expenditure permitted under the delegated authority must for the present be limited to Rs. 500 in each case, whether the expenditure be recurring or non-recurring, and must be covered by budget provision. All cases in which the Commissioner or other Head of Department corresponding direct with Government uses the authority now delegated to him must be entered in a statement to be submitted to Government monthly in the form attached to this Resolution. The form must be submitted to Government, in the Department concerned, in duplicate by the 5th of the month following that to which it refers. It will be carefully scrutinised by Government, and such instructions as may seem necessary will be entered in the last column of the statement, one copy of which will be returned for record to the officer by whom it is submitted. It is hoped by this means to collect material for orders allowing more formal and final delegation while fully maintaining Government control pending such orders. The orders on this statement can be quoted to the Audit Office in any matter as to which the sanction of Government is required by financial rules.

2. His Excellency the Governor in Council is also pleased to authorise Commissioners and the other Heads of Departments above referred to to delegate to selected officers immediately under them, who have at least three years' experience of the office they may be holding, similar authority in regard to references in which the Commissioner or other Head of Department has at present *final* powers of disposal. A monthly statement in the attached form must similarly be submitted in duplicate to the Commissioner or other Head of Department by the officer so authorised, and the last column of the statement must be freely used by the Head of Department to check any tendency of which his knowledge of Government wishes and policy makes him aware that Government will disapprove. Government desire that the copies of these returns filed in the office of the Head of Department should be forwarded to Government in the Department concerned at the end of each quarter for perusal and consideration. They will be returned for record with any instructions it may seem to Government proper to issue so as to keep the course of the experiment within limits which they approve.

3. In issuing these experimental instructions His Excellency the Governor in Council feels that he can fully rely on the discretion of Heads of Departments to further the wishes of Government and so to use the powers entrusted to them as to justify further steps in the direction of the enlargement, not only of their own powers, but also of those of local Executive Officers. Heads of Departments will no doubt find a similar loyal co-operation in those officers immediately subordinate to them to whom they may see fit to extend the experiment.

4. The effect of these orders will be considered by the Commissioners at one of their meetings during the rains of 1908, and on consideration of that report Government will then decide whether to continue the experiment or to modify it or extend it.

R. E. ENTHOVEN,
Acting Secretary to Government.

* The Surgeon-General as Head of the Medical and Sanitary Departments and of the Bombay Bacteriological Laboratory.
The Superintendent of Stationery.
The Director of Public Instruction.
The Right Reverend the Lord Bishop of Bombay.
The Venerable the Archdeacon of Bombay.
The Commissioner of Customs, Salt, Opium, and Abkari.
The Settlement Commissioner and Director of Land Records.
The Inspector-General of Registration.
The Director of Agriculture and of Co-operative Credit Societies.
The Commissioner of Income Tax, Bombay.
The Agent to the Governor in Kathiawar.
The Commissioner in Sind (in police matters also).
The Inspector-General of Police.
The High Court.
The Judicial Commissioner of Sind.
The Inspector-General of Prisons.
The Superintending Engineers of Divisions.
The Superintending Engineer and Secretary, Indus River Commission.
The Examiner of Public Works Accounts.
The Superintending Engineer on Special Duty.
The Sanitary Engineer to Government.
The Consulting Architect to Government.
The Superintending Engineer, Rohri Hyderabad Canal.
The Remembrancer of Legal Affairs.

Monthly Return by the $\frac{\text{Commissioner or Head of Department}}{\text{Collector}}$ *of cases in which reference to the* $\frac{\text{Local Government}}{\text{Commissioner}}$ *has not been made.*

Serial No.	Facts.	Action desired by the Commissioner or Head of Department. / Collector.	Rule or order requiring sanction of Government, Commissioner or Head of Department.	Reasons for passing orders, *e.g.*, numerous precedents, &c., as the case may be.	Comment on return, if any, of Government, Commissioner or Head of Department.
1	2	3	4	5	6

APPENDIX VII.

List of Annual Reports submitted to Government and Commissioners by Collectors.

Name of Report.	By whom submitted.	How often required.
Revenue Department.		
1. Land Revenue Administration Report, Part II. ...	Collectors of Districts	Triennial.
2. Report on the Land Revenue Administration of the Bombay Collectorate.	Collector of Bombay	Ditto.
3. Reports on the Administration of the Stamp Departments of the Presidency proper and Sind. (The reports are triennial ones, statistical tables with brief notes are submitted in intermediate years.)	Collectors of Bombay and Karáchi ...	Quinquennial.
4. Report on the sea-borne Trade and Customs Administration of the Port of Bombay (including Land Customs, Cotton Duties and Merchandise Marks Act).	Collector of Bombay, Collector of Customs, Bombay, and Collector of Salt Revenue, Bombay.	Annual.
5. Report on the Administration of the Salt Department in the Presidency proper.	Collector of Salt Revenue, Bombay ...	
6. Report on the Administration of the Salt Department in Sind.	Collector of Salt Revenue in Sind ...	
7. Report on the Rail and River-borne Trade of the Province of Sind.	Chief Collector of Customs in Sind ...	
8. Report on the external land trade of the Province of Sind and British Baluchistan.	Ditto ditto ...	
9. Report on the Maritime Trade of the Province of Sind.	Ditto ditto ...	
10. Reports on Administration of Minors' Estates ...	Commissioners from materials supplied by Collectors.	Triennial.
11. Report on the Abkári Administration of the Presidency including Sind.	Commissioner of Customs from materials supplied by Collectors.	Annual.
12. Annual Agricultural Statistics	Director of Agriculture from materials supplied by Collectors.	
13. Annual Report of the Colonization Officer, Jámrao Canal.	Colonization Officer, Jámrao Canal ...	
Financial Department.		
14. Income Tax Report ... ... (The report is triennial, statistical tables being submitted in intermediate years.)	The report is consolidated by Commissioners from materials supplied by Collectors.	No change.
General Department.		
15. Report on the destruction of wild animals ...	Consolidated by Commissioners from materials supplied by Collectors.	Triennial.
16. Administration Report of Local Boards	Ditto ditto ...	
17. Administration Report of Municipalities	Ditto ditto ...	
18. Report on the Working of the Native Passenger Ships Act.	Commissioner of Customs from materials supplied by the Collectors of Bombay and Karáchi.	
19. Annual Report on Factories	Consolidated by the Collector of Bombay from materials supplied by District Magistrates.	No change.
Judicial Department.		
20. Review of the Annual Police Report for each district.	Collectors as District Magistrates ...	Triennial.
Political Department.		
21. Administration Report of Native States	Collectors as Political Agents	Ditto.

APPENDIX III.

Memorandum showing the organization of the Local Government in Sind.

Sind is a non-regulation province which forms part of the territories subject to the Governor of Bombay in Council. It is technically one of the "Scheduled districts," *i.e.*, one of the areas which "have never been brought within, or have from time to time been removed from, the operation of the general Acts and Regulations and the jurisdiction of the ordinary Courts of Judicature."

For administrative purposes, the province is divided into six districts—proposals for the creation of a seventh district have recently been submitted to the Government of India—each sub-divided into *talukas* and groups of *talukas* called sub-divisions. The districts, their area and population are as follows :—

No.	District.	Area in sq. miles.	Population.	Number of *talukas*.	Number of sub-divisions.
1	Karachi	11,971	446,513	9	3
2	Hyderabad...	7,948	989,030	14	3
3	Sukkur	5,408	523,245	8	3
4	Larkana	5,090	656.083	10	3
5	Thar and Parkar	13,940	363,894	11	2
6	Upper Sind Frontier	2,637	232,045	5	2

The Commissioner in Sind is (under the Government of Bombay) in general administrative and political charge of the province. He possesses all the powers which in the Presidency are exercised by (*a*) Commissioners of divisions, and (*b*) the Commissioner of Customs. Salt, Opium and Abkari In addition, several powers of the Local Government have been delegated to him, both under Act V. of 1868 (the Commissioner in Sind's Act) and by executive orders. He has directly attached to him three personal assistants, *viz.*, an Assistant Commissioner, who is a member of the Indian Civil Service, an Uncovenanted Assistant Commissioner, and a Native Assistant Commissioner. The two last are of the rank of Deputy Collector.

The executive administration of the province is carried on by means of the following departments (besides imperial departments) :—

(*a*) Revenue.
(*b*) Political.
(*c*) Judicial.
(*d*) Jail.
(*e*) Police.
(*f*) Public Works and Irrigation.
(*g*) Forest.
(*h*) Educational.
(*i*) Customs.
(*j*) Salt, Abkari and Opium.
(*k*) Medical and Sanitary.

Revenue.—The territorial unit is the *taluka*, the officer in charge (the *mamlatdar* of the Presidency) being here called the *mukhtiarkar*. His chief business is to see that the Government revenue is promptly paid and properly accounted for, that boundary marks are kept in repair, and that the subordinate *taluka* and village officers do their work. He has to enquire into and report on all matters relating to his charge referred to him, and to superintend the execution of all orders communicated to him. He has also to look after the administration of local funds and is a subordinate magistrate. He is in fact responsible to his immediate superiors, the Collector and Assistant Collector, for the general administration of his charge. The Assistant or Deputy Collector in charge of each sub-division has to travel through his charge for at least seven months of the year, and to satisfy himself by direct personal examination that the revenue work is being properly done, and the revenue properly brought to account ; he judges for himself of the wants of his *taluka* in regard to roads, wells, tree-plantation and the like, hears appeals from the orders of *mukhtiarkars*, and generally supervises their proceedings, and that of all subordinate officers. He is President of the *taluka* Local Boards, and usually of one or more municipalities. The Collector is the chief Executive Officer of the district, and the Commissioner in Sind exercises a general superintendence and control over the revenue administration of the province. These officers tour during the cold weather and judge for themselves the needs of the district and province, the manner in which the revenue and police administration is being carried on, and the qualifications of the several officials. Personal contact with the people is one of the chief features of these tours. In addition to his land revenue duties, the administration of the salt, opium and abkari revenue of his district devolves on the Collector. He is, of course, the District Magistrate. He is also District Registrar, and visitor of the district jail, and has other important duties to perform in connection with local funds, municipalities and (in Karachi) the Port Trust.

A portion of the Hyderabad and Thar and Parkar districts, which is irrigated by the Jamrao Canal, is, as a temporary measure, and for certain revenue and other purposes, in charge of a special (Indian Civil Service) officer, designated "Colonization Officer," with powers of a Collector. He is assisted by an Assistant and two Deputy Colonization Officers. The existence of this special establishment accounts for the disproportionate number of *talukas* to sub-divisions in these two districts. With the constitution of the proposed new district, the need for it will disappear.

An allied department is the Sind Encumbered Estates Departments which was reconstituted in 1896 with the object of saving from ruin the encumbered estates of zamindars paying Rs. 300 or more as revenue to Government. The department is under a Manager, a member of the Indian Civil Service, with an Assistant and two Deputy Managers of the grade of *mukhtiarkars*. A proposal to constitute the Manager Court of Wards for the province is now before Government.

Another branch of the revenue administration is the Department of Land Records in charge of a Superintendent (Indian Civil Service), whose duty it is to maintain the survey records and maps, prepare survey registers, train village establishment in survey work, and test the work of survey parties. He has also advisory and supervisory duties in connection with the record of rights, and controls a school for the training of village surveyors. The Superintendent of Land Records is also Superintendent of Registration, and in that capacity examines the officers of District Registrars. But this is a separate department, supervised entirely by the Inspector-General of Registration for the Bombay Presidency, without reference to the Commissioner in Sind.

There are four Collectors, and two Deputy Com-

missioners in charge of districts, 16 Assistant Collectors, and 24 Deputy Collectors, including a probationer. The distribution of these officers is shown in the following statement :—

	Collectors and Deputy Commissioners.	Assistant Collectors.		Deputy Collectors.					Remarks.
		In charge of sub-divisions.	On other duties.	In charge of sub-divisions.	Attached.	*Daftardars.*	*Huzur* Deputy Collectors.	On other duties.	
General administration	...	...	1	...	...	...	...	2	
Land Records	...	...	1	...	...	...	...	...	
Incumbered Estates	...	...	1	...	...	...	...	...	
Colonization Officer	...	...	1	...	...	...	...	*1	* On deputation.
Customs and Salt	1	...	...	...	...	...	...	2	
Settlement duty	...	...	2	...	...	...	...	...	
District charges—									
Karachi	1	2	†1	2	...	1	1	...	† Junior Civilians.
Hyderabad	1	3	...	...	2	1	1	‡1	‡ Probationer.
Sukkur	1	2	...	1	...	1	1	...	
Larkana	1	2	...	1	1	1	1	...	
Thar and Parkar	1	...	...	2	...	...	1	...	
Upper Sind Frontier	1	...	...	1	...	...	...	...	
TOTAL ...	7	9	7	7	3	4	5	6	

As to the kindred departments dealing with horse-breeding and veterinary matters, both these branches of work were, in 1898, entrusted to a Superintendent, Civil Veterinary Department, Baluchistan and Sind, who was subordinated to the Government of Bombay in respect of all matters affecting cattle-breeding and disease in Sind and places under imperial control in matters relating to horse-breeding. A further change was affected in 1903 when the charge of horse-breeding operations was transferred to the Army Remount Department. In 1905, Rajputana was added to the Civil Veterinary charge, which has since been styled Sind, Baluchistan and Rajputana.

The veterinary graduates in charge of dispensaries at present work under the orders of the several Collectors and Deputy Commissioners. Proposals are being formulated for subordinating them directly to the Superintendent. The latter officer has hitherto been understood to be under the orders of the Commissioner in Sind. But questions as to the concern of the Director of Agriculture, Bombay, with the Civil Veterinary administration of Sind, have lately been raised, and are under correspondence.

The Department of Agriculture proper in Sind is administered by the Director of Agriculture for the Presidency in direct communication with the Government of Bombay.

The court of the Judicial Commissioner of Sind, consisting of a Judicial Commissioner and two (or more) Additional Judicial Commissioners, is now (under Act I. of 1907) the highest court of appeal in civil and criminal matters. It also exercises the jurisdiction of a District and Sessions Court for the Karachi district.

Assistant and Deputy Collectors in charge of sub-divisions are ordinarily Sub-Divisional Magistrates and all *mukhtiarkars* and *taluka* head munshis are magistrates with varying powers. In most sub-divisions there is an additional *mukhtiarkar*, styled Resident Magistrate, with first-class powers, employed exclusively on criminal work. Besides the *Huzur* Deputy Collectors, the towns of Karachi, Hyderabad, Sukkur, and Shikarpur have City Magistrates. There are also special and Honorary Magistrates. There are two sessions divisions, besides that with which the Court of the Judicial Commissioner deals, one comprising the Hyderabad and Thar and Parkar districts, the other the Sukkur, Larkana, and Upper Sind Frontier districts. Hyderabad and Sukkur-Larkana have Additional Sessions Judges. In respect of cases dealt with under the extraordinary provisions of the Sind Frontier Regulations, Bombay Regulations V. of 1872 and III. of 1892, the Commissioner in Sind is the final revisional authority.

The jurisdiction of the two District Judges is identical with their jurisdiction as Sessions Judges except as regards the revenue district of Thar and Parkar, where at present the Deputy Commissioner and his subordinates exercise civil jurisdiction in subordination to the Court of the Judicial Commissioner. A Joint Judge is stationed at Sukkur, and an Assistant Judge at Hyderabad. There are two Subordinate Judges of the first class, and fifteen of the second class, all of them members of the judicial branch of the Provincial Civil Service. The appointment of Subordinate Judges is by law vested in the Commissioner in Sind.

The Police Department is in process of reorganization under the orders consequent on the report of the Police Commission. The force is administered under Bombay Act IV. of 1890. The Commissioner in Sind is the Head, and exercises all the powers of an Inspector-General of Police, in addition to those of Local Government under sections 25, 45 (2) and 61 of Bombay Act IV. of 1890. He has under him a Deputy Inspector-General of Police for Sind. There is now a Superintendent and a Deputy Superintendent of Police for each district, an Assistant Superintendent for the town of Karachi, and an Assistant Superintendent for the riverain tracts in the Karachi and Hyderabad districts. Two more appointments of Assistant Superintendent for Hyderabad and Sukkur have been sanctioned but have not as yet been filled.

There is no hereditary village police in Sind and, with the exception of a few *patels* in the Thar and Parkar district, no village police at all. But all practicable measures are taken to enforce the responsibility of the zamindars in the matter of giving aid to the police, while the tracking of criminals and stolen animals is done by *pagis*, some of whom are in the regular police force and others are maintained by the villagers.

The Public Works Department in Sind is organized with a view to its primary duty of irrigation, roads and buildings being an altogether subordinate consideration. Two Superintending Engineers are respectively in charge of the Indus Right and Left Bank Divisions, while a third is Superintending Engineer, Indus River Commission. Each of the two divisions comprises five canal districts held by Executive Engineers with the Sub-Divisional Officers and subordinates under them.

The professional Canal Officers are charged both with the construction, maintenance and repair of canals and also with the general administration of the water-supply. The Collectors and Deputy Commissioners and Revenue Officers in charge of sub-divisions are also Canal Officers for various purposes; and co-operation between the two departments is insisted on. For instance, if the supply of water in a

Government canal is deficient, restrictions are imposed under the advice of the Executive Engineer on the grant of land on that canal. Again, if in bringing waste land under cultivation a materially increased supply of water will be required, the Executive Engineer is consulted before the lands are granted for cultivation.

The charge of the river Indus and of the protective river embankments on both banks is vested in the Indus River Commission, composed of the Commissioner in Sind as President, and the three Superintending Engineers as members, the Superintending Engineer, Indus River Commission, being also the Secretary of the Commission. The duties of the Commission are to record scientific observations of the river regarding velocity, discharge, matter held in suspension, alluvium, diluvium and formation of *kachas* (new lands); to keep up to date the survey of the river; to investigate the relations between the rise of the river level at Sukkur and Kotri, with particular attention to the discharge at each place, alterations in the volume of water moving down each of the mouths of the river, changes in the delta and channels; to keep the river clear of obstructions; and to maintain the river embankments.

The forest administration of the province is under the direct orders of the Commissioner in Sind, the province constituting a forest circle and the officer in charge having all the powers of a Conservator, though graded only as a Deputy Conservator. The Sind circle comprises four forest divisions, and the staff employed under the Deputy Conservator in charge consists of one Deputy Conservator, one Assistant Conservator, three extra Assistant Conservators, six rangers, and eighteen foresters.

The Education Department is controlled, under the Director of Public Instruction, Bombay, by the educational inspector in Sind, with one inspectress of girls' schools in Sind and four deputy educational inspectors at Karachi, Hyderabad, Sukkur, and Larkana. The educational inspector in Sind also controls the teaching establishment of Government municipal, and Local Funds schools in the province. Under the standing orders of Government, the Director is required to submit all correspondence with Government regarding educational matters in the province, except those relating to Local and Municipal Boards, through the Commissioner in Sind. The Commissioner is *ex officio* President of the governing bodies of the Sind College and Sind Madressah-tul-Islam.

The customs administration of the port is managed by the Chief Collector of Customs with two Assistant Collectors, who are graded among Deputy Collectors, in subordination to the Commissioner in Sind, who is the Chief Customs authority under the Sea Customs Act. The Chief Collector controls the Customs Houses at Karachi, Keti Bandar, and Sirganda. He is also *ex-officio* Shipping Master, and is usually appointed by Government as Vice-Chairman of the Karachi Port Trust. It is understood that the introduction of the Imperial Customs Service scheme will sooner or later change the position of the Collectors and Assistant Collectors of Customs at Karachi, but the matter has not yet been the subject of final orders.

The Commissioner in Sind is the Commissioner under the Salt, Abkari and Opium Acts, and has the entire control of these departments in Sind. At present the Chief Collector of Customs and his Assistants are also Collectors and Assistant Collectors of Salt Revenue in Sind. The Chief Collector controls the salt works at Maurypur, Saran and Dilyar; and all matters connected with the manufacture and issue of salt and the realization of salt duty are under him, while the preventive establishments are under the Collectors and Deputy Commissioners of districts, who also administer the abkari and opium revenue. A radical re-organization of these departments has, however, been sanctioned and is on the point of being introduced, the appointment of an Assistant Commissioner to administer them under the orders of the Commissioner in Sind having just been notified.

The immediate control of civil medical work in the province has hitherto been in the hands of the Principal Medical Officer, Karachi Brigade. This arrangement has recently been objected to by the military authorities, and is being discontinued. The Civil Surgeon of Karachi for whom an assistant is to be provided will in future exercise certain powers of control throughout the province.

Sanitation and vaccination are entrusted to the Deputy Sanitary Commissioner, Sind Registration district, who works under the Sanitary Commissioner, Bombay, and has a staff of six inspectors, with a special superintendent for Karachi and with, as far as practicable, a vaccinator for each *taluka*.

APPENDIX IV.

Memorandum by H. C. Mules, Esq., M.V.O., Chairman, Karachi Port Trust.

1. I am requested by the Trustees of the Port of Karachi to lay the following remarks before the Royal Commission.

2. The Board, while recognizing the cordial support they have met with from Government hitherto, are of opinion that as regards a few matters their powers, in common with those of certain other Port Trusts and public bodies, should be somewhat widened.

3. They at present raise loans under the Local Authorities Loan Act.

They have asked for an amendment of their own Act, which they understand is to be granted partially.

When the proposed amendments become law they will raise loans under the authority of their own Act.

But they understand :—

A. That the Government of India will not permit the period for re-payment of a loan to extend over a period of 30 years. In fact, when the Board applied for permission to make 60 years the period in the case of a Rs. 50 lakh loan, the raising of which has been recently sanctioned, and were supported by the Government of Bombay, the permission was refused. The Board consider the port of Karachi is being enormously developed, under exceptional circumstances, and that this development is so largely for the benefit of posterity that posterity should bear a share of the initial burden.

B. The present orders of the Government of India are that the Board (and the orders apply to other Port Trusts and public bodies) shall not put a sanctioned loan, or instalment thereof, on the market without obtaining the specific sanction of the Government of India to the exact date of so doing.

The Government of India issue these orders avowedly to keep control of the money market for their own purposes, but the Board are of opinion that they operate injuriously to the public bodies concerned, which are thereby placed in a very disadvantageous position, both as to Government and the commercial public, because while Government issue their loans at what appears the favourable moment the commercial public are under no obligation to consult or study the interests

of Government, and Companies can be, and are, launched whenever the promoters seem fit, and the money of the investing public invited.

It is only the public bodies of India, subject to the control of Government, which are unable to select their own dates for raising money.

C. In this connection the Board are also of opinion that they and other great public bodies should, if they see fit, be empowered to raise part of their loans in England. This would render it necessary for them to make special arrangements in England, but as to this they do not conceive any difficulty would arise.

4. At present the Board under Section 60 of their Act are compelled to keep all their money in the Bank of Bombay, Karachi. It frequently happens that the Board have a heavy floating balance which it would be advantageous to place on fixed deposit for short periods, and they could obtain better terms from other Banks than from the Bank of Bombay, but are unable to do so. They are therefore at times obliged to purchase Government paper to be held for short periods only, which is inconvenient. They consider they should be given discretion in this matter as there are in Karachi local branches of well-known Banks, such as the National Bank of India, Ltd., the Chartered Bank of India, Australia and China, &c., &c.

5. While admitting that Government do not unduly interfere with, or criticize, plans and estimates which, under the provisions of the Act, have to be submitted for sanction to Government before execution of the works to which they relate, the Board consider that their powers might with advantage be considerably widened. In point of fact, the sanction of Government has not infrequently to be anticipated and work begun, or material ordered before sanction is received.

The Engineers of the Board are always able and highly competent officers and experts in their own line, and no particular object the Board think is gained by the submission of detailed plans and estimates to Government.

6. Section 61 of the Act specifies the objects on which the moneys entrusted to the Board are to be expended, and clause (7) gives powers of special sanction to the Commission in case of "any other charge." The Board are of opinion that they should be empowered to sanction such other charges not exceeding Rs. 250 in any one case. This would avoid a number of petty references to the Commissioner and would be more consistent with the standing of the Board.

H. C. MULES,
Chairman, Karachi Port Trust.

Karachi, 28th February 1908.

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MINUTES OF EVIDENCE

TAKEN BEFORE THE

ROYAL COMMISSION

UPON

DECENTRALIZATION

IN

BALUCHISTAN,

THE

NORTH-WEST FRONTIER PROVINCE,

AND THE

PUNJAB.

VOLUME IX.

Presented to both Houses of Parliament by Command of His Majesty.

LONDON:
PRINTED FOR HIS MAJESTY'S STATIONERY OFFICE,
By DARLING & SON, Ltd., 34-40, Bacon Street, E.

And to be purchased, either directly or through any Bookseller, from
WYMAN and SONS, Ltd., Fetter Lane, E.C., and
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E. PONSONBY, 116, Grafton Street, Dublin.

1908.

[Cd. 4368.] *Price 2s. 3d.*

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MINUTES OF EVIDENCE

TAKEN BEFORE THE

ROYAL COMMISSION UPON DECENTRALIZATION.

BALUCHISTAN.

SIXTIETH DAY.

QUETTA, *Friday, March 20th*, 1908.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, *Chairman.*

SIR FREDERIC LELY, K.C.I.E., C.S.I.
SIR STEYNING EDGERLEY, K.C.V.O., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Mr. A. WILLIAMS, I.C.S., LL.M., was called and examined.

Mr. A. Williams.
20 *Mar.*, 1908.

37423. (*Chairman.*) You are the Revenue and Judicial Commissioner in Buluchistan?—Yes. I first came to that appointment in April 1905, and have been substantively so ever since, except that I have twice officiated as Resident in Mysore. I have previously been Under-Secretary in the Foreign Department, Deputy Secretary in the Legislative Department, and in the Home Department, of the Government of India.

The Revenue Commissioner in Baluchistan is also the Judicial Commissioner. As Revenue Commissioner he is the adviser of the Local Government in financial and revenue matters and, subject to the Agent to the Governor-General and Chief Commissioner, generally controls the revenue administration. He combines the functions of Settlement Commissioner, Chief Revenue authority for Stamps, Commissioner of Excise, Inspector-General of Jails and Registration, Registrar-General of Births, Deaths and Marriages, and Registrar of Joint Stock Companies. He exercises the powers of a Local Government in the administration of Local Funds, and has general superintendence over forest and educational administration and of the measures adopted against the introduction of plague into Baluchistan. As Judicial Commissioner, he is in charge of the judicial administration of the province with the exception of the proceedings under the Frontier Crimes Regulation, the general administration of which is in the hands of the Agent to the Governor-General and Chief Commissioner. He is the High Court for Baluchistan, but sentences of death passed or confirmed by him require the sanction of the Local Government, and in proceedings against European British subjects the Punjab Chief Court is the High Court.

37424. In his memorandum the Agent of the Governor-General asks that the Local Government should be allowed to frame its own budget; could you tell us exactly what that means?—At present we do frame a budget, but we send it to the Comptroller of India Treasuries; generally speaking, most of the Local Governments send their budgets to the Accountant-General, who is stationed at the headquarters of the Government; here, however, we send it to Calcutta, to the Comptroller of India Treasuries.

37425. Have you an Accountant-General here?—No; it is the Comptroller of India Treasuries at Calcutta who does everything for us; we have no Accounts Officer here at all. Under article 153 of the Civil Account Code, the Accountant-General of the Local Government is specially precluded from making alterations in the budget; he can advise the Local Government, but can do nothing more. The Comptroller of India Treasuries, on the other hand, alters our budgets without reference to us, and very often very considerable inconvenience is caused.

37426. What do you mean by "framing your own budget"?—When it is transmitted from Calcutta, we wish that it should not be altered by the Comptroller of India Treasuries; our suggestion is that it should not be altered, provided it is within the standard limits of expenditure.

37427. Have you certain standard limits of expenditure laid down for major heads?—It is laid down, but I would not confine it to that; as long as we do not exceed our 36 lakhs we should not be interfered with, unless, of course, we do anything wrong; then they could come down on us.

37428. It is said here that two sub-divisions and so forth have come into existence which have tended to increase the expenditure on travelling allowance. Were those sub-divisions, and the settlement operations referred to, created under the orders, or with the sanction, of the Government of India?—Yes; they must have been.

37429. They were known to the Government of India?—Yes; and not only that, but the very budget in which our travelling allowances were reduced showed the increase of establishments; the Comptroller of India Treasuries passed the increase of establishments, but cut down the travelling allowances, which were necessary in consequence of that increase.

37430. Then you say that if you had acted in strict accordance with financial rules you would have got into difficulties. I take it from that, that in some way or other the financial rules were evaded?—That is so.

37431. Has that been found frequently necessary?—This is the only time that I myself have been cognisant of it; but not to have done so would have stopped the settlement proceedings at Nasirabad at once.

37432. Then it is said that "A complex system of excise administration, suitable no doubt to advanced provinces in British India, is being thrust upon this province." What does that mean?—We have to introduce a still-head duty and vend fees, instead of our present arrangement of simply putting up the excise for auction and selling it as a whole concern.

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Mr. A. Williams.

20 *Mar.*, 1908.

It will entail either very extensive alterations of the distillery, or, more probably still, the erection of a new distillery at the cost of Rs. 50,000 or Rs. 60,000.

37433. Is that against the wishes of the provincial Government?—Yes. While quite admitting that our excise arrangements were very faulty in a way, yet, considering the consumption here, and that the general population are absolute abstainers, we thought it might be passed over.

37434. Is the matter finally settled, or is it still under consideration?—I believe it is finally settled; the only thing is, we have at present no money for our new distillery; if we could get the money we should introduce the alteration.

37435. Even against your will?—Yes.

37436. With what department of the Government of India do you deal in that matter?—With the Finance Department.

37437. When you say that this has been thrust upon you, what department of the Government of India is more particularly concerned?—It was not quite by the orders of the Government of India; the Excise Committee came here and said, "You must do this"; we said that we would rather not do it; they said, "If you do not do this, probably something worse will happen."

37438. Therefore, if any blame is to be attached in this matter, the fault is that of the Excise Committee?—It is the Excise Committee carrying out the principles of the Government of India.

37439. The Excise Committee had no authority to order you to do this or to refrain from doing that?—The opinions of the Excise Committee have been accepted by the Government of India in their Resolution.

37440. When you use this phrase, that this was "thrust upon the province," were you acting under orders from the Government of India, or were you merely doing what you think would be approved of by the Government of India?—In the beginning, it was doing what we expected the Government of India would require of us, and as the Government of India has accepted the Excise Committee's report as regards this province, it is now doing what the Government of India require us to do.

37441. But you have not received any orders from the Government of India to introduce a system of excise which you think unsuitable to the province?—I think it is contained in the report of the Excise Committee. It is understood that we have to introduce it. In fact, there are a variety of Resolutions, and it is understood that we have to introduce the system.

37442. Then you say the Government of India have condemned what is called *Mamal* salt as unwholesome, without any enquiry. Was no reason assigned for the closing to the local population of a source of salt of which they approved?—It is done in the interests of revenue. The reasons are given in the Government of India letter. The first was that earth salt is generally bad and dear, to which the answer is, that in this case it is good and cheap. The second was that an isolated factory was dangerous, to which the answer is that we have an isolated factory at Segi, which is very much more isolated than Mamal, which is only four miles from the sub-divisional headquarters, and when we imposed the tax on earth salt there the Government of India blessed us altogether; they said, "They notice with satisfaction the endeavours which the Local Administration is making to improve the salt revenue in Baluchistan, and I am to express the hope that it will continue to take measures to the furtherance of that end."

37443. Was this order, good or bad, imposed upon you after consultation with the Local Government?—It was first imposed upon us without consultation with the Local Government; afterwards we were unable to do anything; we made representations but they were disregarded. The principal reason for making representations was that the Marris and Bugtis, who are rather a troublesome tribe here, are extremely fond of this salt, and they dislike the sea salt which is made in Sind and which they are compelled to use, because it is very briny; they also say that the Sind salt produces boils and blains.

37444. Where are those labels affixed at the present time?—At Karachi or at Lahore; the Punjab Banking Company tell us that they send to Karachi.

37445. You think that that could be done here?—Yes.

37446. With regard to the Director of Criminal Intelligence, the Agent to the Governor-General says that he has cause for serious complaint; complaint in reference to what?—He was making certain enquiries about the character of certain people here without giving any information to the Agent to the Governor-General.

37447. Did he come down here himself, or did he send an agent?—He sent agents here.

37448. Did they communicate with the local police?—I do not think they communicated with the local police; they certainly did not with the Local Government. The Local Government is also the Inspector-General of Police.

37449. It is alleged that the Director of Criminal Intelligence sent agents down here who entered into relations with the local police officer, while the Local Government were kept in ignorance?—I do not think they even entered into communication with the local police; they made their own enquiries, *à la* Sherlock Holmes.

37450. Was that merely an infringement of the prerogative of the Local Government, or did it also in any way injuriously affect the local police administration?—What caused a certain amount of resentment in the mind of the Local Government was that apparently nobody was left in the province with any reputation at all.

37451. No inhabitant of the province?—I think it went beyond the inhabitants.

37452. The officials of the province?—Yes.

37453. Allegations were made against their efficiency?—And worse than that, I believe.

37454. Their honesty?—I think so.

37455. Are you sure of this?—I only know what Sir Henry McMahon told me, but I am sure that the Inspector-General as Head of the Police was not referred to.

37456. When circular letters are sent down, which have no reference to anything affecting the province, what action is taken by the Local Government about them; are these circulars sent on to the local officers to enquire whether they have any information, or is a reply merely sent to the Government of India that, "This circular has no reference to any state of things existing now"?—I think they fairly often come on to me; I do not think they go much further. If it is for an opinion on a Bill, I generally reply that the matter has no relevance to this province, because the Act which the Bill is to amend is not in force here.

37457. It merely entails your sending one letter back to the Government of India?—One letter from the Government of India to the Agent to the Governor-General, and one letter from the Agent to the Governor-General in reply.

37458. The Agent to the Governor-General says that officers have, as a rule, sufficient knowledge of the vernacular; what does he mean by the word "sufficient"?—Sufficient to speak with the ordinary people that they have dealings with.

37459. Can they read or write the language as a rule?—The Pushtu language is not, strictly speaking, a written one.

37460. Are there a great number of languages here?—There are; I do not know that our officers can read or write; certainly not write very much, but for conversational purposes they know all that is required.

37461. Are there many petitions received in the vernacular?—Yes; practically all vernacular petitions are in Hindustani.

37462. Can the local officers read Hindustani?—They can read sufficiently well to know whether the petition writers' hand-writing is being correctly read to them or not.

37463. Practically for all written communications in the vernacular they have to trust an interpreter?—Yes; a very large number of petitions, of course, are received in English.

37464. Is that on account of the necessity of communicating direct with the superior officer?—No; I do not think so.

37465. The petitioner cannot write in English himself?—The petitioner never writes the thing at all; he goes to a petition-writer, who writes in Urdu or in English, as the fancy takes him; anonymous letters are mostly in English.

37466. It is stated that the number of the *cadre* here is. and has been, deficient. Does the deficiency of the *cadre* sometimes do away with the desirability of selection when officers have to be appointed to a post?—The selection is made by the Government of India, not by this Government at all.

37467. Has this Government no power to appoint or transfer or promote its own officers?—Not as regards the higher class of officials down to Assistant Political Agents.

37468. That is to say, officers of the Imperial Service?—Yes; the whole thing is done by the Government of India in Calcutta and Simla.

37469. Have they any knowledge of the local circumstances here?—That largely depends on the *personnel* of the Foreign Department for the time being; at present there is an officer in the Foreign Department who has served in Baluchistan. I think he is officiating as Deputy Secretary at present.

37470. It would be a matter of chance whether he had any knowledge of local circumstances or the fitness of the officer for the post for which he is appointed?—Quite a chance: he has only just gone there.

37471. Are officers often sent to you by the Government of India who have no knowledge of the frontier?—Sometimes.

37472. How long does it take them to learn their work?—As long a time as they can manage to stop; but I should think a couple of years.

37473. Transfers in this province are very frequent?—Yes.

37474. As soon as the frontier officer has become of any use to the province he is removed elsewhere?—Yes.

37475. Is that detrimental to the proper administration of the province?—Yes.

37476. You think the Local Government could be trusted to do its own work in that particular?—That goes rather further; as much as we have asked for is about posting, and that we should be consulted before an officer is sent here.

37477. Has the Foreign Department, as a department, any knowledge of administrative matters?—Its knowledge must be made up of the knowledge of its Secretaries.

37478. You were in the Foreign Department?—Yes.

37479. Has it any knowledge of administrative matters?—I went there from being Deputy Commissioner at Lahore.

37480. It depends entirely upon the *personnel*?—Exactly.

37481. The Local Government can transfer tahsildars?—Yes.

37482. Can it appoint them?—Yes. Some are appointed from among the clerks and some from among the naib-tahsildars.

37483. Are they ever appointed direct?—I will not say that they never are, but I cannot recall a case.

37484. In the opinion both of yourself and Sir Henry McMahon, the *jirgas* in this province may be looked upon very much in the light of what is called a panchayat down country, for all practical purposes?—Yes.

37485. (*Sir Frederic Lely.*) Are you of opinion that your examinations in the vernacular are a thoroughly successful test of a man's proficiency in the colloquial use of the vernacular?—They are bound to vary a great deal with the examiners; it is scarcely possible to be certain that the examiners will always apply an absolute standard.

37486. Are the examinations always held at Quetta?—Practically always, unless a special Board is convened; for instance, if all the candidates for an examination are at Sibi, if we can raise a special Board there we do so, rather than bring them all up here.

37487. One witness here rather implies that the use of English is rather pressed upon an office?—I do not think it is; in some offices perhaps there is too much English used, but as regards the particular statement that English-knowing is a *sine quâ non* for the position of a *sharistadar* I have certainly known *sharistadars* in the Chaigai district, and in Khelat, who have not been English-knowing, and I am at present in correspondence with another district where the Political Agents consider that the *sharistadar* should be English-knowing, and where I am disposed to consider that he need not be.

37488. Is not the subordinate officer who does not know English rather an exception?—No; the bulk of them, certainly the naib-tahsildars, do not know English.

37489. Is there no tendency to unduly press the use of the English language in official work or in intercourse with the people?—Certainly not among Executive Officers. Possibly in the English officer's own office there may be a little tendency that way, but not among the Executive Officers—the Sub-Divisional Officers and the *Tahsil* Officers.

37490. Would the District Officers generally of their own accord conduct their proceedings in the vernacular, or would they rather tend to use English?—I went out in a district the other day, and I really do not know whether the tahsildar knew English or not.

37491. Does that apply to the average officer?—I think so.

37492. Is not the practice to be deprecated of insisting on English or even encouraging the use of English?—Certainly.

37493. You give *takavi* on occasions in this province. Who has power to make grants?—Political Officers up to a certain amount; we have just extended the rules by which Sub-Divisional Officers can make grants.

37494. It is stated by one witness that the Sub-Divisional Officer cannot make grants of *takavi*?—Yes; but we have just made rules by which they will be able to make grants up to Rs. 500.

37495. Are the arrangements such as to allow of the grant of *takavi* without any formality and promptly?—Yes; there is no undue formality; of course one has to look out for the security.

37496. Is each village represented in a *jirga*?—Hardly each village; it is more the tribe or sect than the village.

37497. They are appointed by whom?—It depends what sort of *jirgas* you are referring to exactly; if the Political Agent makes a case over to a *jirga*, very likely the members would be of the same village as the inhabitants belong to who bring forward the case.

37498. For instance, a civil dispute would be handed over to a *jirga* of the village?—Of the village or the neighbourhood, or you may say the vicinity.

37499. Who would appoint them?—The Political Agent himself.

37500. From his knowledge of the village?—Yes; either that, or on the application of the parties.

37501. Would the parties be consulted in the matter? Would they have the power to object to any particular individuals?—They have no legal power to object, except in criminal cases, but the Political Agent would undoubtedly give attention to any objection put forward.

37502. The whole thing is regulated really by custom rather than by formal laws?—It is provided for in the Frontier Crimes Regulations.

37503. Are full provisions to be found there?—Practically, yes.

37504. Do these *jirgas* generally give decisions that give satisfaction to the people?—Yes; I think so. Then there is the big *jirga*, what is called the *shahi jirga*; that is really composed of the big men of the place; it meets twice a year, once at Quetta and once at Sibi; it tries really important cases.

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37505. That represents the big men of the province, not of the villages?—If I were the Political Agent and an ordinary civil dispute were brought to me, I should say, "This must go to *jirga*," and I should appoint a *jirga*; but if it was a serious case between big men I should say, "This must go to the *shahi jirga*" that is really practically composed of the heads of the clans of Baluchistan.

37506. Then this higher *jirga* is not higher in the sense of being higher in the scale of Courts, so to speak?—It is not a Court of Appeal; it is a special jury, not a common jury, composed of men of a higher social rank.

37507. There is no attempt at forming a superior *jirga* containing representatives of the different villages?—This is more than the representatives of different villages; it is about 70 of the biggest men in Baluchistan, taken from all over the province.

37508. Is it understood to represent the villages, or only the higher classes of the community?—I do not quite know what is meant by the higher classes; there are the different tribes; there are the big men of the tribes; the principal tribesman is only *primus inter pares*; he is not of a bigger class than his tribe; he is the head or father of the clan, but he is of the same caste.

37509. (*Mr. Dutt.*) The Local Government desires to have the power of sanctioning its own budget, supplying a copy to the Government of India, but with regard to purely imperial revenues and expenditure the Local Government desires to adhere to the present practice?—We do not mind about that; there is practically nothing in it.

37510. In that case it comes to this, that the budget should be made in two parts, one for imperial expenditure and income, and the other for provincial expenditure and income?—In practice it would not really come to that. Imperial expenditure is practically the pay of the Agent to the Governor-General and of the Imperial Services, that is all; the Imperial receipts are only from loans and *takavi*.

37511. You have no divided heads of revenue?—No: such small things as we are able to raise all go to ourselves.

37512. Have not the terms of your *quasi*-permanent settlement recently been altered? Instead of having to meet all provincial expenditure, you have to meet only half now?—Yes.

37513. You do not think that even that is quite satisfactory?—I do not; because, if our increased revenue is *nil*, it does not matter; our increased expenditure may be *nil* or twice *nil*.

37514. You desire that all increase in expenditure should be met by the Government of India?—I do not say that; I say unforeseen expenditure. For instance, take the Gazetteer; we never knew at the time the last *quasi*-permanent settlement was entered into that we should be saddled with a 3-lakh Gazetteer.

37515. So that if the Government of India met all such unforeseen expenditure and also all expenditure incurred under the orders of the Government of India, that would satisfy this Local Government?—Quite.

37516. You say there is only one municipality in Baluchistan, at Quetta. Who is the Chairman of that municipality?—The Political Agent. The Assistant Political Agent is Vice-Chairman.

37517. Is it constituted by law?—Under the Quetta Municipal Law of 1896.

37518. Is the revenue mostly octroi duty?—Very largely.

37519. Is the budget submitted to any higher authority, or is it passed by the Committee itself?—It is submitted to the Agent to the Governor-General; it is not passed by the Committee.

37520. Are the members elected, or all nominated?—They are all nominated.

37521. Are they the principal residents of this place?—Yes.

37522. Is there a *jirga* in every district?—Not a standing *jirga*.

37523. Do these *jirgas* meet in a district whenever there is occasion, or do they meet at stated periods?—They do not meet at stated periods; they are not a standing body at all. A person presents a petition to the Political Agent, and he appoints a *jirga*.

37524. It may be a *jirga* of the whole district, or only of the particular village?—He can appoint it from anybody in the district, but generally it is appointed from the neighbourhood.

37525. Would it be possible to have a sort of standing *jirga* for the whole district; would it be useful in judicial work, and also in the way of helping and advising the administration?—I should doubt it, personally.

37526. With regard to the appointment of an Extra-Assistant Commissioner in a grade above the lowest, you desire that the Local Government should have complete power without the concurrence of the Government of India. Why do you say a grade above the lowest?—Suppose, for instance, we had a person in a clerical appointment who was drawing pay higher than that of the lowest grade of Extra-Assistant Commissioner; if he is made an Extra-Assistant Commissioner, he has to go down to the lowest grade of Extra-Assistant Commissioner and lose his pay, unless we get the sanction of Government. It is only to meet cases of that kind.

37527. If you want to appoint him in the lowest grade, you have the power to do so without reference to the Government of India?—Quite so.

37528. Are the local limits of the jurisdiction of Courts lower than that of the Judicial Commissioner fixed by the Government of India, or with the sanction of the Government of India?—Yes; they require the previous sanction of the Governor-General in Council.

37529. Are they permanently fixed, or are they frequently changed?—They are not frequently changed, but there have been changes.

37530. Are those changes often necessary?—They are quite infrequent, but they are things, whether frequent or infrequent, that the Local Government might be trusted to do on its own responsibility.

37531. Would it not be tantamount to the change of a district boundary?—Yes; except, perhaps, that it is less important.

37532. In any case those references do not give the Local Government very much work?—Not this particular one; it is only the aggregate.

37533. At present disforestation of all reserved forests requires the sanction of the Government of India and it is suggested that the Local Government might be empowered to pass orders; would you prescribe any limit as regards the area within which the Local Government should have that power?—I hardly think it is necessary.

37534. It has been suggested to us in other provinces that, within certain limits of area, the Local Government might have the power to pass orders, but that where a larger area is to be disforested, it might be desirable to obtain the orders of the Government of India; would you like to draw any such distinction?—I hardly think so; it is the Local Government that afforests areas, and I do not see why it should not disafforest areas.

37535. Are the forests here of great importance?—Not very, in Baluchistan; there are some pistacio and chilgoza forests, also juniper, but on the whole we are badly off for forests; there is little chance of any land being disafforested, except it might be for political reasons.

37536. What is the land revenue system in British Baluchistan?—Some land is under settlement, but in some we take *batai*. Quetta-Pishin is under settlement, but generally we take *batai*.

37537. Where it is settled is it settled for a number of years?—Yes. I think it was ten years in Quetta; we are just starting it; the Pishin term was 20 years, and Quetta, which was the first, was ten years.

37538. In both cases was the revenue collected by the tahsildars?—Yes; the *maliks* are responsible for taking the revenue of the village to the *tahsil*.

37539. Is there a *malik* in each village?—One or more *maliks*.

37540. Has the tahsildar got a treasury of his own?—There is a treasury in the *tahsil*.

37541. Has the system worked fairly well?—I think so; we pitch the cash assessments low in order not to frighten the people.

37542. Is the *batai* system working fairly well?—I should say so; but where I have been Political Agent (which is in Quetta-Pishin) it is only over a very small area: it wants constant supervision if you are going to have *batai* all over a district.

37543. For large areas the other system would be more suitable?—I think so: it is more convenient for the zamindar; they have not got to keep the grain waiting before somebody goes out to divide it.

37544. Is the public feeling generally against the *batai* system?—I would not say that, because it is customary, and people generally agree to what is customary.

37545. The only hardship they are put to is that they have to wait for some time till the measurement is made?—They may; as a matter of fact, from the District Officer's point of view, he is pressing them to get it into the grain heaps and *batai* it as quickly as possible; it gets blown about and the birds eat it if you do not hustle them.

37546. If the produce is good they pay a good revenue, if the produce is poor they pay a poor revenue; from that point of view, is it not rather an advantage to the cultivators?—Yes; it naturally conforms to the actual produce, but at the same time it may be very inconvenient; for instance, if one does not actually take the grain on the threshing floor, if one says, "you must bring it to a particular spot"—of course it is inconvenient because you have to take bits from every village; that very much affects the price.

37547. (*Mr. Hichens.*) Has the Agent to the Governor General the powers of a Local Government?—I think he has all the powers of a Local Government.

37548. Has he the same powers as the Lieutenant-Governor of the Punjab?—Practically so.

37549. Where are his powers laid down?—He is a Local Government and has the powers of a Local Government. In whatever Act "Local Government" is mentioned, that Act includes the Agent of the Governor-General, assuming that the Act has been extended or applied to Baluchistan; it is not in one Act.

37550. One witness states that for the purposes of Baluchistan the Foreign Department is the Local Government; that, I gather, is not quite the case?—It may be in one or two extraordinary instances, but I cannot recall them. The Agent to the Governor-General is to all intents and purposes the Local Government. As to the transfers of officers, most Local Governments have their own *cadre* and transfer officers, as they please; we have not our *cadre*, but that is not a statutory power of the Local Government.

37551. You administer both British territory and Agency territory. Is there any difference between them?—Practically none; there is a little inconvenience; you require two sets of notifications; for instance, the officer who is a Political Agent at Quetta is also Deputy Commissioner of Pishin; he practically runs the two as if they were all British territory, but if one wished to raise nice points of law about the matter it would be easy to do so.

37552. The only essential difference is the title?—Yes; if that is an essential difference.

37553. The Agency territory is leased, I understand?—Yes; they are perpetual leases with full jurisdiction.

37554. That is the difference, and the only difference?—Practically the only difference.

37555. What is the extent of the area of the administered territory in comparison with the British territory?—The Agency territory is the bigger of the two; but it is so much administered in the same way that it does not occur to anybody to consider the proportion.

37556. How many Native States are there under your control?—Under the Agent to the Governor-General there are only Kalat and Las Bela.

37557. You control the Local Funds, what do they consist of?—There is the Municipal Fund of Quetta and then there are certain Local Funds that are called Excluded Local Funds; they would practically be Municipal Funds if the places to which they relate were municipalities; they are raised in small towns and bazaars in the same way—mostly octroi.

37558. Is there nothing at all corresponding to a District Fund?—No; we shall have one, I expect, for Nasirabad. We have not got it yet.

37559. Is it in contemplation to make a District Local Fund there?—It will be a *tahsil* Local Fund because Nasirabad is only a *tahsil*.

37560. Is it proposed to go on the model of other provinces?—We have hardly settled that yet; we are only framing the law at present.

37561. You will take power to impose a cess?—Yes.

37562. Will this cess be of a fixed amount?—It is not more than one anna in the rupee of the revenue.

37563. You would not give any power of varying it to any local authority that might be constituted, in the same way that a municipality has power to vary an assessment rate?—No; this Regulation only authorizes the levying of the cess; it says nothing about the authority by whom it will be disposed of.

37564. Is it proposed to introduce that system elsewhere?—I think not.

37565. Are the present Local Funds utilized in the smaller towns where they are collected for sanitary purposes and so forth?—Yes.

37566. Do they cover roads?—To a certain extent—certain roads; other roads are repaired from other funds; there are civil works under Civil Officers, and main roads under the Public Works Department Officers.

37567. Is a large amount spent by the Government here on local work such as education?—It is not a very great deal; between Rs. 30,000 and Rs. 40,000 on education. Education is in a very backward state here.

37568. (*Mr. Meyer.*) You were about three years in the Home Department; can you tell us whether you agree with what has been said occasionally that the Home Department interferes with the Local Government unduly in the matter of details?—I may be prejudiced, but I should not have said so.

37569. Speaking generally, the Home Department exercises the control which under present arrangements a Central Government must exercise?—Yes, I think so; it is generally understood that it is very much better not to interfere with Local Government.

37570. It has been alleged as an instance of undue centralization that the Home Department practically imposes a uniform European Schools Code over India, that is to say, that the southern provinces had to adopt the Bengal School Code?—That was actually done after I left the Home Department.

37571. Are you prepared to say whether that was expedient or not?—It does not affect us in this province, and I do not know that I have ever had any need to go into the question.

37572. For practical administration a Local Administration generally stands on a lower footing than a Local Government?—It is generally a Chief Commissioner that is called a "Local Administration," and a Governor or Lieutenant-Governor is called a "Local Government," but the General Clauses Act makes no differences between the two.

37573. In this province the Head of the province is the "Agent to the Governor-General"?—Yes; and Chief Commissioner. He is Chief Commissioner in British Baluchistan and Agent to the Governor-General in the other part of the territory. British Baluchistan covers an area of 9,476 square miles; Agency territory covers an area of 44,345 square miles.

37574. He is directly subordinate, practically, to the Foreign Department of the Government of India?—I am not quite sure; I rather think that the Government of India recently issued orders that as regards certain matters we should go to the Home Department.

37575. With an ordinary Local Government, such as the Punjab, it cannot be said to be under any one

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department of the Government of India; it is concerned with the Home in certain matters, and with the Financial Department in other matters, and so on, but the position used to be, in reference to this province, that it was under the management of the Foreign Department?—Yes.

37576. You have told us that the Foreign Department even transfers and posts all your subordinate officers?—Yes.

37577. That being so, is it accurate to say that the Agent to the Governor-General here stands on the same footing as the Lieutenant-Governor of the Punjab?—I especially drew that distinction about appointments, and as regards the rest, the action generally taken by the Foreign Department is to refer any matter of business that comes up to it to the department which would dispose of it if the matter occurred in British Territory, and if it had been referred by a Local Government.

37578. But in practice, does your Administration not refer to the Foreign Department a number of matters which the Government of a major province would deal with itself?—I am inclined to think not.

37579. You have a financial settlement of a sort, but it is really quite different from an ordinary provincial settlement?—We are a deficit province; that is admitted; that is the root difference.

37580. The ordinary province is assigned a certain amount of the revenues levied in the province, and the rest goes to the Government of India for imperial purposes; here, you get all your revenues, and only bear a portion of the expenditure?—Quite so; but at the same time if we had a revenue of 50 lakhs, instead of a revenue of 13 lakhs, we should be treated in the same way as in other provinces.

37581. For the purpose of giving the Agent to the Governor-General certain financial powers in different branches of expenditure, certain items are classed as *quasi*-provincial; but in the Government of India accounts they all figure as Imperial?—I do not know very much about the matter.

37582. That being so, your provincial expenditure and receipts materially affect the surpluses and deficits of the Government of India?—They must, because we are invariably a deficit province.

37583. Therefore the Government of India must surely scrutinize your budget figures?—I entirely agree. I have suggested that the budget should be examined by them.

37584. That is not quite the suggestion made by the Agent of the Governor-General; he suggests that you should merely send copies of the budget to the Comptroller of India Treasuries and to the Government of India, and that the Local Government should have full liberty to draw up its own figures?—But that is subject to the explanation which is given, namely, that "at the same time precautions are taken to prevent the Local Government from taking an unfair advantage of the liberty thus accorded to it." If, on getting a copy of our budget the Comptroller of India Treasuries saw that we were spending all the money on Public Works, or spending it in an unthrifty manner, he would have the right to complain, and we should be taken to task.

37585. It is not merely that money might be wrongly applied; it is a question of the accuracy of the estimates for accounts purposes and the budget?—I think it will be found that, generally speaking, our estimates are more accurate than the figures of the Comptroller of India Treasuries.

37586. You have mentioned one or two matters in which you say the Comptroller of India Treasuries has cut you wrongly, but taking your budgets as a whole, as drawn up by you and as finally passed by the Government of India, are your budgets more accurate than those finally passed?—I fancy we should find that that was so, on the whole, over a series of years.

37587. Will you give me the figures for three or four years?—The figures show that after eliminating (1) cases in which alterations were made by the Comptroller, India Treasuries, based upon orders passed after the submission of our budget and of which, therefore, we could not be cognisant in framing our budget, (2) cases in which the alterations merely amount to re-arrangement under different heads, and (3) cases in which we have actually had to restrict our expenditure in consequence of the Comptroller of India Treasuries' retrenchments, we have been more accurate in 22 instances and the Comptroller of India Treasuries, in nine, during the last five years.

37588. As regards the cutting down of travelling allowances and so forth, when you sent the budget to the Comptroller of India Treasuries, did you explain that there was a new and abnormal element of expenditure introduced for the year in question?—The budget itself contained the increased establishment; the Comptroller of India Treasuries passed the increased establishment, but cut down the travelling allowances; that was as regards several items; as regards one item of Rs. 2,000 out of the Rs. 6,000, we stated definitely that it was based on the actual allotments which we had had to make in the previous year. Whereupon he cut us down.

37589. Meaning, I suppose, that the allotment of the previous year had not been fully spent?—Of the previous three years. In the actual previous year we had spent more than the allotment; we had had to make a re-appropriation.

37590. You had had to make an additional allotment?—Yes, and we stated that in the "remarks" column.

37591. One of your objections is that after the Comptroller of India Treasuries has altered your figures he does not send them back again to you?—Yes; we are at a considerable distance from the Comptroller of India Treasuries.

37592. You are aware that the Government of India, in the interests of accurate estimating, alters the budget figures of the large Local Governments?—Yes.

37593. You would hardly claim for yourself a power greater than that given to the Government of Madras or the Government of Bombay?—Not at all; probably the greater Governments are asking to be relieved from that.

37594. With regard to the distillery arrangement you refer to, the Excise Committee pointed out that the bulk of Baluchistan was inhabited by a teetotal population, and that nothing fresh need be done there; they said all that was necessary was to introduce improved arrangements into certain centres, cantonments, and railway stations?—Not quite that. The distilleries in Baluchistan are, one at Quetta, one at Loralai, one at Fort Sandeman, and one at Nasirabad; the distilleries at Quetta, Loralai and Fort Sandeman are necessary, because Loralai and Fort Sandeman are a very long way off the line of railway, and they all have cantonments and are the headquarters of the districts, and the officials and their families certainly consume a certain amount of liquor, which the natives of the country do not. Nasirabad, on the other hand, is close to Sibi, and there the Muhammadan population certainly drinks a great deal more than I have found anywhere in India. When we took over Nasirabad from Kalat, there were no less than 40 drinking shops in the *tahsil* of that Muhammadan State; that number we reduced to 14. We wish to retain that distillery at Nasirabad, but it is an out-still, and therefore has to be done away with, and Sibi has to be supplied from here. The out-stills at Loralai and Fort Sandeman are allowed to remain. There is a certain amount of inconvenience in supplying Sibi from here.

37595. Your chief grievance is with regard to the arrangement at Quetta?—In that is involved the destruction of the distillery at Nasirabad, because we shall now have to supply Sibi from here.

37596. Quetta was always a large cantonment, and it is now very much larger?—It is increasing.

37597. The Excise Committee also pointed out that excessive drinking took place mostly in cantonments?—I do not remember their pointing that out to us.

37598. And therefore they urged that it was necessary to adopt special precautionary measures in cantonments. This distillery system of yours is an extremely primitive one?—Quite so.

37599. You have no guards over the distillery?—No; because we are not concerned with that.

37600. You will perhaps admit that the new system is the better one?—It is less primitive.

37601. It will not merely tend to greater temperance, but will give larger revenue?—I do not see how it can lead to greater temperance, because the population here is teetotal.

37602. There is the cantonment population?—In the cantonment actually there are no liquor shops.

37603. Where do they drink then?—In the city.

37604. Then it comes to the same thing; the cantonment people drink?—Yes. I do not see that it will give us larger revenue; the Excise Committee told us that it would give us a large revenue; I said, "Will you guarantee that," and they said, "No."

37605. However, your chief grievance is not so much the matter of principle as that you have got to expend Rs. 50,000 or Rs. 60,000 in building a distillery, and you do not quite know where the money is going to come from?—That is so to a considerable extent; it is putting ruffles on us when we have not got a shirt, to introduce this highly civilized arrangement.

37606. Is not salt an imperial matter?—No; it is provincial here.

37607. But speaking for India as a whole, it is an imperial matter, especially under the control of the Government of India?—Quite so.

37608. Did not the former Agent to the Governor-General start the earth-salt experiment at Nasirabad off his own bat?—He started it after we had consulted the Collector of Customs in Sind, after we had consulted the Commissioner in Sind, and after we had consulted the Commissioner of Salt Revenue, who is the Executive Officer of the Finance Department of the Government of India.

37609. You did not consult the Finance Department of the Government of India itself?—We consulted the Commissioner of Northern India Salt Revenue, and not only that, but we had the benediction of the Government of India in the Foreign Department on our developing our salt revenue.

37610. In this particular place, Nasirabad?—It was in a worse place, Pishin, which is far more isolated, and in which the earth-salt is certainly not of the quality of the Nasirabad salt.

37611. Anyhow, Bombay complained that this earth-salt was likely to endanger their position in Sind?—I do not think they did; they were so extremely thoughtful that they blamed us for introducing a bad and dear salt; they said that earth-salt was bad and dear.

37612. Did they not say that they had suppressed earth-salt in Sind, and now they would have it coming in from Nasirabad?—What the Government of Bombay said was that they had suppressed earth-salt in Khairpur and Bahawalpur, and as those were both Native States in which it was impossible to have any control over the salt administration the circumstances were essentially different from a Government factory in Nasirabad.

37613. Then the matter was taken up, and the Commissioner of Salt Revenue reported very strongly in favour of closure of your works?—But was there not some amount of secret history about that?

37614. I will not press the point. You speak of an expenditure of 3 lakhs upon Gazetteers which was imposed upon you by the Government of India; was not the bulk of that expenditure incurred on a series of district and State Gazetteers?—I think that is so.

37615. These district and State Gazetteers give you information which has never been compiled before?—I quite agree that it is extremely useful; my only point is that to insist upon our meeting that 3 lakhs out of our growing revenues was, to put it mildly, a hopeless expectation.

37616. Was not this idea of provincial and state Gazetteers originated by one of your own officers, and approved by the then Agent of the Governor-General?—I think it was considerably resisted at first; it was before my time here, but I have an impression that it was resisted; at any rate, the proposal to throw it on to the provincial revenues was resisted.

37617. And triumphantly resisted as far as you were concerned?—Eventually, yes.

37618. (*Sir Steyning Edgerley.*) You say that, when the Comptroller of India Treasuries makes these cuttings, money has to be found by more or less inconvenient re-appropriations; therefore, if the figures at the end of the year show that the estimates are rather more accurate than your original ones, what it proves is that you have lived throughout the year on an inadequate fund to keep within your total?—No; because one can always cut Public Works; the Public Works are being starved absolutely.

37619. The effect that the final figure approximates more nearly to the figures of the Comptroller of India Treasuries than to your own is therefore obtained at the expense of Public Works though necessary, and does not prove that there has been any real benefit to the province or any real accuracy of estimating?—I should not say so.

37620. Suppose the Comptroller said that he never interfered unnecessarily and so on, would you be inclined to agree?—Not as at present advised.

37621. You do not think he would be the better judge about that?—I do not think so.

37622. Presumably if the Home Department were asked if they ever interfered unnecessarily they would say "No"?—I do not know; I do not make any reflection on the Home Department.

37623. But within limits they would probably say "No." Are they better judges than the people on whom they operate. I only put the general question?—It is rather difficult to answer it generally.

37624. If you had to form an opinion on a point of that sort, you would, of course, enquire of the Home Department, but you would also enquire of a great many people besides the Home Department?—Certainly.

37625. You suggest that proposition statements should be checked in Baluchistan; who do you propose should do that?—The authority which has power to sanction the revision under consideration.

37626. That might possibly be the Secretary of State?—Yes; but it is in fact very often the Agent of the Governor-General, sometimes the Revenue Officer.

37627. You do not think that audit verification is essential in such a case?—Not in such a case as that; I have never known of one being altered here.

37628. How is legislation supplied for the province?—As regards Agency territories, by notification of the Foreign Department; as regards British Baluchistan, under the Scheduled Districts' Act.

37629. Here, the unit is not so much the village as the clan?—It depends for what purpose; for revenue purposes it is the village. For administrative purposes it is more the sub-division than the clan.

37630. When you want to deal with the people do you go to the Head of the clan or to the Head of the village?—You would go to the principal men in the district.

37631. (*Chairman.*) You have said that there is a distinction between a Local Government and a Local Administration. Does that technical difference of nomenclature make no difference to the difficulty which reference to the Government of India in minute details imposes upon you?—I think not; the only difference I know of is that Governors and Lieutenant-Governors are generally called Local Governments; it is a terminological difference.

37632. It makes no difference whether a Local Government or a Local Administration has to go to the Government of India in matters of detail?—I do not think it makes any difference. I am not aware that the Central Provinces differ in any respect from the Punjab.

37633. You have a Public Works Secretary in the person of the Officer Commanding the Royal Engineers. There is a Civil Engineer also. Does he, when a programme of works is drawn up, submit that to the Deputy Commissioner in the district?—It is largely prepared in the first place by the Deputy Commissioner.

37634. Has the Deputy Commissioner any right to say that this or that work should have priority of completion?—They are always consulted, and so is the Revenue Commissioner.

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37635. But has he any right to say that this or that work shall be completed first?—He has not got the final word; that would be with the Agent of the Governor-General.

37636. When the budget for each district is made out and completed, has the Deputy Commissioner the right to say to the Executive Engineer or whoever it it, "This is the work which you shall commence," or "That is the work which you shall commence;" or does the Executive Engineer choose out of the money which he can spend what works shall be begun?—The Deputy Commissioner has no absolute right to lay down to the Executive Engineer the order in which he should carry out works. He is, of course, fully consulted on such questions.

37637. Has the Local Government much correspondence with the Cantonment Magistrate?—Not a very great deal.

37638. Who conducts what correspondence there is?—The Secretary to the Agent of the Governor-General.

37639. Does that take place from the point of view of the Agent of the Governor-General being a Political Officer, or his being the Chief Commissioner?—It is more with reference to his being Chief Commissioner, or the Local Government.

37640. Are these Excluded Local Funds raised by cess, or by taxation?—Largely from octroi receipts and from gardens, and things like that.

37641. Under whose direction are they spent?—That of the Political Agent of the district, as Deputy Commissioner.

37642. On what are they chiefly expended?—On roads, hospitals, gardens, sanitation—general local objects.

37643. With regard to the election of officers, there is some considerable difference between this province and others, in that you are all officers in the Political Service. Is there any period for Political Officers at which selection begins. Does a Political Agent begin as an Assistant Collector?—Very likely he would not begin here; they are first probationers in the Political Department and they generally undergo training either in the Punjab or the North-West Frontier Province.

37644. Then he comes up here as an Assistant Political Agent; a vacancy for a Deputy Commissioner or a Deputy Political Agent occurs; should the senior man be promoted as a matter of course?—Generally speaking, we are supplied from elsewhere.

37645. Suppose you had power to appoint your own officers here out of your own *cadre*, would you promote the senior officer, or would you select the most fit officer?—It would depend a good deal whether there was a great difference.

37646. Ought the process of selection to commence at the stage of Deputy Commissioner?—It certainly ought to be enforced there; if a man is not fit to be Deputy Commissioner he ought not to be made Deputy Commissioner.

37647. As a matter of fact, are officers passed over?—I have known officers reduced in status.

37648. As an exceptional mark of displeasure?—Yes.

37649. Is that just?—Yes; I do not think it was expedient; because if one has a man of 25 years' service serving as an Assistant Collector he cannot be very useful.

37650. Do you think that an officer so superseded should be retired?—Yes.

37651. Mention is made of the transfer of Baluchistan railway lines for various purposes to the Bombay Government by the Government of India. Was the Local Government consulted before that was done?—Orders were issued by the Government of India in the Home Department.

37652. This Government was not consulted?—No.

37653. You are quite sure of that?—The Commission did not come here.

37654. Did the Government of India consult this Government before they issued these orders?—To the best of my belief they did not.

37655. (*Mr. Hichens.*) Does all correspondence with regard to the administered territory go from the Agent of the Governor-General to the Foreign Office who, acting as a post office, send it on to the department concerned?—I have an impression that recent orders came from the Foreign Department that in such matters we were to address the other departments of the Government of India as if this Agency territory was British territory.

37656. (*Mr. Meyer.*) What are you going to do with Nasirabad in the matter of Excluded Local Funds?—We have a draft of a Land Revenue Regulation, and one of the clauses in the draft provides for the levying of a cess of one anna in the rupee for local purposes.

37657. That is to say, it is to be a rural Board?—There is no question about a Board at all.

37658. It will be as in Burma; they levy a cess there, but the Commissioner administers it?—I think that is so.

37659. Some of these other Excluded Local Funds are practically working in the cantonments?—That may be so in the case of Loralai and Chaman.

37660. Might you not develop, or pave the way for, local self-government by associating committees with the District Officers in the administration of these Excluded Local Funds?—As regards that, we say "The question of introducing legislation for smaller areas such as Sibi is now under consideration."

37661. Does that mean that you are going to develop these Excluded Local Fund areas into embryo municipalities?—We are thinking of making them like what are called "notified areas" in the Punjab and Sind.

(*The witness withdrew.*)

DIWAN GANPAT RAI, C.I.E., was called and examined.

Diwan Ganpat Rai.

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37662. (*Chairman.*) You are an Extra-Assistant Commissioner?—I am. I have been Extra-Assistant Commissioner since 1890. Since 1901 I have been in charge of the Sibi Sub-Division.

It will tend to the reduction of office work and saving of time if Sub-Divisional Officers are given extended powers relating to the revenue matters noted below:—

(*a*) Suspensions of revenue. In the case of severe or continued calamity to harvests and when assessments are paid in cash, Sub-Divisional Officers should be empowered to grant suspensions of revenue up to a certain amount, and also the amounts due on account of grazing tax. They should send at once a report to the District Officer, who may cancel or modify the orders as to him seems fit.

(*b*) Sub-Divisional Officers should also be empowered to grant advances under the Agriculturists' Loans Act for the purchase of bullocks and seeds in times of scarcity or other calamities. This will save much time, and enable the people to set to their work without delay.

(*c*) Sub-Divisional Officers should also be permitted to suspend recoveries of instalments of *takavi* advances, sending reports to the District Officer.

Similarly Sub-Divisional Officers may be authorized to incur expenditure on civil provincial works within the sanctioned allotment without further reference to the District Officer. In respect to Municipal and Excluded Local Funds, Sub-Divisional Officers who are administrators of such funds should be permitted to incur expenditure up to budget estimates and without any other reference to the District Officer. The Executive Officers (Europeans) have not sufficient opportunities for personal contact with the people. The reason of this is that they have got very heavy office and political case work. If an additional assistant is given to the District Officers in Baluchistan for headquarters work (and the former

should not be in charge of any sub-division), and if extended powers are given to Sub-Divisional Officers, District Officers will be relieved of much routine work, and will thus have time to meet the people of the district.

Transfers of District Officers and other European Assistants are unnecessarily frequent, chiefly in the Sibi District.

The Sibi district is not yet advanced for creation of Advisory or Administrative Councils. The present *jirga* system is practically doing the work of these Councils, and is best suited for Baluchistan.

37663. Do you reside in your sub-division?—It is the headquarters sub-division.

37664. Are you in charge of the whole sub-division, or in charge only of certain subjects of work such as revenue?—I am in charge of the sub-division so far as concerns revenue, judicial, and political cases.

37665. Can you suspend any revenue?—No.

37666. Therefore you cannot remit revenue?—No.

37667. Ought you to have powers to do that?—I think so in the interests of the people and to save time.

37668. What limit of power ought you to have?—There should be one uniform system for suspension for the whole district; up to Rs. 50 in each individual case, from and Rs. 500 to Rs. 1,000 in all.

37669. Ought you to have any power to remit?—I think so; half of the power of suspension.

37670. Can you grant advances under the Agricultural Loans Act?—No.

37671. Ought you to have power to do that?—Yes; say, up to Rs. 2,000.

37672. Who has power in this province to grant *takavi* advances?—The Political Agent has some powers up to a certain amount, and beyond that he goes to the Commissioner.

37673. Does the Political Agent carry the cash about with him?—Whenever he goes on a long tour he does; but only for his office expenses, not for advances.

37674. You suggest that you should have power to suspend the repayments of *takavi*?—Yes, up to one year.

37675. Up to any amount?—They have once been sanctioned, and now it is a question of recovery; the amount would be fixed in that way.

37676. Have you any power as Assistant Commissioner with regard to civil works?—None.

37677. Can you sanction any works?—No. I can only send an estimate, and sanction comes from the Political Agent.

37678. How far is your sub-division from the headquarters of the district?—There are two *tahsils*; one is the Sibi *tahsil*, and the other is the Kohlu *sub-tahsil*; the Kohlu *sub-tahsil* is about 100 miles from Sibi.

37679. Is Sibi the headquarters of the district?—Yes; in winter. In summer the headquarters are at Ziarat; there is the railway line up to Kach, and then it is about 31 miles from Kach to Ziarat.

37680. If any small work has to be done in the district, you have to send, at all events in the summer season, about a day's journey?—Yes; something like that.

37681. As a rule, have Executive Officers a good knowledge of the vernacular?—Some have, and some have not.

37682. Do the majority have a good knowledge of the language of the place in which they are working?—The majority have; they are supposed to pass the examination, and only those Political Agents who know the language are sent there.

37683. I am talking not only of the Political Agents, but of all the officers of Government?—The majority of the natives know the language, and the Europeans know it so far as their examination is concerned.

37684. I am not talking about examinations, but of their power to converse with the people; is that sufficient?—Not quite. It might be improved.

37685. (*Mr. Meyer.*) What is the character of your sub-division; how many *tahsils* does it consist of?—The Sibi *tahsil*, and the Kohlu *sub-tahsil*.

37686. Is it the general arrangement that each Sub-Divisional Officer has two *tahsils*?—Some have two, some have only one; I think most of them have either one *tahsil* and a *sub-tahsil*, or two *tahsils*.

37687. Are the sub-divisions changed at the Deputy Commissioner's discretion; can he give you one *tahsil* at one time, and two *tahsils* at another time, or do they remain fixed?—They can be changed with the sanction of the Local Government.

37688. Are they frequently changed?—No; there has been a change only once, some five years ago, when the new district of Loralai and a new sub-division of Nasirabad were created.

37689. Do Sub-Divisional Officers live in their sub-divisions?—They live at the headquarters of one *tahsil*; for instance, the Sibi Sub-Divisional Officer has his headquarters at Sibi.

37690. That is also the headquarters of the district?—Yes; in the winter.

37691. Take the Sibi district; how many sub-divisions are there?—There is the Sibi sub-division, the Nasirabad sub-division, and the Shahrig sub-division.

37692. Where does the Sibi Sub-Divisional Officer live?—He lives at Sibi.

37693. How long does he live in his own sub-division?—He always remains at Sibi except when he goes on tour to the Kohlu *sub-tahsil*, or some other part of his sub-division.

37694. Where does the Nasirabad Officer live?—Nasirabad; there is only one *tahsil* in Nasirabad.

37695. The general system is that the Sub-Divisional Officer lives for the most part of the year in his own sub-division, though sometimes he goes for a few months to the district headquarters?—No; he remains always at the headquarters of the sub-division; he goes to the district headquarters whenever he is called for, that is only for a few days, not months.

37696. Is that the general rule throughout the province?—Yes.

37697. Who appoints tahsildars and naib-tahsildars?—The Revenue Commissioner.

37698. Who are the naib-tahsildars?—Some are appointed direct, some are promoted clerks.

37699. Are the bulk of them natives of this province, or do they come in from the Punjab or elsewhere?—Most of them come from the Punjab; the local people have not got so much knowledge; are not so educated; they have now commenced to give appointments to the local people who are fit for them.

37700. In time do you think you will be able to recruit from them satisfactorily?—Yes; after they get educated.

37701. Has a Sub-Divisional Officer all the powers of a District Officer?—He is a First Class Magistrate, he is a Sub-Divisional Officer, and he is an Assistant Collector so far as revenue is concerned. He has also powers in civil cases up to Rs. 10,000, and he hears appeals from the orders of the tahsildars and naib-tahsildars.

37702. Where does the District Officer come in; does he hear appeals from the Sub-Divisional Officer?—Yes.

37703. Has he any part of the district under his direct control, or is he simply the Controlling Officer over the sub-division?—He is Controlling Officer over the sub-division, and he has power to hear appeals as Deputy Commissioner, but he has delegated these powers to the Sub-Divisional Officers also.

37704. You say the Sub-Divisional Officer should be allowed to deal with Excluded Local Funds; does he not deal with them already?—The Sub-Divisional Officer keeps the accounts, but he has to submit the accounts to the Political Agent.

37705. Can he not settle what works he is going to undertake out of his money?—Not without sanction. He should have power as regards any works that had already been sanctioned which are in the budget allotment; once they have been ordered and sanctioned they should be within his discretion.

37706. You have now to go up twice and you think once would be enough?—Just so.

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37707. You say that he should also be able to deal with municipalities; but there is only one municipality in the whole province?—I was speaking of the Local Fund at Sibi.

37708. Is that just the same as the other Excluded Local Funds at present?—It is under a different name, that is all.

37709. (*Mr. Hichens.*) The Excluded Local Funds are only collected in the towns?—In small bazaars.

37710. Are they spent in places where they are collected?—Yes.

37711. Do you make up a budget for each small town within your sub-division?—Yes. It is submitted to the Political Agent, and he sends it on to the Revenue Commissioner for sanction. I do not know whether it goes up to the Local Government or not; as far as I know, it goes from the Political Agent to the Revenue Commissioner.

37712. Is Sibi the largest town with the largest budget in your sub-division?—Yes. The budget is about Rs. 25,000.

37713. When the budget is once passed, you still have to go up for sanction to carry out certain works?—Yes. I have power only up to Rs. 25 at present.

37714. (*Mr. Dutt.*) You have one tahsildar under you. What is his educational qualification?—The present man does not know English; some tahsildars do.

37715. Is he a local man or a man from the Punjab?—From the Punjab frontier.

37716. Does he do most of his work in Hindi?—In Urdu; that is the Court language.

37717. What is his pay?—He is on the graded list; the pay of tahsildars is from Rs. 125 to Rs. 250; I think he gets Rs. 200.

37718. What is the pay of the naib-tahsildars?—They have grades also; the present man gets about Rs. 65.

37719. The population of your sub-division is mostly Muhammadan?—Yes; with the exception of the Sibi bazaar.

37720. Have you any indigenous schools, called *Mullah* schools, in the villages?—Yes; in the Sibi sub-division we have four village schools.

37721. Do you maintain or support these village schools?—Yes; those are village schools, and we have one big school up to the middle standard at Sibi itself.

37722. Beyond that have not the villages primitive institutions of their own where they teach the Koran?—Yes; they teach the Koran and we also try to get them to have a *Mullah* who can teach not only the Koran but a little secular education as well.

37723. Are these *Mullah* schools pretty numerous in the villages, or are they rare?—They are frequent, almost in every village.

37724. Is it possible, by giving some aid to those *Mullah* schools, to include some sort of secular education?—We are trying it as an experiment.

37725. Have you some chance of succeeding?—We are not quite sure, but we are trying; we tried in other places but did not succeed; we are going on with the Khaja school, and if it proves a success it is possible that we shall do the same in other schools. The difficulty is about the boys; the zamindars, so far as Sibi is concerned, cannot spare their children from the work of cultivation; as a rule, they do not send many boys; out of 100 perhaps they will send one-fourth or one-fifth.

37726. Do you sometimes have occasion to execute local works in the villages, wells, or small roads?—We have roads. They are made from the Excluded Local Fund. Some roads are provincial roads and some are Local Fund roads; those that are within the area of the towns are kept up by Local Funds, and those outside are kept up from provincial funds.

37727. Do you give such work out on contract, or do you ask the villagers to undertake it themselves?—We give them on contract generally.

37728. You cannot get some leading men of the village to come forward and take the money and do the work themselves?—We tried several times, but did not succeed; they are not yet advanced enough for that.

37729. There is no sort of village organization?—No; we have always been trying to give it to the local people as far as possible.

37730. Do you often have to refer cases to *jirgas* for decision?—All cases between local people are as a rule referred to the *jirgas*.

37731. Do they do useful work?—Very useful work.

37732. (*Sir Frederic Lely.*) When a *jirgas* has to be appointed, do you take any part in selecting them?—The Political Agent selects them and nominates them.

37733. Does he do it through you? Yes. There are two kinds of *jirgas*—one is a local *jirga*; that is done in the place itself, and all the headmen of the villages take part in it; when any case is referred by the Political Agent to a local *jirga* it goes to those people unless there is any objection raised by either of the parties.

37734. Are these local *jirgas* appointed from a list of the leading men?—Yes.

37735. You do not select them for each particular occasion?—In certain cases yes, otherwise the local *jirgas* comprise all the leading men.

37736. Would it be possible to increase the powers of the *jirga*, for instance, to enlist their aid in looking after schools or in keeping up the roads?—The men who are on the *jirga* are the *lambardars*, the headmen of the village; their help is always invited in the matter of schools in the villages.

37737. Are there factions in the villages of your sub-division?—Yes.

37738. Does that not make a difference at times to the impartiality and competence of the *jirga*?—No; because wherever any case goes to them there is always a Government official with them, and they always take care that their decisions are impartial.

37739. It is chiefly owing to the influence of the Government officer?—Yes; he is always there to see that they do their work properly.

(*The witness withdrew.*)

KAZI MUHAMMAD JALAL-UD-DIN KHAN, C.I.E., was called and examined (through an Interpreter).

Kazi Jalal-ud-din Khan.

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37740. (*Chairman.*) What is your present occupation?—Political Adviser to His Highness the Khan of Kalat. I was previously Settlement Officer in the Quetta-Pishin district.

The provincial Government should be given the largest possible powers in financial matters and authorized to work within the allotment according to his discretion, without exceeding allotment. The provincial Government should be given further financial powers of creation of new appointments and enhancement of salaries, subject to the conditions laid down in the Civil Service Regulations and Civil Account Code. In the matter of new appointments preference should be given to the natives of the province. The provincial Government should be given powers to such an extent that it may become nearly independent in all administrative matters of the province.

The departments of the Government of India are bound to follow the laws, and therefore their influence depends upon the rigidity or uniformity of the law. If the law is rigid, the influence of the departments of the Government of India will naturally be towards rigidity. This can be reformed by relaxing the severity of the law.

It is better if the Government of India keeps on a big scale the right of appeal to itself. A certificate is not necessary from the authority passing the order appealed against.

There is no Board of Revenue and there are no Commissioners of divisions in Baluchistan. There is

only one Revenue Commissioner, who is also the Judicial Commissioner in the province. There is one Political Agent in each district, who is Collector and Deputy Commissioner as well. The provincial Government should be authorized to invest the Deputy Commissioners of 1st, 2nd, and 3rd grades with the powers of Commissioners in their districts, whenever it deems fit to do so. The Assistant Commissioners and Extra-Assistant Commissioners of the 1st and 2nd grades should be given the powers of a Collector. The tahsildars of the 1st and 2nd grades should possess the powers of an Assistant Collector of the 1st grade, and the naib-tahsildars of 1st grade those of an Assistant Collector of the 2nd grade, provided these officers have served for more than three years in the district. All Assistant Commissioners and Extra-Assistant Commissioners should be considered as Assistant Collectors of the 1st grade and all tahsildars as Assistant Collectors of the 2nd grade. The Commissioners and Collectors should be given further powers to control expenditures in their divisions and districts.

The Local Government should not be further deprived of its financial powers. The Financial Commissioner has got extensive powers, and he has already relieved the Local Government from the financial powers in several respects, and that is sufficient.

In Baluchistan the Commissioner possesses the powers of a High Court in judicial matters. But the Local Government should hear appeals against orders passed under sections 61–62, chapter 3, sections 121–130, chapter 6, and sections 161–171, chapter 9, of the Indian Penal Code. In political cases appeals should be made to the Local Government, as at present. The Revenue Commissioner in Baluchistan is also a Judicial Commissioner, and presides over the highest Courts in the province. His influence is, therefore, sufficiently strong over other departments.

The Political Agent, who is the real Executive Officer in a district, has no time for personal contact with the people. He is busily engaged the whole day and night in the office correspondence. The correspondence work is rapidly increasing day by day; especially since Lord Curzon paid his attention towards it and issued strict orders in the matter. Since that time the correspondence work in offices has increased to an enormous extent. The Sahib's office establishment is also fond of correspondence. "The Sahib should have knowledge of all affairs"—this sentence is apparently very sweet, but actually it is a poisonous one. The Sahib is a human being; he naturally requires some rest, and cannot go to the bottom of so many matters brought to his notice. The clerks then prove the excess of work by inward and outward registers of correspondence, get more men employed, and thus make the way clear for them to reach to the officers' grade.

The next obstacle which keeps the Sahib back from personal contact with the natives of the country is that all his office work is done in the English language, and the desire of doing everything in English is unnecessarily increasing day by day. For the same reason a condition has been laid down for the appointment of a *sharishtadar* that the candidate for that post should have knowledge of English. In short, the Sahib does his whole work in the English language, remains surrounded by English-speaking people, and for him the appointment which he holds in Asia is just as he is employed in any capacity in London. Under such circumstances, how can he venture to learn a foreign language. If for any unavoidable circumstances he finds opportunity to meet a countryman, he considers that a waste of time and passes those moments hatefully. Gradually such things become his habit. The country people also feel this, and they do not wish to be an instrument of wasting the Sahib's time. The gulf of unfamiliarity between the ruler and the ruled is thereby becoming more wide. On the face of these facts it is a mistake to call the Sahib an "Executive Officer." He is actually at a clerk's table, and the title of a "clerk" suits him well. The following are the suggestions by which the defects which forbid the Sahib to have personal contact with people can be removed.

(*a*) The head clerk and *sharishtadar* should not be let loose in executive affairs as they are at present. There are several other ways of giving them promotions. A clerk can rise from the post of the *sharishtadar* of a *tahsil* to the post of *mir munshi*, and that of a Native Assistant to the Agent to the Governor-General. There is sufficient field for clerks.

(*b*) The Sahib has two offices—English and vernacular. Much work should be done in the vernacular office, and the restriction of keeping an English-knowing *sharishtadar* should be expunged, so that he may not convert the vernacular office into an English one.

(*c*) The Sahib should trust the subordinate officers under him, and treat them well; and they should not be disheartened by interference in their lawful powers. Then all of them become the Sahib's good and faithful assistants, and he will then himself find opportunities of personal contact with the people.

Preference should be given to the natives of the province. This shortness is admitted, but nothing is practically done. How can this be done when the conditions of "ability" are attached with each and every appointment, and the "ability" nowadays means "knowledge of English." This is a wrong idea; "ability" is one thing, and the knowledge of a particular language is another. A man can gain ability in any language. From a political point of view, also, it is not free from danger to give so much publicity to the foreign language, and to consider it "ability" for each and every appointment. The respectable natives of this province do not know English, and it is most probable that in this respect they will remain backward for several years to come; however, their influence in the country is sufficiently strong, and in executive matters their ability is natural. The Sahib should boast if he finds such subordinates working under him. On the contrary, if the respectable natives of the country will keep aloof, and the Sahib remains surrounded with so-called B. A. subordinate officers, who are more ignorant in the matters of customs of the country than the Sahib, and who bear no estimation in the eyes of people (though they visit them fair without and foul within), I may say without the least hesitation that the Sahib's office records will of course remain in good order, but the walls of the buildings of his administration are on sandy soil. If the house does not fall on the Sahib's head, he is fortunate indeed.

Some officers possess knowledge of the vernacular and some not. Great care should be taken and attention paid in the selection of Collectors.

Transfers are unnecessarily frequent. A good officer's frequent transfer from one place to another is really bad, but its remedy is not difficult; because officers get the pay of the grade and not of the post. It would not be unfair if certain districts were reserved for the officers of special qualifications. For example, the Quetta district should be reserved for the senior civilian officer in the province.

In Baluchistan local bodies are in a preliminary state and require no change. The supervision and control of local officers over the municipalities in Baluchistan is sufficient. There are no village communities in Baluchistan.

The creation of Advisory Councils in districts is most necessary. Through this system the respectable men of the country will render assistance in the administrative affairs, and Administrative Officers will be in touch with the public. The appointment of the members should remain in the hands of the Local Government, but in no subject should responsibilities be given to such Councils. The Political Agent should get their assistance in whatever matters he thinks the members fit. A high Advisory Council should also be created to assist the Agent to the Governor-General.

In the Police Department the Executive Officers should be given controlling powers. The Honourable the Agent to the Governor-General should be considered as Inspector-General, and the Commissioner as Deputy Inspector-General. Political Agents should be considered as District Superintendents of Police; Assistant Commissioners and Extra-Assistant Commissioners as Assistant and Deputy Superintendents; tahsildars as inspectors, and naib-tahsildars as deputy inspectors. If this is done the police will render

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immediate assistance whenever required. At present there are always misunderstandings between the Executive and Police Officers. Also the police of one district should remain in the same district, and the natives of the district and men of good character will then like to serve in the Police Department. The several defects in the police will thus be removed. Political Agents should not be given the powers of a Sessions Judge, because they form their opinion before hearing the case, and do not pay sufficient attention towards the proceedings. As very few Sessions cases come up in Baluchistan, a separate officer is not required to hear them.

37741. How did you arrive at the assessment of revenue in the Quetta-Pishin settlement?—The revenue was levied before by the *batai* system; returns were prepared for the last several years, and the average revenue was obtained; the land was also measured and a statement of irrigation sources was prepared, taking into consideration the past average revenue and the condition of the land and the amount of water. The distribution was made of the assessment over that.

37742. What amount of the gross revenue was calculated as the cost of production?—The *batai* pays a certain rate, which varies from one-sixth to one-third; that represents exclusively the Government share; out of the remainder the zamindars incur all expenses, and in fixing the assessment I only took into consideration the actual revenue realised by Government.

37743. Were there many appeals against this settlement?—Very few.

37744. Who decides such appeals?—They were settled by the Chief Commissioner.

37745. You suggest that in the matter of new appointments preference should be given to the native of the province; for what sort of positions?—Revenue Officers, such as naib-tahsildars and tahsildars, and also in the police.

37746. You do not attach much importance to a knowledge of English?—It is not necessary here.

37747. If a knowledge of English were excluded, would there be plenty of people for the positions of tahsildars and naib-tahsildars?—Yes.

37748. You say there is an unnecessary increase in the use of English in office work; is that a real detriment to the administration of the country?—I think it is a great detriment to the administration. The officer who has to carry out the administration has to spend most of his time in English correspondence.

37749. Would that not be the same thing if the correspondence was done in the vernacular? — The majority of the correspondence is originally in Urdu; it has to be translated into English again for the benefit of the officer, and in that way the time is wasted. All petitions sent by the local people are in the vernacular, and they have to be translated into English for the Political Agent. Most of the officers understand Urdu but very few can read it. They like these things to be put into English, and the office people endeavour that they shall be put into English, so that their work may be increased.

37750. Who translates these petitions?—Either the *sharishtadar*, or there is a translator attached to each office.

37751. What part of the country does the translator come from?—The majority of the translators are from the Punjab.

37752. So that this custom of conducting all the work in English shuts out the natives of the province from employment in the province?—On account of this system most of the local people are deprived of Government appointments.

37753. Do a considerable number of the people keep aloof from the Political Agents because they cannot read or write or thoroughly talk the language?—What I mean is that most of the Political Agent's time is occupied in office work, and the people think they will be wasting time if they go to him; that is why they keep aloof.

37754. (*Mr. Dutt.*) Was the old system which prevailed at Quetta-Pishin the *batai* system?—The greater part was under *batai*; in a few places there was a fixed assessment.

37755. Where the *batai* system prevailed, was the amount taken about one-third of the produce?—One-third, one-fourth, one-fifth, and, in the greater part, one-sixth.

37756. In reducing that into payment by money, did you keep up the same rates, or did you make any deduction?—In cases where *batai* was taken at one-third, one-fifth, or one-fourth, it was ordinarily reduced to one-sixth.

37757. Is Urdu generally the language among the upper classes in these parts of Baluchistan?—Not of the local people.

37758. In what particular vernacular should accounts and records be kept?—The language ordinarily spoken is Pashtu, Baluchi, and Persian, but none of these are suited for records and office correspondence; I think Urdu is nearer to Persian, and that is what should be used. At present the tahsildars and naib-tahsildars keep their correspondence and accounts in Urdu; I suggest that the correspondence in the Political Agent's vernacular branch should be done more in the vernacular and not so much in English.

37759. You suggest the creation of Advisory Councils in districts; what kind of men would you select for them?—They should be selected out of the leading men of the villages, preference being given to those who are somewhat educated.

37760. Who is to select them?—They should be selected by the District Officers in consultation with the people concerned.

37761. Are there recognised headmen in the villages in British Baluchistan?—The leading men are recognised and known.

37762. Are they the leading men of the different tribes, or are they the leading men of the different villages?—They represent the villages and tribes living in those villages: the villages are composed of certain tribes, and the leading men of each tribe are known and recognised.

37763. Would these men be of any help to the administration in village affairs, such as schools and roads?—Gradually, when they are trained they will be able to do that.

37764. (*Sir Frederic Lely.*) As a rule, do officers speak the language better now than formerly, or not so well?—One man differs so much from another.

37765. Where does the average District Officer get his advice from as to native customs and native wants?—From the leading men of the tribe.

37766. Does he generally get good advice?—Sometimes.

37767. Does he sometimes make mistakes through not getting good advice?—If enquiries are made about customs at public meetings where there are several people present he is not misled; but if he consults a single person it is possible he may be misled.

37768. Does it often happen that a District Officer takes his opinions from a single person?—They generally do not depend on one man's advice; even if one man gives advice the officer will consult several others before he acts upon it.

37769. Is there anything you can suggest to bring the officers of Government more into harmony with the people than they are, or is there no change which you think necessary?—It is absolutely necessary that there should be more contact between the officers and the people. The more the people of the country are employed the more they will have confidence in the officers, and they will come more to mix with the people.

37770. When you were conducting the settlement of the land, did you take the opinion of the *jirgas* or of the people in any way?—Leading men were consulted, and in that way there were very few appeals. Although the revenue was raised, the people were consulted and matters were discussed with them, and there were very few appeals.

37771. Did you do that in informal conversation or by holding a formal assembly?—I visited each village and collected all the people who had any interest and explained everything to them; everything was thoroughly discussed; I explained to them what was the amount of land and water, and then arrived at a conclusion.

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37772. In a free informal talk?—Yes.

37773. (*Mr. Meyer.*) Were you not a tahsildar and an Extra-Assistant Commissioner here before you took up your present position? Have you served in any other province?—In Kandahar, under Colonel Oliver St. John.

37774. You mention Commissioners of divisions and Deputy Commissioners; have you ever worked with a Commissioner of a division?—I have worked with a Revenue Commissioner.

37775. You say here that Deputy Commissioners of the first, second, and third grades should have the powers of Commissioners; what do you mean exactly by that?—I mean a Collector of the first, second, or third grade might be given the powers of a Commissioner in respect of land revenue.

37776. As if he was a Commissioner in another province?—Yes.

37777. You say the Political Agents sit at their desks and are becoming head clerks; do they not travel about a good deal in their district?—Though they go about the district, even then they have so much to do; most of their time is occupied in writing.

37778. But do they not talk to the people and meet *jirgas* and enquire into things themselves?—They seldom go to *jirgas*; they have not sufficient time to talk to the people.

37779. Does what you say about the Political Agent apply to the Sub-Divisional Officers too?—Generally they are natives; they have more time; people can come at any time to them, and they have more opportunity of talking to them.

37780. You make a distinction between a native gentleman and a European; there are European Sub-Divisional Officers, Assistant Political Agents, and so forth; have they not time?—In my time there were no European Officers in charge of sub-divisions, so that I have no personal knowledge.

37781. But surely men like Barnes Sahib, and Sandeman Sahib, and Browne Sahib went to the people, knew the people, and could talk to the people?—They were not so much tied down by correspondence as the present officers are.

37782. In what language is the work of the sub-divisional office done?—The Sub-Divisional Officers who know English carry on their correspondence generally in English.

37783. You say that Advisory Councils are required; why is that necessary when you have got the *jirgas*?—*Jirgas* are only intended for particular cases; if there are to be Advisory Councils they will be able to advise in all matters.

37784. Could not the *jirgas* be used; could not the Political Agent say to the *jirgas*, "Now, I am going to make a fresh settlement, and I am going to consult you about it"; or "There is plague there, and I want you to get the people inoculated"; could he not consult them about matters of that sort?—The Political Agents generally consult the leading men, but if there were a Council appointed the people appointed to those Councils would feel their responsibility, and would prove themselves more useful.

37785. You will still have these *jirgas* for these particular cases, and you would have a Standing Advisory Council in addition?—When the Advisory Councils are appointed, members of the Councils could also be appointed to the *jirgas*.

(*The witness withdrew.*)

KHAN BAHADUR BURJORJEE DORABJEE PATEL, C.I.E., was called and examined.

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37786. (*Chairman.*) Have you been living in Quetta long?—About thirty years. I am a merchant, and a member of the municipality.

The present administration is very well suited to the requirements of the province which is essentially a military frontier. The prominent defect is that the transfers of officers are more frequent than is desirable in a rising young province. On this account, very often, officers are prevented from taking that interest in people which is expected from them, and besides it tends to retard the progress of the place. The Government of India should select senior officers of mature experience with an understanding that they should remain in this place at least for a period of five years, if not more. In order to compensate them for certain disadvantages they may suffer from, on account of such a long stay, their salaries should be so fixed as to induce them to stay longer and thereby give them full opportunity to leave their mark on the administration of the country. Though there are frequent transfers amongst officers, strange to say there are practically no transfers amongst the subordinates. This, in the long run, works great injustice to them especially when the climate is severe. It should not be difficult to transfer a Baluchistan man to Peshawar or any part of the North-West Frontier Province.

No lawyer is admitted to plead in this country except by special permission of the Local Government. Looking to the present condition of the country, if it is not considered advisable to throw open the country to lawyers, at large, about half a dozen persons of good antecedents and training, if permitted to practise, there would not be much fear of litigation increasing. On the other hand they might prove a boon to the Bench and the public. This practice already prevails in the North-West Frontier Province.

In the absence of lawyers there should be a separate full-time officer to preside over the Judicial Administration. At present this work is done by an officer who is also a Revenue Commissioner. The Head of the Judicial Administration should either be a Barrister Judge or a Civilian Judge, with at least five to ten years' service as a District Judge.

Every Head of a district and province should know the language of the country and be in a position to speak to the people without the aid of an interpreter.

In matters municipal or municipal administration the official control should now be less. A greater opportunity should be given to the town people to run the show, and the elective principle should be introduced.

The aloofness between the rulers and the ruled is the principal cause of the so-called unrest in the country. During the last 25 years, Indians have made considerable advances. Educated men, who are the products of the western system of education, have learnt to respect themselves, and in return they naturally expect that the rulers should treat them with a certain amount of consideration and give them some of their confidence. The change of condition has not been properly guaged by the rulers who, as a rule, are tied to their desks. I would suggest the following remedies:—The Head of every district should be relieved of judicial work so as to give him more time to meet the people and exchange views on questions of administration and other matters, say at least once in every week. The visits of the non-officials of position should be returned. The Head of a district should be made to stay therein from five to ten years and be competent to speak the language of the district.

37787. Is the Deputy Commissioner the President of the municipality?—Yes. The Assistant Political Agent is Vice-President.

37788. You say that there have been too many transfers of Political Officers. How long should an officer stay in a district before he is moved?—At least seven years. The maximum should be ten years, and the mimimum five years. Here sometimes in one year there are about half a dozen Political Officers.

37789. Is this a particularly difficult part of the world for an Executive Officer to become acquainted with?—This is a new province in a frontier country, and if an officer can stay here longer he will have more opportunities to introduce reforms.

37790. But is this a more difficult part of India for an Executive Officer to become acquainted with, say, than Bombay?—No, I should not think so; of course he will have to study the language of the country; I attach more importance to the post of Deputy Commissioner even than to that of the Commissioner from

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this point of view. If a Deputy Commissioner was well acquainted with the language and was not saddled with so much work as he is nowadays, he would have more opportunities to mix with the people of the country, and thereby he could help to make the British rule more popular.

37791. Does the more or less unsettled condition of the country make it more difficult for an Executive Officer to become acquainted with the people?—There is not much unsettled condition now; the country is well settled.

37792. I will put it, the wilder nature of the country?—It is a wilder country.

37793. But you do not think it is more difficult than places like Gujarat?—No, because the people are quiet here: it is not like the Khyber frontier.

37794. Have the Executive Officers here a deficient knowledge of the vernacular?—On account of the frequent sudden changes, they do not possess that knowledge which they ought to possess in order to administer well, and to bring themselves into contact with the people.

37795. Is a knowledge of writing and reading as necessary as a knowledge of speech?—If it is necessary for natives to study the English language in order to discharge their duties properly, it is equally necessary for British officers to know the vernacular language if they want to make their rule a popular one.

37796. Is the ability to write and read as necessary as the power to converse?—Quite as necessary; in order to do this European officers should be given better pay so that they will be induced to learn and master the language.

37797. How is the revenue of your municipality raised?—By octroi. There is a separate conservancy tax.

37798. What is the revenue of the municipality?—It is about Rs. 1,20,000 a year.

37799. What is it spent upon?—Improvement works, such as roads, drainage, and lighting; half of it goes to the cantonment, because they say that Quetta is a town depending on the cantonment; they say that if there were no cantonment there would be no town. In India no such high proportion is given.

37800. Do you control education in the municipality?—Yes, primary education.

37801. Have you any secondary education?—Up to matriculation.

37802. Is there a college?—No.

37803. Are all the schools controlled by the municipality?—All the Quetta schools are controlled by the municipality, not the outside schools.

37804. How are they inspected?—There is an educational inspector appointed by Government.

37805. (*Mr. Meyer.*) What proportion of the education expenses is contributed by the municipality?—I do not remember the exact amount.

37806. Does the Municipal Council or the Chairman appoint the masters in these schools?—Yes; the Assistant Political Agent is the Vice-President of the municipality, and at the same time manager of the schools, and he, with the concurrence of the Education Sub-Committee, appoints the masters of the schools.

37807. Have you a Finance Committee to look after the budget?—No, we have no separate Finance Committee.

37808. Do you support dispensaries or hospitals?—There is a certain amount contributed towards the dispensary and hospital by the municipality.

37809. Is it managed by the Civil Surgeon?—Yes.

37810. Do you desire that the whole Municipal Council should be elected hereafter?—Not the whole, but it would be better if a part were elected, because it would leave no room for people to think that the nominated members simply worked with Government. People seem to think that if members were to go against Government in any way they would not be re-nominated next year. It would remove that impression if the elective principle were introduced.

37811. How long have you lived at Quetta?—30 years.

37812. How long has the municipality been in existence?—About 12 years.

37813. Is it popular?—It is popular, but the people have some grievances. They say that the President is an official, and therefore the Vice-President ought to be a non-official; if there is no Indian qualified for the post, they should have a European non-official. Moreover, the doings of the Municipal Committee are subject to the approval of the Deputy Commissioner, who can veto anything he likes; therefore it would be just as well not to have a Municipal Committee at all. In the first place the President and the Vice-President are official; in the second place, if what is done by the majority is to be vetoed, there is no use in having a Municipal Committee.

37814. As a matter of fact, does the Revenue Commissioner often exercise the power of veto?—He does not very often exercise it, but he has the power.

37815. You send your budgets up to him for approval?—Everything goes to him for approval. We do not particularly object to it, but it is the principle.

37816. Do you maintain that the municipality should be absolutely independent and not have to submit its budget to any outsider?—The budget certainly should also be submitted and passed.

37817. Then in what particular matter of control do you want relaxation?—The first is the elective principle.

37818. You say that in many matters you are so controlled by the Revenue Commissioner that you might just as well have no municipality at all; in what particular matters do you want relaxation or control?—The Commissioner has the power to veto anything done by the Municipal Committee.

37819. Does every resolution of the Municipal Committee have to go to him for approval?—Yes.

37820. Does it not come into effect until he has approved it?—Yes.

37821. Then would your position be that he should still see and approve the budget, and that he should get copies of your proceedings, but that he should not interfere unless there was something in which he thought he was bound to interfere?—Anything that was carried by a majority of the members should be upheld.

37822. Suppose the majority of the members got tired of keeping up schools and said they did not want any more of them?—If the majority gave it up altogether it would be a different thing, but whatever was done by the majority should be upheld.

37823. You believe in the sacred right of the majority?—I do.

37824. Should there be other municipalities in the province outside Quetta?—It is not time for that yet.

37825. You object very much to the constant transfers of Political Agents. Have you any remedy to suggest?—The only remedy I can suggest is to offer them higher pay so that they may be induced to stay here longer, and to relieve them of some of their judicial work; they are saddled with so much work that they have scarcely time to mix with the people.

37826. (*Sir Frederic Lely.*) You say that there should be more transfers among the subordinates; whom do you mean by the subordinates?—Clerks, Subordinate Judges, tahsildars, and all the people under the grade of officers.

37827. Would that not result in a tahsildar often being in a district where he did not know the language?—As a rule, the tahsildars come here from the Punjab, and they all understand Hindustani.

37828. But Hindustani would not carry one very far in many districts of this province?—The people of the country are getting educated, and in course of time they will provide tahsildars, but at present tahsildars come from the Punjab.

37829. It is important that a Deputy Commissioner should know the language, but it is still more important that a tahsildar should know the language?—Certainly.

37830. Would you propose that tahsildars should be transferred to the North-West Frontier Province, for instance?—There is not scope enough here for their transfer. Officers are subject to transfer in other provinces, and in the same way subordinates might be transferred to the North-West Frontier Province, as the language of both the Provinces is the same.

37831. (*Mr. Dutt.*) You have told us that the Revenue Commissioner has the power to interfere with all resolutions of the municipality. Are you quite sure of that?—I am not quite sure; but I believe it is the case.

37832. Take a concrete instance; the municipality passes a resolution that Rs. 250 be spent on the repair of a road, and a copy of this resolution goes to the Revenue Commissioner; does any section of the law permit the Revenue Commissioner to rescind that resolution or interfere with it?—I have not gone through the Code.

37833. You have spoken about the Educational Sub-Committee, are there any others?—Yes; there is a Public Works Sub-Committee and a Sanitary Sub-Committee.

37834. The Public Works Sub-Committee looks after all the roads that are executed; do they also check the accounts?—No; they do not check the accounts. They approve of the plan; they go to the site and look at the building and approve the plans.

37835. What are the duties of the Sanitary Sub-Committee?—The Sanitary Sub-Committee, assisted by the Civil Surgeon, inspects drainage and other works of public utility and buildings.

37836. A great deal of useful work is done by *jirgas*?—Decidedly it has been done. I should like to say upon that point that in this country no lawyers are admitted except in special cases. The local people have the *jirgas;* the Europeans have the Lahore High Court. Although the law is in force in Baluchistan, we have not got lawyers to guide us. Therefore I have laid stress upon the necessity of having lawyers admitted into this country. If you think the time is not come for that, in that case it would be better that Indians should also be allowed to have their *jirgas*, that is to say, their panchayat, headed, if possible, by some Judicial Officer, so that they can have their cases tried in the same way as the local people.

37837. The Indian population in British Baluchistan is small?—It is small; it is principally in Quetta.

37838. Is there a fairly large population in Sibi?—Yes; but not so big as in Quetta. In Sibi and Loralai there are Indians, but Quetta contains the majority. If this system of panchayats was introduced in Quetta and worked successfully, it might help to extend the system even in India.

37839. Your proposal is that a panchayat of Indian residents should be established at Quetta and that all petty cases should be referred to them for disposal?—Yes; and then the Judicial Commissioner's Court could remain as the High Court.

37840. That could be tried as an experiment?—Exactly; and in that case there would be no necessity for lawyers; but if we are to be tied down with the laws and at the same time not allowed the assistance of lawyers, it is very hard lines, because we have nothing to guide us, and of course it is always said that ignorance of the law is no excuse.

37841. (*Mr. Hichens.*) What are the revenues of the Quetta municipality?—Altogether 2 lakhs; the actual income is Rs. 1,20,000; the other is house rent; the Quetta municipality owns a lot of house property; then there are other taxes, bringing up the income to about 2 lakhs.

37842. Half of that, let us say a lakh, you give over to the cantonment?—Rs. 60,000 out of Rs. 1,20,000 we give over to the cantonment.

37843. Is the cantonment quite separate from the municipality?—Yes. There is another point; on the Cantonments Committee there are no townspeople to represent the citizens; although we give half our income we have not a single representative on the committee.

37844. Is the half that you give them spent entirely within the cantonment area?—Entirely; and we do not know how they spend it.

37845. They do not give you anything for it?—No.

37846. What is the reason of the contribution?—It is understood that if it were not for the Quetta cantonment the town would not have existed. It was so once on a time, but circumstances are very different now on account of the opening of the Seistan route and the extension of trade with Kandahar. Once, certainly, the town depended on the cantonment, but that is not the case now.

37847. Have you heard of a place called Johannesburg?—Yes.

37848. Near there are the mines; without the mines Johannesburg would never have existed; would it be reasonable to ask Johannesburg to contribute half their revenue to the mines on that ground?—I think in that case it is fair to give it certainly; I do not say that we should not give our contribution, but we should have some representatives on the committee.

37849. Has the municipality any powers to make a fresh appointment without consulting the Local Government?—No; the Local Government has to be consulted in every case.

37850. Would you give small powers in that way to the Municipal Council?—I would give the sub-committees power.

37851. Would you give the Municipal Council power to make appointments such as the appointment of a peon?—The President makes the appointments subject to approval by the Revenue Commissioner.

37852. Would it be a sound thing if in those towns where the Excluded Local Funds were collected a small committee was appointed to administer them?—It would be better certainly.

37853. Are you acquainted with the system of District Local Funds in other parts of India?—I know something about it.

37854. Is there no such thing in Baluchistan?—There is no District Local Fund here.

37855. Would it be a sound thing to start?—It would be better if it were introduced here.

37856. Would you introduce it in the various districts gradually?—Yes.

37857. Would you combine with that the appointment of some public body to assist in administering it?—Certainly.

37858. Are there districts or *tahsils* where it would be feasible to appoint some form of Council in order to administer a local fund?—It is hardly advisable for a *tahsil*, but I should say it would be for a municipality.

37859. I was talking not of municipalities but of District Boards, or *tahsil* Boards, and whether you thought it was advisable to start Boards of that sort in some parts?—It would be advisable to have them on a small scale.

37860. You say the municipality has a considerable amount of house property in Quetta. How did you acquire that?—The buildings were put up in the old days and we are getting rent on them.

37861. Was a considerable land endowment given to the municipality of Quetta by the Government?—Yes.

37862. (*Chairman.*) Who gave you the land?—The Government purchased it in the old days and gave it to the municipality.

37863. Did the cantonment authorities give you this land?—No; not at all.

37864. Have they given any land to the municipality?—No.

37865. Do they give you anything in return for this Rs. 60,000 which you give them?—They give us nothing whatever.

37866. Have they given you anything in the past?—Nothing. I am quite certain the cantonment has no separate octroi.

37867. The octroi circle includes the cantonment and the town; which is the larger, the cantonment or the town?—The cantonment is larger. The population is about the same, 15,000 each.

37868. Therefore you collect the octroi and give one-half to the cantonment?—Yes; but the cantonment do not pay any octroi; for instance, the goods which they get for the Government Departments are exempted from paying octroi.

37869. Are the troops exempted from paying octroi?—The troops pay no octroi at all.

37870. Are you sure of that?—Yes; I am quite sure.

37871. Do the families of the officers and officials connected with the troops pay no octroi?—If they get any goods from the shops they pay octroi, but not on private personal things.

(*The witness withdrew.*)

MAJOR A. MCCONAGHEY was called and examined.

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37872. (*Chairman.*) You are the Deputy Commissioner for Quetta-Pishin?—Yes. It includes the old town of Quetta as well as the district round—Pishin and Chaman.

Legislation to curtail the right of appeal seems undesirable and likely to be misunderstood. I would not interfere with the general right of appeal. The growing tendency on the part of junior officials and especially clerks to appeal without good reasons against orders affecting them personally could be more satisfactorily checked by Heads of Departments.

Executive Officers in this district have not sufficient opportunities for personal contact with the people. The chief obstacles are the amount of office work, which does not allow sufficient time for interviews, and the frequent changes, which do not afford officers sufficient opportunities to become acquainted with the district and the people. These remarks apply more particularly to the Political Agent and Assistant Political Agent, and an improvement could be effected if they could be relieved of civil judicial work, and if the transfers were less frequent. Three different* vernaculars are spoken in the different districts, and if officers are frequently transferred they are unable to acquire a good knowledge of any one of the three. Transfers of officers are frequent. For instance no officer held charge of the Quetta District continuously for six months between November, 1903, and March, 1907. As regards my own case I held the following charges between January, 1904, and March, 1907:—Political Agent, Chagai, Quetta, Kalat and Sibi; Gazetteer work; Political Agent, Zhob; and the same at Quetta. It is difficult to suggest a remedy. An improvement might be effected if less regard was paid to seniority.

The grant of larger powers to the Quetta municipality seems undesirable under the present conditions.

The creation of Advisory or Administrative Councils to assist District Officers seems inadvisable.

There are no village communities, in the strict sense of the word, in Baluchistan, their place being taken by the tribal system. Pathans are more democratic than Baluchis or Brahuis, and there are no leading chiefs in the district, but the position and standing of the heads of clans and sections are fully recognised by the tribesmen, and the work of the district is carried on with the help of these headmen and *maliks*. The levies who take the place of rural police are part of the tribal system, and in the district, as opposed to Quetta town, practically all cases, criminal and civil, are referred to the local *jirgas* or Councils of Elders. No further powers appear necessary.

37873. Can you clear up this point we have just been discussing about octroi?—We collect all the octroi, both in the town and in the cantonment, and we give a half share to the cantonment.

37874. Have you received anything in return?—No; except that the mere fact of the cantonment being here (that is the argument) increases our octroi, and if there were no great cantonment there would be no Quetta.

37875. Do the people in the cantonment pay octroi duties?—They pay a certain amount; they mostly get their provisions in the town; the native soldiers pay octroi on their food; a great many come and buy in Quetta.

37876. So far as octroi boundaries are concerned, there is no distinction between the cantonment and the town?—No; we have one circle right round both.

37877. Are you Chairman of the municipality?—Yes.

37878. Would it be possible to find in a place like Quetta any substitute as Chairman for yourself in the person of a non-official?—At present it would be better to have an official; not that it need be the Collector, but it would be better to have an official just at first.

37879. The municipality has been in existence 12 years?—Since 1896 or 1897.

37880. What is the number of members?—We have 20 on the Committee.

37881. Do you work by sub-committees?—Altogether.

37882. Do the members attend pretty frequently?—The non-official members attend very regularly; some of the officials who have a good deal of work cannot always come.

37883. How often do you sit?—Twice a month.

37884. Are you Chairman of all the sub-committees?—No; there are different Chairmen; the Civil Surgeon is informally Chairman of the Sanitary Committee; he does the work.

37885. And the other sub-committees?—The Building Committee has no Chairman; the City Magistrate is informally the Chairman.

37886. Practically the work of the municipality is done by officials of one sort or another?—Yes; a good deal.

37887. Are the non-official members who attend regularly capable of doing the work in place of the officials?—I think so; I do not say so as regards the Sanitary Committee work, because that requires special knowledge and none of them have it; but in the other committees they help a good deal; we always try to have non-officials on the committees, because they can keep in with the people.

37888. What is the area of your district?—About 5,000 square miles.

37889. How long have you been Deputy Commissioner?—A year, in Quetta.

37890. How long does it take to get round your district and get to know it thoroughly?—It may take a year to get round it, perhaps more.

37891. Were there many transfers in the post of Deputy Commissioners before you were appointed?—A good many just the year preceding, or rather the year before that.

37892. You say that no officer held charge continuously for six months during the preceding three years and a half?—That is so; there were always changes.

37893. Was the administration of the district when you took charge at all in a slack condition on account of these constant transfers?—I should not say that it was.

37894. Had it suffered in any way by the constant transfers?—I think so; the people did not know their officers so well; they did not know who the officers were perhaps.

37895. Was that an unsatisfactory state of things?—I would not go so far as that.

37896. During the three years previously you yourself had held five distinct charges?—Yes.

37897. Could you get to know anything of that number of charges?—I could not really except very superficially.

37898. Do you have to tour in your district?—Yes; there is no regular touring season; but I try to get out every month for a certain time.

37899. Your subordinates are posted to the district by the Local Government?—Yes.

37900. Can you transfer them when they are once posted?—No; none of them.

37901. Not the tahsildars?—Down to tahsildars and naib-tahsildars I cannot do anything; below that, patwaris and so on, I can transfer within my own district.

37902. How many tahsildars have you?—I have two tahsildars and three or four naib-tahsildars.

37903. If for one reason or another you think it better that they should be put to work in another district, you have to go to the Local Government?—I have to go to the Revenue Commissioner; he can transfer tahsildars and naib-tahsildars.

37904. Amongst the proposals which the Local Government makes is that of the right to transfer subordinates; would it be a good power to have?—I think not for Deputy Commissioners. The Revenue Commissioner might have the power.

* Pashtu, Baluchi, Brahui.

37905. You think it ought not to go lower?—I think not; the Revenue Commissioner is the best judge as to the conditions of all the districts.

37906. Have you any power to suspend or remit revenue?—No.

37907. Is it desirable that you should have that power?—In a small way it might be given.

37908. Up to what limit?—I might have it up to say Rs. 200.

37909. Under both suspensions and remissions?—Yes.

37910. You would not make any difference between the two?—No.

37911. Have you the forests under you?—There are some forests; they are not very important.

37912. Is there a Conservator in Baluchistan?—Yes, and an Extra-Assistant Conservator.

37913. Does the forest officer conduct his correspondence with the Conservator through you?—There are only rangers below the Extra-Assistant Conservator, who is in charge of forests; there is no other man below him.

37914. The Extra-Assistant Commissioner, so far as forest matters are concerned, communicates direct with the Conservator?—He is a Conservator too; there is only one.

37915. (*Mr Dutt.*) Is not Quetta-Pishin really two districts?—It is two separate sub-divisions in charge of the same District Officer.

37916. You have got three Sub-Divisional Officers under you. Generally what class of men do you get as Sub-Divisional Officers?—As a rule the Quetta Sub-Divisional Officer is a European; the other two are not; they are Extra-Assistant Commissioners belonging to the province.

37917. Are they generally chosen from the Ministerial Service, or are they appointed at once to a higher grade?—I think they come both from the revenue and the ministerial ranks as it happens to turn out; there is no rule about it.

37918. Are they all appointed by the Local Government?—Yes.

37919. Are you satisfied with the class of men you get as tahsildars and naib-tahsildars?—Yes; I think so.

37920. Do many of them come from the Punjab?—A great many.

37921. With the increase of education, will you be able to select more local men here?—Yes; there is a tendency that way; a few more local men are gradually being taken on as they learn.

37922. Have you, as District Officer, anything to do with education in the district outside the municipal limits?—Yes; the primary schools.

37923. Are there many primary schools within your charge?—There are four or five schools.

37924. Is there any immediate prospect of increasing that number?—Yes; I hope to open two this year, but it is very gradual.

37925. One witness told us it might be possible to aid some of these Koran schools so as to induce the *Mullahs* to include secular education; is that a good idea?—Yes, that might be tried.

37926. (*Mr. Hichens.*) There are a certain number of recommendations attached to the memorandum of the Agent of the Governor-General in regard to giving further powers to the Chairman of the Municipal Committee of Quetta; may I take it that this is as far as the Government are prepared to go in the matter?—Yes; I think that is quite enough.

37927. They make no recommendation, for example, with regard to appointments; would you be prepared to give them any powers in that matter, subject to the control of the Chairman?—We always discuss the appointments in committee; we never make an appointment without discussing it in committee first and taking a vote; then, if a new appointment is on the cards I forward it on to the Commissioner with a recommendation; the Commissioner very seldom interferes in these matters.

37928. If the municipality wanted to create a fresh post of a very humble order, should it be possible for them to do it without reference?—Yes; perhaps so in the case of small posts which did not really upset the budget to any extent.

37929. What powers have they of carrying out works?—They have practically all the powers within the budget; if the list is submitted it really rests with the Committee to a great extent; it is formal.

37930. Have you any Excluded Local Funds under your control?—Yes; I have one—the Pishin Fund.

37931. Does the Sub-Divisional Officer control these funds, in respect of the towns within his sub-division?—No; they are controlled by me; the details are in his charge, but the expenditure comes to me, with the exception of small amounts for the bazaars.

37932. They have extremely humble powers in regard to expending money on works for example?—Yes; but the towns are extremely humble too; Pishin is only one little street of about 10 shops.

37933. We had an example of a town with a revenue of some Rs. 20,000 per annum, and the Sub-Divisional Officer was not allowed to spend Rs. 25 on a work without getting sanction; is not that a trifling sum?—Perhaps it is.

37934. When you have scrutinized and passed the budget, would you be prepared to allow them to carry out the works contained in the budget without further sanction?—It would be better perhaps to retain the formal sanction; as a matter of fact they carry out all the works.

37935. Would you raise their powers at all?—You might give them certain powers up to, say, Rs. 200, to be spent locally. In a place like Chaman, for instance, a man might get Rs. 200 a year to spend on small things.

37936. Are there any towns where they have small sub-committees to assist the officers in working them?—I think not.

37937. Would it be a practicable thing to appoint small committees of that kind?—I do not think it would be necessary or even advisable. In a place like Pishin there is no one to form a committee; there is no one except a few small shopkeepers who have no local interest in the place; they are all outsiders.

37938. They live there?—They live there, but they are all aliens; they all come from Sind or Sukkur; there are very few people who belong to Pishin itself.

37939. That would not prevent them taking an interest in their sanitary requirements and so on?—No.

37940. You think there are no towns where this could be beneficially done?—I think not; I have only Pishin and Chaman in my district, and they are both small.

37941. Would it be more desirable in a place like Sibi?—Yes; they might have a committee there, or at any rate the panchayat might have something to say to the matter.

37942. (*Mr. Meyer.*) Is it a fact that resolutions passed by the Municipal Council in Quetta have to go to the Revenue Commissioner for confirmation?—No, not quite. All resolutions go to the Revenue Commissioner, but they *do not* require his comfirmation; if there is anything objectionable in a resolution he can take exception to it, but I have never known of such a case.

37943. Are they simply sent for his information then?—Yes; and since I have been here I have not had any sent back.

37944. Have you always had an official Vice-President here?—Yes.

37945. Would it be possible to try a non-official Vice-President?—Yes; I think it might, because the Vice-President is appointed *ex officio*, and has a good deal of District work to do, so that he cannot always turn up.

37946. Who makes appointments under the Municipal Council?—They are talked over by the Committee, and if it is a question of a new appointment it must go up to the Commissioner, otherwise the committee can appoint.

37947. If it is a question of filling up a sanctioned appointment, can you do it?—Yes.

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37948. But if you were to decide on having a new *chaprassi* for instance, would that have to go up for sanction?—Yes; any new appointment has to go up for sanction.

37949. Is that necessary?—Smaller appointments such as those of *chaprassis* might be filled up by the Committee, but the bigger ones might as well go to the Revenue Commissioner.

37950. Where would you draw the line?—Up to appointments under Rs. 25, or perhaps even Rs. 30.

37951. You said that you had not to send up any works for specific sanction outside the budget. In the budget do you give a detailed list of the works you propose to take up?—Yes.

37952. Supposing you were going to take up a drainage scheme, would you have to get your estimates and plan sanctioned?—Yes; if it was a big scheme involving a certain amount of money we would send it up.

37953. In that case would the local Public Works Officer deal with it?—The Municipal Secretary is also the District Engineer and he would deal with it.

37954. Would he look after the works?—He is Municipal Secretary and also happens to be District Engineer. He is a local man, paid out of provincial revenues.

37955. Generally, are not your civil works in this province executed for you by the Military Works agency?—Yes.

37956. Is Quetta an exception?—No; but we have two kinds of works, one done by the Military Department, and smaller things which are done by the District Officer himself with a special allotment.

37957. How does the District Engineer come in?—He does the works which are not fortified works, the minor works, the funds for which are given to me and not to the Royal Engineer at all.

37958. Your limit with regard to those works has been Rs. 250?—Rs. 200; but now it is to be raised to Rs. 500.

37959. You spoke of the desirability of the transfer of tahsildars remaining with the Revenue Commissioner. You have a couple of tahsildars in this district; suppose you thought it would be better that they should change places, why should you not be able to more them yourself?—Perhaps there would not be any very great objection to that, but the general list should go to the Commissioner because he then sees how all the men are posted, and is in a position to move them about, if necessary.

37960. Have naib-tahsildars any jurisdiction, or do they simply assist the tahsildars?—Some of them have separate jurisdiction.

37961. Does the Revenue Commissioner post them?—Yes.

37962. There again might you not post your naib-tahsildars within your district?—Yes; we might within our own district.

37963. Your Extra-Assistant Commissioners are paid according to a time-scale?—Yes.

37964. The Local Government in its statement talks about the power of appointing Extra-Assistant Commissioners in a higher grade to start with; does that mean that they commence their pay at a higher rate than they otherwise would?—Yes

37965. If you put a new man into an intermediate grade under an ordinary grade system, that means that some one below has his promotion deferred and there is no extra cost, whereas under this system there is extra cost?—Yes.

37966. Is that the reason why hitherto reference has been required to the Government of India?—Yes.

37967. You say that you control the primary schools in the district; do you refer to the appointments of teachers and so forth?—The personal assistant to the officer in charge of the duties of Inspector-General generally recommends them, and they come up to me for conformation, but I could appoint them.

37968. Are the secondary schools managed by the Educational Officer?—We always consult him and he could appoint a man, but all appointments come to me for confirmation.

37969. What sort of secondary schools have you?—There are both English and vernacular schools.

37970. What is the length of your service in the Political Department?—Sixteen years.

37971. Have you spent most of it in this province?—All of it.

37972. Is that a general thing?—No; but I have always somehow managed to be sent back here after my furlough.

37973. Are there other officers who have spent a good many years here?—Yes.

37974. In practice, is it the fact that officers do remain in Baluchistan for a long period of their service; or do you get men in Baluchistan one year, and sent to the Persian Gulf the next?—We have had many changes, but there are a few of us who have stuck here.

37975. (*Sir Frederic Lely.*) Does the Cantonment take a certain proportion of the octroi revenue?—Yes.

37976. In return for that does the Cantonment Committee become responsible for conservancy, roads, and other municipal arrangements within the cantonment limits?—Yes.

37977. Is that not a perfectly fair arrangement?—We think we pay too much, but that is a detail.

37978. But still it is a give-and-take arrangement, the exact proportions may be open to question, but the nature of the arrangement is unobjectionable?—Yes; I think so.

37979. Are you on the *cadre* of the Indian Political Department?—Yes.

37980. Is it not in consequence of appointments being made from the Political Department that transfers are so very frequent in the province?—Yes; it must be that.

37981. If it was possible to limit the area would the transfers probably not be so numerous?—Probably.

37982. (*Chairman.*) Would it be possible to confine the appointments in Baluchistan to the officers who are already serving there, or who are on leave beyond the province?—It would be rather too small a *cadre* for that.

37983. Can you suggest any *via media* between the present arrangement whereby the Government of India appoints the whole of the staff and a restriction on the existing *personnel*?—No. I have not considered that.

37984. You attach great importance to the right of appeal being continued as it is?—Yes; I think it should be continued. It might be misunderstood if there was any diminution which might create difficulties.

37985. Do you refer to revenue cases or disciplinary cases?—I was thinking more of disciplinary cases in that connection with regard to the establishment generally.

37986. Where do appeals with regard to subordinates end?—In the lower grades they generally take the Political Agent's decision; occasionally they go up to the Revenue Commissioner against the decision of the Political Agent.

37987. Does that not rather point to the fact that if there was one clear appeal from the original decision it would probably be sufficient?—It might; but some of the cases are so small that the officer just above can probably dispose of them, just as in my case I could probably dispose of appeals against leave without further reference.

37988. Is that satisfactory?—I think so.

37989. That would give one clear appeal, or a clear gap between the original decision and the appellate authority; is that sufficient?—I think so.

37990. Might not that amount of curtailment upon the right of appeal be found satisfactory?—I don't know; I should feel inclined to give a man a chance of going up if he wanted to; it is not done in practice much, but still a man likes to feel that he can appeal to the highest authority if he wants to.

37991. We were told by another witness that the stay in one appointment ought to range from five to ten years; would you agree with that?—No, that is unnecessarily long.

37992. What limit would you suggest for a man to stay in a division?—In three years he ought to get to know a place well.

37993. Would five years be too long?—I think so, if it was made a necessary rule; it would be hard upon a man because he might want to go on leave, or he might be ill.

37994. Have you anything to say with regard to the knowledge of officers of the vernacular?—Every district almost here has its own dialect, and it is very difficult for officers to know them all. The longer they stay in the province of course the better chance they have of getting to know the dialects.

37995. Do you look upon the power of being able to read and write it as essential?—It is desirable, but I am afraid that many of us cannot read or write it.

37996. Is it very desirable that you should be able to do so?—I do not know about very desirable, but it would be better.

(*The witness withdrew.*)

Major C. ARCHER was called and examined.

37997. (*Chairman.*) You are at present engaged on special duty on the completion of the revenue settlement of the Quetta *tahsil*?—Yes.

An extension of financial powers is not required in this province so much as a more liberal provision of financial means. Baluchistan, as a province in which the revenues fall largely short of the unavoidable expenditure and are not capable of any considerable expansion, has suffered from the rigid application in the *quasi*-provincial settlements made with her of the rules which prescribe that the standard of expenditure fixed for a new settlement shall be regulated by the sanctioned estimates for the last year of the expiring settlement, and that increased expenditure during the term of the settlement must be met from savings or from development of revenues. The result here has been that the objects which provincial settlements are intended to serve have not been fully attained, because the provincial Government has been unable to meet the natural and unavoidable growth of expenditure during the course of the settlement, and has been compelled on the one hand to cut down expenditure on Public Works below the minimum necessary for efficiency, and on the other hand to make repeated applications to the Imperial Government for additional assignments. This state of things conduces neither to efficiency nor to economy, and entails much needless clerical labour. If the system of provincialized finance is to work satisfactorily in the case of Baluchistan, the assignments from imperial revenues should be fixed on a scale which will admit of reasonable expansion of expenditure during the currency of the settlements. In the settlement which will come into effect from the 1st April, 1908, the Government of India have decided that "while the whole of the revenue hitherto treated as *quasi*-provincial shall be included in the provincial assignment, the provincial responsibility for expenditure heads shall be limited to one-half." It is not quite clear whether the powers of the provincial Government to sanction expenditure, etc., will remain the same under this new arrangement as under the old. If so, the change should effect a considerable improvement. There cannot be any more complete separation between the finances of Baluchistan and the Imperial finances, seeing that Baluchistan is, and, so far as can be foreseen, must remain, dependent on the Imperial revenues for making up the large deficit left by the excess of expenditure over revenue.

Borrowing powers are not required by the Local Government of this province.

I am inclined to doubt whether any delegation of further financial powers to provincial Governments in regard to the creation of appointments or raising the pay of existing posts is possible or desirable. It would be advantageous if the Local Government of Baluchistan were given larger administrative powers in the matter of the grant of assignments of land revenue (*mafis*). At present the Local Government can sanction the grant *at a land revenue settlement* of fresh *mafis* not exceeding Rs. 100 per annum in value each for life or for the term of settlement; and, with respect to grants other than those for village service or for a religious, charitable or other analogous institution, it has the power of continuing such grants on lapse for a single life, subject to the provision that the sanction of the Government of India is necessary when the amount of the grant to be continued (*a*) exceeds one-half of the sum enjoyed by the last grantee and is more than Rs. 50 *per annum*; (*b*) does not exceed one-half of the sum enjoyed by the last grantee and is more than Rs. 1,000 *per annum*. The Local Government might suitably be given power to sanction *at any time* assignments of land revenue not exceeding Rs. 200 per annum in value each, a tabular statement of all such grants being submitted annually to the Government of India for confirmation. As regards renewal the rules might remain as at present, with the substitution of Rs. 100 for Rs. 50 as the limit prescribed by proviso (*a*).

Section 10 of the Baluchistan Forest Law and Regulation requires that the Agent to the Governor-General and Chief Commissioner shall obtain the previous sanction of the Governor-General in Council before declaring a forest area to be no longer a State forest. This restriction might safely be removed, the matter being one that might well be left to the discretion of the Local Government. The relaxation could best be effected by an amendment of the Forest Law and Regulations.

The influence of the departments of the Government of India tends at times in the direction of excessive rigidity and uniformity. The tendency is, of course, not invariable, and many instances could be cited where the Government of India has permitted deviations from rigid uniformity in deference to representations based on local requirements and conditions. An instance of this kind was the cancellation, on the urgent representation of the Local Administration, of the orders issued in 1905 transferring the Baluchistan Railway Police to the charge of the Bombay Police Department. A recent instance of the enforcement of exact uniformity at the cost of administrative and political inconvenience is furnished by the orders passed in 1905–06 prohibiting the local manufacture of earth-salt in the Nasirabad *tahsil* of this Agency, which orders have been maintained in the face of strong representations by the provincial Government of the inexpediency of the measure. The remedy which suggests itself is that there should be established a freer and more frequent interchange of officers between the Secretariat and the executive branches, so that a more intimate and living realization of the importance to be attached to local conditions and considerations may be maintained in the Secretariats of the various departments.

The Government of India appears at times somewhat too impersonal. I do not think that Government usually gives too much weight to considerations of revenue; in regard to which its policy seems as a rule liberal and even generous. In so far as there is a tendency to undue rigity and impersonality it is more often due to a too strict adherence to what are known as "established principles of the Government of India," which are founded on the practice of the past, but are not always applicable to the conditions of the present or the future.

I would not curtail the right of appeal to the Government of India now granted in respect of administrative action. Such appeals give some trouble, but they provide a valuable safety valve, and in some cases, however rare, they may lead to the removal of hardship or the redress of injustice. I do not think it desirable that a rule should be laid down requiring a preliminary certificate as to the admissibility of the appeal from the officer whose decision is appealed against. Few men or authorities can fairly be expected to judge impartially whether reasonable grounds of appeal against their own orders exist. For similar reasons I would not curtail the right of appeal to the Government of India now granted to officers of Government.

The returns and information called for by the Government of India from the Local Government frequently have little or no relevance to the conditions existing in a new and backward province like this. It would save a considerable amount of correspondence and

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would relieve District Officers of a certain amount of unnecessary work if it were understood that when in the opinion of the Local Government it is impracticable or undesirable to render a return or furnish any information required, its opinion to this effect should ordinarily be accepted, without an elaborate statement of reasons, the compilation of which sometimes gives trouble and consumes time which might be more usefully employed.

There are no Commissioners of divisions in Baluchistan. In one or two minor matters large powers might advantageously be given to the Revenue Commissioner. For instance, he might suitably be empowered to sanction local printing, and also to sanction additions to and modifications of the list of Baluchistan Agency standard forms. Deputy Commissioners (Political Agents) might suitably be given a freer hand in regard to the expenditure of the grants placed at their disposal for Public Works. Under the new rules which it is proposed to introduce in respect to loans to agriculturists under the Land Improvement Loans Act and the Agriculturists' Loans Act, Deputy Commissioners (Political Agents) will be empowered to delegate to Sub-Divisional Officers the power of granting loans under these Acts on certain conditions and within certain limits. Certain powers vested in the Local Government by the Civil Service Regulations or other financial rules have recently (1905) been delegated to the Revenue Commissioner in Baluchistan with the sanction of Government. I do not think there is any pressing necessity for the delegation of further powers.

The influence of the provincial Government of Baluchistan has rarely, if ever, been in the direction of excessive rigidity or uniformity. The provincial secretariat does not tend, as a rule, to regard matters too much from a departmental standpoint. The Baluchistan provincial Government has, I think, never been too impersonal; nor, except in the case of one administration, now at an end, too much dominated by considerations of revenue.

The opportunities enjoyed by District Officers for personal contact and intercourse with the people are fewer than they should be, owing to their being too much occupied and tied to headquarters by office work. The evil is most marked in the case of the Political Agent, Quetta-Pishin, who has much heavier judicial work than any of the other District Officers, and who has, besides, heavy and hampering work as President of the Quetta municipality. The Revenue and Judicial Commissioner has also too much office work to permit of his touring as freely as he should do. The office work of District Officers might be lightened to some extent by refraining from calling on them for reports on matters referred by Government as to which, in the opinion of the Local Government, returns or information cannot usefully be furnished, and by modifying Article 1162 of the Civil Service Regulations and Note 2 to Article 91 of the Civil Account Code so as to permit District Officers to delegate the duty of countersigning travelling allowance bills and detailed contingent bills to qualified gazetted subordinates.

Executive Officers usually possess a fair working knowledge of the vernaculars. The only instances known to me in which ignorance of the vernaculars has been a serious drawback to an officer's work are cases of officers transferred to executive posts after being so long in an Indian Secretariat as to have lost touch with the people and the language.

I do not think a general increase of the administrative staff or a general reduction in the area of district or other charges is required. Additional Assistant Political Agents might with great advantage be appointed to the Upper Zhob and probably also the Barkhan sub-divisions. But what is most urgently required is that steps should be taken to ensure that the posts which already exist shall be continuously and effectively filled. It is seldom that the Government of India in the Foreign Department (which, in such matters, is our Local Government) is in a position to supply the province with its full complement of officers. One or other district is almost permanently shorthanded, and this shorthandedness is most injurious to efficiency. The root of this serious evil lies in the faulty methods of organization and recruitment of the Political Department. As a palliative measure at least one junior British officer, who has passed the departmental tests, should be attached to the headquarters of the province in addition to the ordinary Secretariat staff, so that the provincial Government may be in a position to fill up at once any vacancy in the districts for which the Government of India finds itself unable, for the time being, to provide.

Transfers of officers are undesirably frequent. It has been a common thing for an officer to hold three or four different posts in the course of a year, and several cases have recently occurred in which junior officers who had just learned to know their districts or sub-divisions and had begun to be of real use, have been transferred, much against their wish, to political posts in Persia or elsewhere, in which their administrative training was of no use to them; their appointments here being left vacant for long periods, or at best filled by new officers who had still to learn the district and the work. Against this evil, too, the provincial Government is at present powerless. The only effective remedies would be:—

(*a*) The re-organization of the Political Department on the lines of an ordinary Indian Commission, the methods of recruitment and promotion being adopted which have been found necessary in the case of such Commissions, and a sufficient reserve being maintained.

(*b*) The clear recognition of the fact that a large proportion of the appointments in the Political Department, including nearly all the Baluchistan appointments, are now partly or wholly of an administrative character, and of the principles that frequent transfers of officers holding administrative charges are particularly harmful, and that whenever possible, the fresh calls which must from time to time occur for Political Officers should be met from among the incumbents of purely political posts.

(*c*) A more careful observance of the principles laid down in Article 197 of the Civil Service Regulations regarding the grant, etc., of leave, and particularly of the provisions of clause (*b*); "The Local Government* may refuse to grant the full amount of leave applied for in any case, and should, by the exercise of this power, so regulate the date of an officer's return from leave, as to cause as little change as possible in administrative arrangements."

I do not consider that larger powers are required for the Quetta municipality, the only one now existing in Baluchistan, or that its functions could be suitably extended. We have at present no District Boards.

The institution of *jirgas* or Councils of Elders, which is indigenous to Baluchistan already furnishes us with Advisory Councils. These Councils sit almost constantly at the headquarters of each district, subdivision or *tahsil*, and any matters which the local *jirgas* cannot dispose of are referred to general *jirgas* of the notables of the whole province (known as *shahi* or royal *jirgas*) which meet in the spring at Sibi and in the autumn at Quetta. The duties of these Councils are primarily judicial, and they are often convened under the provisions of the Frontier Crimes Regulation, but in fact their functions are not confined to those laid down in the Regulation, and they are of great value as Advisory Councils in matters of general administration and as interpreters of the customs and wishes of the people. In addition to the formally constituted *jirgas*, it is a well-established practice for District Officers when on tour to hold informal assemblies (which are called "*darbars*" but have none of the formality of an Indian *darbar*) of the notables and headmen of each locality, and to discuss with them freely any local affairs which require settlement. Such an assembly, where, owing to its public and comprehensive character, facts and feelings cannot be misrepresented without the practical certainty of immediate detection, is a much more effective instrument for arriving at a clear and sympathetic understanding of the condition and wishes of the people than would be a selected or elected Council, which could hardly fail to lend itself to faction and intrigue. To endeavour to formalize these indigenous institutions

* *i.e.*, in this case the Government of India in the Foreign Department.

by embodying them in rules or enactments would be very likely to destroy their usefulness. The *jirgas* may be regarded as Administrative Councils in the sense that they take part in the judicial administration. I do not think any other form of Administrative Council is at present possible or desirable.

I do not think that village communities as such could be given greater powers in the disposal of local affairs. The most important members of such communities already exercise not unimportant powers in criminal and civil cases, as members of the *jirgas* referred to above.

37998. You heard the evidence of the former witness as to the method of land revenue assessment; was what he said correct?—It was practically correct.

37999. How long is your settlement for here?—The settlement just expired was for ten years; the one which I am now carrying out has not been fixed as to term, but I shall have to make proposals on the subject.

38000. What length of time should a settlement stand good for?—I intend to propose only ten years, in the case of the Quetta *tahsil*, because I do not think the conditions are sufficiently permanent to make it safe to have a longer term.

38001. Is that from the point of view of a possible increase or decrease?—From both points of view. If the number of troops increases largely here there would be a possibility within ten years, in some parts, of a considerable increase: on the other hand everything in this country depends on irrigation, and there is very little certainty about the irrigation sources over a term of years; we have not yet been long enough here to know precisely how they will act in the long run.

38002. Is the whole of the crop here irrigated?—Practically; in a good year there is a certain amount of rain cultivation, but only in good years.

38003. Might Assistant Commissioners and tahsildars be given any power of remission or suspension?—I hardly think it is necessary. I think a mistake has been made in the previous evidence as to the Political Agent's powers. The Political Agent has power to suspend, and does suspend, subject to report to the Revenue Commissioner, and communication is so rapid and easy between Political Agents and the Revenue Commissioner that I do not think there is really any necessity to give local officers powers of remission; they have simply to represent the matter, with the necessary details, and orders can be given at once. No Political Agent would hesitate to suspend, pending reference to the Revenue Commissioner.

38004. Do you say the same with reference to *takavi*?—Yes; I do not think there is any necessity for an extension of the existing powers. There is very little rigidity in our system of collecting *takavi*; we do not press a man who is really unable to pay punctually, and it is only a question of a little more interest accruing.

38005. But what do you say as to making advances originally?—There is a proposal to give certain powers to Sub-Divisional Officers to grant *takavi*, which I think is desirable.

38006. But you would not delegate the power as far as a tahsildar?—No; it should stop with the Sub-Divisional Officer for the present.

38007. You say that you have been obliged to cut down expenditure and that you have had to make repeated applications to Government for additional assignments; have you generally got those assignments?—No; we have sometimes got them, but not as much as we have asked for, and in other cases they have been refused.

38008. Is the present settlement, that is to say the 1908 settlement, which is now coming into operation, on the whole satisfactory?—I can hardly judge. I confess I do not quite understand what the working of the new conditions will be, but, of course, there is much to be said in favour of the view that where there is practically no increase in revenue, it really does not matter whether you have to meet little or much of an increase in expenditure—you cannot do it.

38009. In the case of any future increase in expenditure are you to bear one-half and the Government of India the other half?—Quite so.

38010. Is that an improvement on the existing state of affairs?—It will be so, if at the settlement a reasonable margin is allowed for the necessary growth of expenditure; that is, if in the standard which is fixed for our assignment by the Government of India, a reasonable allowance is made for the necessary growth of expenditure during the currency of the settlement.

38011. But this settlement would not come to you in the course of your ordinary work unless you were conducting the negotiations at the time you were acting?—It was I who sent up the proposals for a settlement.

38012. And in that settlement were the Local Government fully consulted, and given reasonable opportunities of presenting their case?—The procedure was that I submitted to the Local Government proposals for a settlement, asking for a certain standard of expenditure and a certain annual assignment. The Local Government forwarded my proposals, with its own comments, and the Government of India passed orders, reducing our proposals to a certain extent and making this new condition as to meeting half the new expenditure.

38013. Why do you want larger powers as to the grant of assignments?—That is what are called *mafis*. Certain persons are allowed to go revenue free, or the revenues of certain villages are assigned to influential men, and under the present rules the Local Government has only power to grant this at a land revenue settlement, such as is for instance going on here, and then only within certain very narrow limits; not exceeding Rs. 100 per annum in value each for life or for the term of settlement; I would give power to sanction up to Rs. 200 each at any time, without reference to whether there is a settlement in progress or not.

38014. How many such grants would you make in a year?—Probably very few indeed; it is more the power than anything else; their importance in the eyes of donees is far in excess of their intrinsic value; they are looked on as a mark of honour. I do not suppose in the whole of Baluchistan there would be occasion to make more than half a dozen such grants a year.

38015. Would not such a grant be debited half to the provincial and half to the Imperial Government?—No; it would come entirely against the provincial Government; it is a mere deduction from revenue; it is not expenditure in any way.

38016. You say that there ought to be a freer interchange between officers of the Secretariat and executive branches; do you mean the Secretariat of the Government of India or the Local Government?—I mean more especially the Secretariat of the Government of India.

38017. Were you not in the Government of India?—Yes; as Assistant Secretary for a year; but it is a long time ago.

38018. Was there a sufficient knowledge of local conditions in the Secretariat, or were people rather apt to be bound by paper regulations?—I thought so. One thing that struck me at the time was (of course it is something that might not occur now) that as to the only province I knew anything of at that time, namely Baluchistan, no cases concerning it ever came near me at all, and I dealt simply with provinces as to which I knew, first-hand, nothing. I did my best to express my opinions on the subjects brought before me, but I felt at times that the want of first-hand knowledge hampered me considerably.

38019. How long ago is it since you were at the Government of India?—In the year 1891, 17 years ago.

38020. And things may have altered since then?—Very likely.

38021. You also emphasise the fact that District Officers are not in sufficiently close touch with the people?—Yes; their desk work ties them too much; they do not have enough time to go about.

38022. Do you think the last witness was correct in saying it would be impossible, in the case of the officers in charge of the Quetta district, to give up the Presidency of the municipality in favour of a non-official?—I think so at present; the Deputy Commissioner must remain President.

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38023. With regard to the Vice-President, would you agree that some one could be found to take his place?—It would be difficult. There is one thing in favour of an official Vice President, namely, that it avoids all chance of local jealousies. Another point of importance is that the Political Agent must occasionally be on tour and so forth, and in his absence the Vice-President takes the chair at the municipal meetings, and it certainly is of importance that the Vice-President should know the Political Agent's policy in regard to municipal matters and should endeavour to carry it out.

38024. Is not the Quetta municipality the most important in Baluchistan?—It is the only actual municipality in Baluchistan.

38025. And with the possible exception, perhaps, of Sibi, there is no other centre of municipal life?—No.

38026. With regard to the vernacular, you say that officers possess a fair working knowledge of it; what do you mean exactly?—They have a knowledge which will enable them to get on in talking with the common people about the common matters of every-day life. Officers very rarely possess the power of reading Urdu, or writing it, fluently.

38027. Is it desirable that they should have that power?—It is a counsel of perfection; it would take an enormous amount of time to learn to read and write it sufficiently fluently to carry on one's whole work oneself, and it would probably ruin the eyesight of a great many officers; it is very desirable that a man should be able to read a thing if necessary in order to make quite sure that he is being told the truth, but to gain sufficient knowledge of the vernacular so as to be able to read easily all the vernacular work which comes in would mean a very long course of training, and to try to do it without great fluency would be an enormous waste of time.

38028. Was it done formerly?—I should doubt it very much.

38029. Was it not done in the times when there were no English-speaking clerks?—There never has been such a time in Baluchistan; there have always been people available who could translate the vernacular into English.

38030. (*Sir Frederic Lely.*) You advocate disafforestation at the discretion of the Local Government; most of the land under forest in Baluchistan is not very good land?—No; it is usually hilly, rocky, mountainous country.

38031. To foresee the time when it may be covered with trees requires a good deal of patience?—Yes.

38032. Supposing an area has been reserved for 30 or 40 or 50 years, and a crop is just beginning to appear, would you put it in the power of the Local Government to give up that area?—It is very unlikely that the Local Government would ever lose any chance of maintaining a really useful forest area, and I can hardly conceive their doing such a thing, especially in such a country as Baluchistan, where forests are so very rare and very precious. The real case I had in mind in making the suggestion was the case of a tract what we call a grass *ruk*—near the Loralai cantonment, which was reserved under the Forest Law with the idea that cavalry might get grass there; but it was never of any use for such a purpose as the grass did not grow sufficiently freely, and it was agreed that it should be disafforested. The people considered themselves injured with regard to the matter and were perpetually petitioning about it, so I recommended that it should be disafforested, but before it could be done the whole case had to go up to the Government of India.

38033. Where action of that kind involves the abandonment of a policy which has been followed for many years, should not every safeguard be adopted to prevent any sudden and ill-considered change?—Possibly in theory it ought to be so, but in practice I do not think, in this province at any rate, there can be any possibility of any valuable forest being given up.

38034. Would you approve of an arrangement that the Local Government might have power to disafforest an area limited, say, to 200 or 100 acres, which would provide for all small cases?—This particular case I refer to was a matter of a good many square miles, although it was absolutely worthless land except for grazing purposes. The question is largely academical; it might not occur once in ten years that there was any proposal of the sort. It is somewhat inconsistent that the Local Government should be able to reserve forest without reference to the Government of India, and should not be able to undo its own work, so to speak.

38035. Would you advocate dividing the *cadre* of the Political Department into two distinct divisions, administrative and political?—No; not at present. I do not think there should be water-tight compartments between the two branches of the Service, but a general recognition of the fact that it is desirable, where possible, to use men who have held administrative posts for administrative work and *vice versâ*.

38036. Is it not a fact that a great majority of the natives themselves are not able to read ordinary official manuscript?—Quite so. I have very often had to help my *sharishtadar* to read a petition when he has gone wrong simply through reading the letters and not following the sense, while I, knowing the sense, have been able to suggest the true reading of a word which he had taken for something else. It is an exceedingly difficult thing to read anyone else's writing in Urdu.

38037. Therefore would your attitude be that though you would encourage men to practice the reading of manuscript, you would not make it a *sine quâ non*?—I do not think it should be.

38038. But it is a most useful accomplishment, once acquired?—Most useful, undoubtedly.

38039. (*Mr. Dutt.*) How is the land revenue fixed, is it field by field, or estate by estate, or village by village?—Estate by estate; what we call a *mahal*.

38040. What is the average extent of a *mahal*?—They vary enormously; some of them run to 400 or 500, or even 1,000 acres, and others will only be about 6 acres.

38041. Is the whole of a *mahal* owned by one proprietor?—No; usually by several, and sometimes by a large number.

38042. Do you fix the revenue payable by the *mahal* as a whole?—Yes; and then assist them to distribute it over the holdings.

38043. When you have fixed the rates is it made known to the people, or done in consultation with them?—The procedure is that you first get sanction to the total assessment of the *tahsil*—what you think the *tahsil* can pay—within certain limits. Suppose one says, "The revenue which I consider after full enquiry this *tahsil* can pay is between Rs. 40,000 and Rs. 50,000." You then set to work to distribute it over the *mahals*; you have the people of each *mahal* up and talk the whole matter over; you tell them what you think they ought to pay; they state what they have to say in the matter, and the thing is finally settled.

38044. If in the course of discussion you find the original estimate is too high or too low, do you modify it accordingly?—Yes; you modify it slightly.

38045. Then is it sent up to the Local Government for sanction?—Yes; through the Revenue Commissioner.

38046. Is it sanctioned ultimately by the Local Government or by the Government of India?—The former settlement was sanctioned by the Government of India, but the Punjab Land Revenue Act has now been applied with certain slight modifications, to the Quetta and Pishin *tahsils*, and this present settlement will be sanctioned by the Local Government and reported for information to the Government of India.

38047. After the settlement has been proclaimed, if anybody has any objection or appeal to bring forward, has he a chance of doing so?—Yes; there are certain provisions to that effect in the Punjab Land Revenue Law.

38048. Does the appeal go to the Revenue Commissioner?—Yes; the Revenue Commissioner exercises the functions of Financial Commissioner under the law.

38049. Are there any large irrigation works executed by Government?—Not in this *tahsil*; in the Pishin *tahsil* there are.

38050. Is an irrigation rate imposed?—Yes; on the land irrigated by those works; the revenue is taken by division of crops, there is no fixed assessment, and the rate is a third instead of a sixth, as it usually is elsewhere. That is in consequence of the irrigation being supplied by Government.

38051. Have you no irrigation works in any other place where the revenue is taken in money and not in kind?—In the Nasirabad *tahsil*, which has been recently taken over, which is irrigated from the Sind canals, there is what is called an irrigation rate, that is to say, there is an irrigation settlement. The area under crop is measured, and according to the crop on land a certain rate of revenue is charged, half of which goes to the Bombay Irrigation Department, and half as land revenue to the local revenues.

38052. In those cases is the irrigation rate consolidated with the land rate?—Yes.

38053. (*Mr. Hichens.*) What is the rule with regard to appeals by officials?—The first appeal would lie to the Political Agent against any Sub-divisional Officer's order.

38054. Do you mean if a Sub-Divisional Officer dismisses a man?—He could not dismiss, only the authority that appoints can dismiss, and the Political Agent is the authority that appoints.

38055. Can the Political Agent dismiss a man?—Yes. An appeal would lie to the Revenue Commissioner and then to the Agent of the Governor-General.

38056. What are the rules as to appeals to the Government of India?—I am not sure.

38057. At any rate, whatever they are, should they remain as at present?—I think so. I do not think there is any harm in appealing to the Government of India.

38058. If there is at present an appeal to the Government of India, you would keep it, and if there is not, you would not grant it, the idea being that it is not worth while altering the existing state of affairs, because it would create discontent?—Yes; it would create a certain amount of discontent; and there is also the possibility that the lower authorities may have overlooked some point which ought to have been taken into account.

38059. Is it necessary to go beyond the Agent to the Governor-General in the way of appeal?—As a matter of practice people very seldom do, but I should be inclined to leave the power.

38060. Even if there is not a power of appeal, it is open to anybody to send in a petition?—I do not think you can restrict the right to send in petitions.

38061. Then you could hardly prevent either the Local Government or the Government of India from considering those petitions?—No.

38062. Therefore you would not gain very much even if you did restrict the right?—No; any one who imagines himself aggrieved will usually go on to the very last authority he can reach, and it rests with that authority what they will do, with his appeal or petition.

38063. Do you agree with many of the other witnesses that transfers are very frequent?—Yes; very frequent.

38064. Do you agree that three years is a reasonable time for an officer to remain in one district?—I doubt the possibility of laying down any hard-and-fast rule in the matter, or at least of laying down any rule that will be conformed to. The exigencies of the Service will require that an officer shall be transferred before he has done three years' or five years' service, and it would be impossible to keep him for any fixed time. I would suggest that more attention should be paid to recruiting, so that there shall be sufficient officers for all the places, and not too many officers, and that care and attention should be given to the principles governing the grant of leave.

38065. Would you retain the present arrangement by which officers are recruited for Baluchistan?—Yes; I think so.

38066. You would not have a separate Commission for Baluchistan?—No; the *cadre* would be altogether too small.

38067. Is it desirable, where possible, that officers should remain their whole service, in Baluchistan, from the point of view of the Public, or even from the point of view of efficient work?—I should say not; I should say certainly that officers should not remain all their time here—there should not be a sort of *sub-cadre* for Baluchistan. Exchanges between provinces within limits are decidedly desirable.

38068. How long would it take a man to get to know a district?—He should know his district pretty well within a year.

38069. Including the language?—Not if he has not known the language before.

38070. Are there objections to an officer remaining say ten years in one district, from the point of view of the efficient administration of the district?—It is such a quite unheard-of contingency that I really hardly know what would happen.

38071. It has been stated on more than one occasion that an officer might get into a groove, and it would be desirable to transfer him?—In his own interest it would be desirable, and probably, in the long run, it would be in the interests of general efficiency, because no doubt he would get into a groove.

38072. So that you think in the interests of general efficiency it is not desirable to keep a man for a long time in one district?—I think not; the term which was suggested by a previous witness was distinctly too long when he said that five years should be a minimum and ten years the maximum.

38073. What is the control of the Foreign Department over the British districts of Baluchistan?—The Foreign Department has the same control as it has, for instance, over the North-West Frontier Province.

38074. In practice, do they exercise that control, or are they merely a post office?—In a sense they are largely a post office no doubt. Questions concerning law, for instance, would go to the Legal Department for advice, and in the same way, the Revenue and Agriculture and the Finance Departments would be consulted, and the Foreign Department would, as a rule, follow the suggestions received from these other departments.

38075. Apart from political questions, all the Foreign Department is really concerned with is the appointment of officers?—Yes; that is the only thing they really control. Of course they very often modify the suggestions of other departments; I do not say they are always accepted in their entirety at all; I have frequently myself modified a draft sent to me by another department, which I saw would not do.

38076. Then the Foreign Department does exercise a certain influence?—Certainly it does.

38077. Is that desirable?—Certainly; most desirable.

38078. Why; what special knowledge can it have?—It has the advice of its local officers, and it has their special knowledge at its disposal.

38079. But not more than any other department of Government?—But it can judge of the weight of that knowledge much better than any other department can, and is less influenced by special departmental considerations and more by political considerations.

38080. Taking British Baluchistan proper and the Agency territories, to all intents and purposes are they not in the same position as, for instance, the Punjab, from the administrative point of view?—No; I think not. There is a very marked distinction in the fact that a great deal of the law administered in Baluchistan is not British Indian Law at all, but customary local law—the law administered by *jirgas* and so forth.

38081. (*Mr. Meyer.*) It has been stated that there have been many transfers in the province from one district to another; is that the case?—Yes, there have been many transfers no doubt.

38082. What is the object of that? Your pay is by personal grading, so that, so far as pay is concerned, it profits a man nothing whether he is at Quetta or whether he is at Sibi?—At present it does not, but formerly there used to be certain local allowances which were larger in some districts than in others. They have now been abolished.

38083. Have the local allowances had anything to do with transfers?—Nothing whatever, I should think.

38084. A man was not transferred to a district in which there were considerable local allowances because he was a senior officer, and the district was popular?—No; as a matter of fact the largest allowances were made for the outlying and unpopular districts.

38085. One can understand the Foreign Department finding it expedient to move a man from here to Rajputana and *vice versâ*, but why should they be always moving him about within the province itself?—I cannot say. Changes in which I myself have been personally concerned have been between the Political Agent's office at Quetta and the Revenue Commissioner's office. I have been Political Agent at Quetta

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and officiating Revenue Commissioner alternately eleven times during the last four years ; those changes were involved in other changes in the department, and were partly officiating appointments, so that, every time I went to officiate as Revenue Commissioner, someone had to be brought to officiate here as Political Agent, which would account by my case alone for a considerable number of changes ; probably there are many other similar cases.

38086. As regards the suggestion that greater stability might be secured by having a separate *cadre* or *sub-cadre* for Baluchistan, you said that the number of men was too small ; but might that not be remedied to a certain extent by a time-scale ?—It might, as far as promotion is concerned, but then the question of getting into a groove comes in. I doubt whether it would be advisable to have such a very small Commission, and it has, I believe, been found undesirable elsewhere.

38087. Do you share Mr. Williams' scepticism as to the expanding character of the provincial revenues ? —I am afraid they will not expand.

38088. Have they not expanded in the past ?—The chief expansion has been in excise revenue, which is one that, it is to be hoped, will not be carried much further. There has not been any really large expansion, I think, in land revenue.

38089. I find from the Gazetteer that at the time of the settlement of 1897 the provincial revenue was supposed to be 9½ lakhs, while at the present settlement it has increased to 13 lakhs. So there has been an increase of about 50 per cent. ?—Yes, but a large *tahsil*, the Nasirabad *tahsil*, has been added, which accounts for perhaps a lakh and a half, and there are also great fluctuations in the revenue, which goes up and down. There is another factor—a smaller one—in that expansion, namely, that the receipts under police have been nominally raised by a change in the system of accounts ; all receipts from municipalities and so forth are now shewn in the accounts as receipts, the corresponding payments being shown on the expenditure side.

38090. Then you think the province has not a good economic future before it ?—The only possible directions I can see in which it has are excise, and probably mining—one cannot say positively as to the latter, but no doubt there are possibilities in that direction.

38091. The Local Government proposes to provincialize *takavi* ; that means that the Local Government may get a profit out of it, but on the other hand it is responsible to the Government of India for any bad debts ?—Yes.

38092. Would it be safe for a Local Government, without any expanding revenues, to undertake that responsibility ?—I should doubt it, if at present we were not responsible for bad debts. I think the Comptroller of India Treasuries has charged us with all *takavi* loans which have been written off.

38093. Is it part of your settlement ?—No ; it is not part of our settlement ; it is nominally an imperial head, but I remember some correspondence in which, I think, subject to correction, they charged us with certain items which had been written off as bad debts.

38094. I suppose you objected ?—No doubt, but what the result was I do not know.

38095. Is it correct to say that the Revenue Commissioner appoints tahsildars and naib-tahsildars ?—No ; he does not actually appoint them ; the Local Government make the appointments in both cases.

38096. What pay does a naib-tahsildar get ?—From Rs. 65 to Rs. 85—there are three grades.

38097. And the tahsildar ?—From Rs. 125 to Rs. 250.

38098. Might not the Revenue Commissioner have power to appoint these subordinate officers ?—It is better on the whole that it should remain in the hands of the Local Government ; political considerations are so bound up with administration here, that it is very important the Agent to the Governor-General should have full knowledge of who is holding executive charge in each *tahsil* of the Agency, and, when necessary, should express his views on the subject.

38099. Who posts them from place to place ?—I think the Revenue Commissioner has that power, but I am not absolutely certain, because the orders have been changed several times lately.

38100. The last witness said he saw no reason why the Political Agent or the Deputy Commissioner should not transfer tahsildars and naib-tahsildars within his own district ; do you agree with that ?—No ; I think the Revenue Commissioner should continue to do that for several reasons. The whole *cadre* is arranged by the Revenue Commissioner, subject to the supervision of the Local Government, and he really is the best judge in the long run, as to what man should go to any particular place, and he always does consult District Officers most freely on the subject. If a District Officer made a suggestion that a man should be transferred within his district, I imagine in almost every case it would be acted upon.

38101. That being so, why should you not give power to the District Officer *de jure* as well as *de facto* ? —In nine cases out of ten it might be all right ; but in the tenth case there might be a serious objection.

38102. Can the District Officer appoint his own establishment ?—He can appoint it all except his head clerk and *sharishtadar*.

38103. Are they separate officers ?—Yes ; the head clerk is in charge of the English part of the office, and the *sharishtadar* is over the vernacular part of the office ; they are appointed by the Deputy Commissioner with the sanction of the Revenue Commissioner.

38104. The Sub-Divisional Officer has no power of appointment ?—I think he has none.

38105. Might he not appoint his junior clerks and his peons at any rate ?—I am not sure about peons—whether he does not as a matter of fact appoint ; but as to clerks I am afraid it would not do. The recruitment of clerks is a very difficult matter here. In fact there are orders that no candidates even are to be admitted to work in offices, without the sanction of the Local Government, or it may be now the Revenue Commissioner, the reason being that when a man gets a footing in an office it is exceedingly difficult to prevent his getting a permanent appointment, and it is impossible to do what is very desirable, namely, get the people of the country into Government employment, if large numbers of outsiders obtain a footing in that way. The outsider is nearly always the cleverer, and a Sub-Divisional Officer would naturally prefer to have an efficient man rather than an inefficient one. If he were allowed to appoint his own men, we should never obtain anything like a reasonable proportion of local men in our offices.

38106. You think the Sub-Divisional Officer would appoint the more efficient outsider ?—As a rule he would ; but at present he can only appoint from candidates approved by the Local Government : there is some limitation there.

38107. When you have finished your settlement report, will it go to the District Officer for his remarks ? —No ; I do not think it will ; it will go straight to the Revenue Commissioner.

38108. Ought not the District Officer to have some say in a settlement that will affect his district ?—Yes ; perhaps he should.

38109. Do you generally have special Settlement Officers, or is the settlement usually done by the District Officer himself, or one of his assistants ?—Hitherto the settlement has been always done by the Revenue Commissioner, in addition to his own work—that is to say the actual settlement.

38110. But the work in the fields and the local enquiries cannot be done by the Revenue Commissioner ?—The actual measurement work and the preparation of the records is in the hands of an Extra-Assistant Commissioner, in charge of the Settlement Department, but hitherto, whenever a cash assessment has been imposed, which has only been as yet in four *tahsils*, it has been fixed by the Revenue Commissioner,

38111. So that the District Officer has not been informed of what is a matter of vital importance to his district ?—I have no doubt he has been freely consulted unofficially.

38112. Are you in favour of his having more voice in the matter ?—Yes ; I should certainly not propose that the report should be made to him in any way, but he should see it and comment on it, if he thinks fit.

(*The witness withdrew.*)

Adjourned.

NORTH-WEST FRONTIER PROVINCE.

SIXTY-FIRST DAY.

PESHAWAR, *Friday, the March 27th* 1908.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Mr. A. H. GRANT, C.I.E., I.C.S., was called and examined.

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38113. (*Chairman.*) You are Secretary to the Chief Commissioner of the North-West Frontier Province?—Yes, since the formation of the province in November 1901. I have charge of the Political Department, that is, frontier work and the postings of Gazetted Officers, all Gazette work connected with the officers of the province except tahsildars and Munsifs (who are managed by the Revenue and Judicial Commissioners); and all questions relating to the Jail, Police, Education, and Medical Departments, and the general administration, come from the Heads of the Departments through me to the Chief Commissioner.

My duties comprise all the matters dealt with by the Local Administration, except revenue questions and Public Works. The most important matters dealt with by me are political appointments, jails, police, education and medical.

The districts and agencies forming the North-West Frontier Province were separated from the Punjab with effect from the 9th November 1901 and formed into a separate Administration. The object of this change was briefly to bring the control of frontier affairs more directly under the Government of India, and at the same time to secure for the Frontier Administration the best expert adviser available. The province consists of (1) five settled districts, *viz.*, Hazara, Peshawar, Kohat, Bannu and Dera Ismail Khan, which are administered more or less exactly on the lines of the ordinary settled districts of the Punjab, except that the existence of the border involves certain political considerations which do not come within the scope of ordinary district work in the Punjab; (2) five trans-border agencies, *viz.*, Dir, Swat and Chitral, Khyber, Kurram, Tochi and Wana. These agencies comprise (*a*) protected, (*b*) unprotected areas. In the former (*a*) Government maintain peace and order either in accordance with the regular law of British India or with the tribal law of the locality—the practice varying according to the nature of the case and locality. In the latter (*b*) Government merely exercise a general political control without attempting to maintain internal peace or order.

The Head of the Administration of the North-West Frontier Province is the Chief Commissioner and Agent to the Governor-General. In the first capacity this officer administers the settled districts of the province; in the second he conducts the political relations with the tribes living between the administrative boundary and the Durand Line. He is assisted by a Secretary, and Assistant Secretary, a Personal Assistant, and a Native Assistant. He has also a Revenue and Financial Secretary, who is in his executive capacity Revenue Commissioner. As Revenue Commissioner he controls all the Departments usually supervised by a Board of Revenue or a Financial Commissioner, *viz.*, Income Tax, Excise, Registration, Stamps, Registration of Births, Deaths and Marriages, Joint Stock Companies, Government Litigation, and Land Revenue. He is also Director of Land Records and Agriculture, and performs the functions of a Divisional Commissioner as regards District Boards, Municipal Committees, and other executive matters usually dealt with by such officers, excepting crime and police.

The Judicial Commissioner is the controlling authority in the Judicial Branch of the Administration.

The Secretary, Public Works Department, who is also in command of the Royal Engineers of the Military Commands which are comprised in the North-West Frontier Province, is the adviser of the Chief Commissioner as regards all civil works, and as Chief Engineer is also executive Head of the Public Works Department of the province. He has under him a staff of Royal Engineer Officers, who are also under the dual control of the civil and military authorities.

The Inspector-General of Police controls the civil police forces of the province.

The Administrative Medical Officer combines the functions of Inspector-General of Civil Hospitals, Inspector-General of Jails, and Sanitary Commissioner.

The Inspecting Officer, Frontier Corps, is responsible for the general control of the various Militia Corps and for the inspection of the Border Military Police.

The post of Inspector-General of Education is at present vacant, and the duties of the post are carried on by an inspector of schools under the general supervision of the Director of Public Instruction, Punjab. The question of the reorganization of this department is at present under consideration.

The Accountant-General, Punjab, is also the Audit Officer of the North-West Frontier Province.

The archæological work of the frontier is in the hands of the Superintendent, Archæological Survey, Frontier Circle.

The province is officered by—

(1) A Commission consisting of 42 officers of the Political Department of the Government of India to fill 34 *cadre* posts and leave a margin for leave and deputation.

(2) A Provincial Service consisting of 20 Extra Assistant Commissioners to fill 18 *cadre* posts and allow for leave and deputation.

(3) A staff of tahsildars, naib-tahsildars and Munsifs.

Wider powers should be given where appointments are paid from provincial funds. The limit of the Local Government's resources will be a sufficient check on the exercise of such power. I would advocate the abolition, or, at least, wholesale curtailment, of the proposition statements prescribed by Article 57, Civil Account Code. These occupy an immense amount of time in the district and other offices—also in the provincial Audit Office—and serve frequently to delay important appointments. What other purpose they serve is not very clear.

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There is a distinct tendency to rigidity and uniformity in the departments of the Government of India. Precedent is paramount. Shades of difference, obvious to the Local Government, frequently are not apparent to the Supreme Secretariat, and what has been done before must be done again. Stereotyped methods of disposal are followed—*e.g.*, 'Sent to Chief Commissioner, North-West Frontier Province, for report, or for information.' The Secretary concerned does not always fully consider whether the matter is worth troubling about, or whether the information conveyed is worth the paper it is written on to the addressee. This system of throwing out useless information broadcast causes an immense amount of unnecessary work. We are told Native States must not make certain railway contracts without the permission of the Government of India. We have no Native States, but departmental rigidity insists that we must be informed. Rulings on obscure and phenomenal circumstances are sent to us by the score—only to be noted, and placed in the record room to be an incubus, and doubtless forgotten in the almost impossible event of their ever being required. A more careful discrimination in the demand for report and the endorsement for information would induce routine work enormously, without impairing the administration in the least. But more fruitful than these in the general waste of official time is the incessant call 'for opinion.' Secretariat rigidity demands that no Bill should pass, no important Resolution be effected, no new rule of movement be brought into force without the formality of calling for all available opinions on the subject, whether worthless or not. Provincial Governments receive the call from the Supreme Government and echo it to the districts, and it is often re-echoed by the district office to the *tahsil*. Hundreds of inexperienced officials spend hours of valuable time in formulating opinions on matters of which they know nothing—opinions which are doomed to the darkness of the district provincial or imperial record room, as the case may be. Indefinitely greater discrimination is required in demanding opinions; and opinions called for in this way will carry the greater weight and be of the greater value.

Imperial Departments are hampered by their financial limitations. This leads to more deliberate departmentalism than any other cause. The Army Department must refuse an overworked Cantonment Magistrate the necessary assistance to avoid cumbering the military estimates with such a charge, and the civil estimates are called on to bear the cost. Similarly a railway guard-house must be a charge against the Administration and not against the railway. The desire to show a large profit often actuates the Irrigation Department in the same way. Apart from this, there is not a marked tendency to departmentalism. When it exists, it is the outcome generally of individual idiosyncrasy. The remedy is a change in the *personnel* of the Secretariat concerned. As far as this province is concerned, the Government of India are not markedly dominated by considerations of revenue.

The function of Inspectors-General and Directors under the Government of India should be purely advisory so far as departments administered by Local Governments are concerned. The appointment of such officers has caused a considerable increase in the work of District Officers, and more definite rules regarding the correspondence of such officers direct with the district are required.

The idea of 'personal contact' with the people threatens to become a fetish, and a great deal of extravagant nonsense is talked about it. In no country can the peasantry and their rulers—whether of the same or of different races—be on terms of intimacy. Class, apart from race, distinctions make it impossible. The people themselves do not like it. The Wiltshire yokel resents the attentions of the district visitor. Much more so does the Punjabi peasant dislike a prying Settlement Officer. Moreover, real intimacy, the real confidence of equality and friendship, is impracticable. Strive as he may, a District Officer can never know more than a few men in each village. These very likely belong to one faction, and unconsciously the officer becomes affected by the views of that faction. Indian society, as we know, is from the top to the bottom a net-work of faction, and one cannot mix with it without unawares tending to take sides. Apart from this, the native always expects a *quid pro quo* for his friendship. Sooner or later he comes with his petition. If granted, his neighbours are jealous. If refused, he probably sulks. A knowledge of the people, of their customs, and of the vernacular is without a shadow of doubt essential for the ruler in India. But it should be gained in the early years of an officer's career. As an Assistant Commissioner, with but little power to make or mar, an officer should move freely among the people and learn as much as he can. But with the District Officer the case is different. His powers to make or mar are very extensive. He must be above all things impartial; and he must command respect rather than affection. *E longiquo reverentia.* Our best District Officer is not a Strickland, who can pass himself off as a native of five different kinds. At the same time a District Officer should be accessible, he should move freely among the people, give them opportunities of verbally presenting their complaints, and, above all things, should keep a watch over his native subordinates. But beyond this, 'personal contact' is neither possible nor desirable. Indeed the discussion as to whether our officers have sufficient opportunities for personal contact with the people is academic for another reason, *viz.*, that however much leisure we give the ordinary Executive Officer, he will not spend much of it in cultivating the society of the people. With increased facilities for visiting England, and our present westernised standard of living, the custom of keeping native mistresses has disappeared, and with the improved morality so effected there has been a marked falling off in the Anglo-Indian's knowledge of native ways and native character. The breach between East and West has widened, and, except for the few native gentlemen whose birth and education give them the *entrée* into our society, we have practically no relations with the Indians that are not official. The East and the West will not be brought nearer by reducing the office work of the Collector. This can only be effected by the gradual breaking down of the social barriers that intervene between the races, of which perhaps the most formidable is the *purdah* system. Whether such a change is ultimately desirable is open to question. In the meantime so long as the English in India faithfully and disinterestedly bear the burden of administration—a burden which the Indians could not support alone for a week—this whole matter might be left to evolve in its own way.

No increase is required in the administrative staff of this province. The Peshawar district is overworked and unwieldy; and the question of its partition is now under consideration.

The grant of wider powers to Collectors will not necessarily involve any departure from the rule of appointment by seniority. For the appointment of Commissioners the rule in most provinces is at present seniority tempered by selection, and should remain so.

Transfers are never unnecessarily, but often undesirably, frequent. If we were always allowed our full strength of officers, and if the Government of India could leave the *personnel* unchanged as far as possible, frequent transfers would be obviated.

I am not in favour either of Advisory or of Administrative Councils.

38114. Does the work of the Revenue and Financial Commissioner come through you?—No, his work goes direct to the Chief Commissioner.

38115. And of the Judicial Commissioner?—The Judicial Commissioner's work, so far as it involves administrative questions, come through my office; his actual judicial work connected with petitions for mercy is dealt with by the Assistant Secretary in my office.

38116. With what department of the Government of India does this province correspond?—It corresponds mainly with the Foreign Department; that is, on all questions connected with the frontier and political matters; but for the last year or two we have been allowed to correspond with other departments, the Home Department, the Revenue and Agriculture Department, and so on, direct on subjects connected with them; in fact, the Foreign Office now merely deals with our political and Gazette work.

38117. Where are the officers of the *cadre* of the North-West Frontier Province obtained from?—They are all members now of the Political Department of the Government of India, who make us over a certain strength, a strength of 43 officers to man the 34 *cadre*

posts of the province; as a matter of fact, they do not generally make us over the full strength for various reasons ; we are short now.

38118. If an officer goes on leave, have you to supply the vacancy out of your own *cadre*?—Yes, they give us a strength of 43 officers to man our province and to allow for leave and deputation ; the Chief Commissioner is allowed to work that entirely himself, subject to the reservation that four appointments, the Revenue Commissioner, the Judicial Commissioner, the Political Agent, Khyber, and the Political Agent, Malakand, are to be made by the Government of India.

38119. Outside the 43 officers?—No, from the 43 officers, but we have to obtain the approval of the Government of India ; otherwise we make our own appointments direct.

38120. Of these four appointments you have mentioned, the Chief Commissioner selects out of his 43 officers an officer he thinks suitable, and he is appointed subject to the approval of the Government of India?—Yes, or rather the Chief Commissioner recommends to the Government of India that the officer's appointment be sanctioned and the Government of India sanction it ; it is the same thing.

38121. If you want a new officer, you have to obtain him from the Foreign Department?—Yes ; they constantly take an officer out of our 43 if they want an officer specially for Baluchistan or some place, as they often do, and they send us new officers whom they cannot otherwise dispose of from outside—officers returning from leave and so on.

38122. So that the 43 are only nominally yours?—They are a changeable quantity, and that is what gives us a great deal of trouble and causes a large number of undesirable transfers.

38123. Then you say that there is too great an attempt on the part of the Foreign Department to administer the frontier in detail ; what do you mean exactly by that?—If a petty raid, for instance, occurs in the Peshawar district, the Foreign Office will very often wire to us to ask for a more detailed report than we have perhaps already submitted ; they will wire down and say, "Have you taken precautions to send out Border Police ; what steps were taken to cut off the raiders ; what information was given," and so on ; in fact, they take up the case of an ordinary raid, with which the Chief Commissioner is obviously competent to deal, from the executive rather than the secretariat standpoint, and attempt to deal in detail with a matter which the Local Administration is probably best qualified to deal with itself.

38124. After a raid of this sort do they say to you, "You must have a police post here, or a post of observation there"?—They would hardly pass as definite an order as that, but they would write to the Chief Commissioner and say, "It seems that your police arrangements are quite inadequate, will you kindly let us know what arrangements you propose in order to prevent the recurrence of a raid in this particular direction," and call upon him to devise proposals, perhaps, that he has already been considering, or that he considers undesirable for some particular reason. Of course, when it comes to a question of the movement of troops and so on, we perfectly realise that the Supreme Government must have the last say, but in matters of detail there is a little tendency to interfere, or rather I should say there was.

38125. Has there been a change?—In the last few months there has been a distinct change.

38126. How long would you say?—In the last two months, say.

38127. Does this refer only to disturbances on the frontier?—It refers to political matters of that sort and other political matters, too ; for instance, as to the constitution of a Militia corps, we may make proposals which are designed to meet definite local conditions and the Government of India will examine these and say, "Oh, no, we do not do this with the Brahui levies or the Zhob levies, or some other corps, and we do not see why we should do it here." It is not so much the question of expense, but the desire to get uniformity in these things, and very often we find that both in our Border Police and our Militia and so on, there is a failure to realise that our proposals are based upon some definite local exigency.

38128. Then you say that there is a continual demand for reports ; is that also by the Foreign Department?—Yes. It has been markedly less of late.

38129. Again within two months shall we say?—Two years ago the Government of India called for a report upon every offence that had occurred in the last year of Lord Curzon's Viceroyalty. The line was rather taken up that we had not kept the Government of India fully informed of the state of lawlessness which had existed on the border. As a matter of fact that was due to a misunderstanding ; there had been full reports. Since then there has been a continual call for, first of all, a telegraph report of every frontier incident, to be followed by an exhaustive report in detail by letter. That, of course, in a matter which is likely to lead to the eventual use of troops, is absolutely necessary, but where the incident is more or less a police matter, or a small matter which the local officers could quite well dispose of themselves, it obviously wastes a good deal of valuable time writing these elaborate and detailed reports ; the Political Officers concerned would be much better employed in seeing the *jirga* and settling the case.

38130. You think that there is clear line of demarcation between what are called police matters and frontier matters?—A very clear line.

38131. You have something to say to us about *jagir* grants?—*Jagir* grants where political considerations enter in, come into my branch as well as to the Revenue Commissioner. The Local Government or the Local Administration has infinite power of punishing and infinite power of degrading and so on, but very small powers of rewarding. Especially on the frontier, where special service is a thing often of the greatest value to us in times of emergency, it would be of great value to the administration to have the power to grant life pensions, or more especially *jagirs*, which carry with them a certain status.

38132. Up to what extent?—The actual financial limit would have to be carefully considered. If we were allowed to make grants up to a value of Rs. 500 annually that would meet the case ; it is a matter of detail that would require consideration.

38133. Does the question of opium come before you?—It has a political aspect inasmuch as opium is an article largely grown in Afghanistan, and if we do not let it in lawfully it will certainly find its way in unlawfully.

38134. Does it as a matter of fact now?—Yes, there is no question that it does. I have not seen the last statement as to the quantities, but it has for years past come in in large quantities.

38135. You say that a practice of appealing has grown up which does not come under legal restrictions or regulations ; do you deal with that?—When appeals come to the Chief Commissioner, I deal with them.

38136. Do a great number of them come to the Chief Commissioner?—No, not a great number, but a certain number. In the case of men dismissed from Government Service and degraded from Government Service, generally after having appealed from the authority that dismisses them to the Head of the Department concerned, they very often put in a further petition—it is more or less a memorial—to the Chief Commissioner moving him to take action in the matter. The number varies ; I should not think there are more than perhaps 30 in a year.

38137. Do they give much trouble?—No, not at all.

38138. Do you think it would be unwise and undesirable to curtail the right of appeal?—I think it would be the greatest mistake that we could make.

38139. So that whether it gave trouble or not, or whether it comes under legal definition or executive practice, you would leave it alone?—I would leave it alone ; it would be very much resented if we altered it in any way.

38140. Is there any rule here about employment of officers in the Secretariat?—There is no limit of period ; the general rule followed in most Local Governments is followed here, that an officer puts in a certain term of service.

38141. Does any rule govern the tenure of the appointment of Chief Secretary here?—No.

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38142. Then the Assistant Secretary?—There is no rule governing the appointment of Assistant Secretary, but it is a generally understood rule that he should not hold the appointment for more than two years.

38143. With regard to the Revenue and Financial Secretary, is there any rule?—No, he is the same as the Revenue Commissioner; he holds the appointment indefinitely.

38144. Then the Public Works Secretary?—There is no rule as to him; his appointment is really more in the hands of the Government of India than ours; he is also the Officer Commanding the Royal Engineers of the military districts; we take as Secretary of the Public Works whoever happens to hold that appointment at the time.

38145. That practically covers the Secretariat here?—Yes; there is also a personal assistant to the Chief Commissioner.

38146. That is a purely personal appointment?—Yes.

38147. Therefore we may say that there is no rule governing the appointment of officers in the Secretariat?—No.

38148. You have no Commissioners of divisions here?—No, the Revenue Commissioner acts as a Commissioner of a division throughout the province; there is no Divisional Commissioner; the Deputy Commissioners deal directly with the Local Administration.

38149. (*Sir Frederic Lely.*) Do most of the men who are sent to this province remain for life in it or any long period?—The province has only been going since 1901, so that it is impossible to say; the intention is that they should not remain for life in it—that they should have a spell of service elsewhere under the Political Department in Persia or Baluchistan or Mysore or in the Central Indian Agencies; but a Frontier Officer as a rule, having acquired a knowledge of the language and the particular local knowledge required for frontier work, should certainly spend the greater part of his service on the frontier.

38150. Does it often happen, or has it happened, that a man who has been trained for years in strictly political work in a Native State is transferred to this province and put chiefly on administrative work?—It has occurred. Within the last year we have had two or three officers transferred to this province, men of considerable standing, whom we found it impossible to provide for in suitable posts without giving them either administrative or judicial appointments, for which they were, we must frankly admit, not altogether qualified at the time, but owing to their standing in the Service it was impossible to provide for them otherwise. What we would prefer would be that as a rule the new officers sent to us should be young officers who could be put into subordinate posts and could learn their frontier work, the special expert work required, and gradually, having acquired that, could go into the higher posts, and that our higher posts should be filled from inside. Of course, that cannot altogether be carried out with fairness to other Administrations, but that would be the ideal arrangement so far as we are concerned, rather than that we should have senior officers with no knowledge whatever of administrative or frontier work suddenly dumped on us.

38151. May not the work of the Indian Political Department be broadly divided, into administrative work and political work?—Certainly.

38152. Would it be possible and advantageous to divide those two departments between two distinct branches, so that a man may have a training in one only and remain on that work throughout his career?—No, that would be a great mistake. The exigencies of the service demand so frequently that men should move from one to another, that it is necessary that they should acquire experience in both.

38153. If a man was not able to move from one to another that would avoid difficulties?—Yes, but there would inevitably arise the difficulty of providing for them. We have on this frontier now one of the finest Political Officers probably in India; he is a man of considerable standing; the difficulty now is what to do with him in this frontier; he cannot remain always a Political Agent in an out-agency, because the time will come when he is too senior for that. It might be possible to move him down as a Resident to a Native State elsewhere, but he likes the frontier and would prefer to remain on the frontier; the difficulty is that he lacks the qualifications for advancement on the frontier itself, where the highest posts must necessarily combine political and administrative functions. The Chief Commissioner himself, for instance, must be a man of wide administrative experience as well as political experience; if you were to isolate the two departments you would never get a man who was qualified to be Chief Commissioner here.

38154. Would it not be possible to disintegrate them?—I do not think so.

38155. Is that not a practical drawback?—It is. Under the present system of training they send the most junior Politicals to us here to be trained in ordinary administrative work; they go through a settlement training, they try second and third class cases, and by the time they have worked two years at that they have a good administrative groundwork; then if they go for a few years into purely political work they will retain enough knowledge of administrative work to fall into it again when they are brought back to that work eventually.

38156. Is that the best system?—I think it is much the best system.

38157. You object to the practice of calling upon a large number of people for their opinions. I suppose you would admit that if the number of people called upon is limited to a very small number some men who would give a useful opinion may be left out?—Yes, one would be risking that, certainly.

38158. Outsiders, who perhaps may see most of the game?—Yes.

38159. Would not the difficulty be met if it were understood clearly that no one should respond to a call for opinion unless he had something really to say?—I am afraid that the tendency on the part of all officers, especially youngish officers in districts, whether they know anything about the matter or not, is to waste time in trying to formulate an opinion which may gain them credit afterwards.

38160. Is that not because they are expected to say something, whether they have something to say or not?—That may have a great deal to do with it, but there is the element of personal vanity coming in.

38161. They do not like to admit ignorance?—They do not like to admit complete ignorance, particularly if they are very junior; a man likes to have recorded something, that may or may not be wise.

38162. If we take the course you suggest it will happen sometimes that valuable opinions will be lost?—That may happen sometimes, but if the Secretariat use a wise discretion in the selection of persons from whom they call for opinions, as a rule they will get the bulk of the best opinion on the subject. It is very easy for a Secretary simply to say, "Send to everyone for their opinion"; it is much more difficult for him to sit down and say who are the people whose opinions should be asked; but if he is to do that and to formally note, "I propose to ask so and so and so and so," there is no doubt they would very soon come to a stage in which it was known in each Secretariat where the most valuable opinion would come from.

38163. The subjects are very various; some would be able to give an opinion on one subject and others to give an opinion on other subjects?—That is true; still, the mass of time wasted and the mass of unnecessary record that has got to be waded through in the Secretariats under the present system, are a greater evil than the chance of occasionally losing a valuable opinion by calling only upon a selected number.

38164. Would it not meet the case to add to every call for opinion an express prohibition to responding at all if the person called upon had nothing to say?—It would certainly meet the case to a certain extent, but I still think you would find the other the better course.

38165. At present does not a sort of impression exist amongst Government Officers that when papers like that are sent for their opinion they are expected to say at any rate something, and that they will be put down as rather inferior officers if they sent down no opinion at all?—No doubt there is that tendency.

38166. And it would be well to remove that impression at any rate?—Yes.

38167. You compare the feelings of the people towards the District Officer with the resentment felt by an Englishman at the visits of a district visitor in England, but is that a fair comparison?—I did not mean it to be absolutely a close comparison; I meant that the things were parallel.

38168. Then upon the same subject you go on to speak of the "prying" Settlement Officer. We associate the word "prying" with impertinent curiosity—is that a fair epithet to apply to a Settlement Officer?—Not in all cases, but in several settlements I have known it so. The Settlement Officer very often resolves to write a book on the manners and customs of the people with whom he is dealing, and he becomes necessarily prying then.

38169. But do you mean that it is a usual thing for Settlement Officers to write books upon their work?—In the case of nearly every settlement the Settlement Officer brings out a volume of what is called tribal law, or local law or ethnology, or a short monograph of the people amongst whom he has been working for six or seven years, and in order to compile that book he does become, what I consider, prying.

38170. Is that a typical thing for a Settlement Officer in the North-West Frontier Province?—I have experience with regard to the Punjab and the North-West Frontier Province, and I think it is quite a usual thing.

38171. Has not the typical Settlement Officer to find out as much as he can of the people in order to make a just settlement?—Certainly.

38172. Do not the people realise that, or do they regard his enquiries as promoted by impertinent curiosity, as is suggested by the word "prying"?—Does the word suggest so much as that? I certainly had no intention of applying the first epithet. I think that the people, to a great extent, realise there is an honest effort being made to understand their circumstances to the fullest extent, but a great many of them regard it as an actual nuisance that a man should come round and say, "Do you wear a blue *pagri* when you are married?" and ask questions of that kind which are, no doubt, of great interest to the ethnologist, but which are of very little interest in a village itself.

38173. Is there a general feeling of resentment with regard to it amongst the people?—I would hardly go the length of saying it is resentment; it is more perhaps acute boredom.

38174. Whatever meaning may be attached to the word prying, is it not the fact that a great majority of District Officers are not Settlement Officers; do you apply your remarks to District Officers generally?—No. I do not know that all District Officers are prying; the whole drift of my remarks is that there is a danger of setting up a false ideal of the District Officer; that the District Officer of the John Nicholson type, who ruled from the saddle with a rough and ready justice is an ideal which it will be just as well to put aside now, and there is a very prevalent idea amongst a great number of people that if the District Officers lived up to the ideal of hobnobbing with the people we should not have had any of that unfortunate feeling of unrest which was so markedly noticeable last year in India. But my view is that the absence of this old intercourse between the District Officer and the people has had nothing to do with any unrest, and that with the advance of our present administration it is infinitely better that the District Officer should be rather more aloof than he used to be in the days of our predecessors in India.

38175. But would you not admit that it is very desirable he should be entirely accessible to the people and also that he should have some intimate knowledge of the people?—Certainly.

38176. That does not necessarily imply the confidential relations to which you refer?—Quite so. I say that a District Officer should be accessible; he should live freely amongst the people, and above all that he should keep a watch over his native subordinates, but it is wrong that we should allow this outcry which has occurred in so many articles which have been written on the subject of unrest, and to allow the idea to remain that it is want of personal contact between the District Officer and the people which has led to it.

38177. I was rather trying to get your view as to what should be the attitude of the District Officer?—I think the District Officer should be accessible, and that he should allow the people to come to him on official matters, that he should hear patiently their complaints out, that he should not do as one of our ideal District Officers here once did, namely, start from a place in the middle of the Punjab with simply a sponge bag and no other luggage and ride to Peshawar, taking altogether three weeks to do it, with no money, or anything else, living at guest houses, washing when he could find water, and living more or less among the people as the people themselves lived.

38178. But was he not eccentric?—He was a man who has been held up as rather an ideal type of what the District Officer should be, and it is that ideal which I want to protest against.

38179. Then you go on to say that the ideal Officer should command respect rather than affection; do you suggest that it is not possible in these days to do both?—I think it is very difficult to command affection.

38180. Is not the sort of man who can pass himself off as a native of five different kinds, possessed of histrionic qualities and rather wanting in robuster qualities usually?—Possibly, but even if he combined the higher qualities, I believe we should prefer that he should not have the histrionic qualities for the purposes of administration.

38181. Would not the very best officer be all the better for knowing one or two languages?—Certainly, and I have said that a knowledge of the vernacular is essential to a good officer, but I do not think a knowledge of the vernacular, as well as the people talk it, is at all essential.

38182. (*Mr. Dutt.*) You said that the Revenue and Financial Secretary has the powers of the Divisional Commissioner for the whole province, that he is the Director of Land Records and Agriculture, and that he is the Divisional Commissioner with regard to Municipal Boards. Practically is he the Head of the Revenue Department under the Chief Commissioner?—Yes.

38183. In the same way as the Judicial Commissioner is the Head of the Judicial Department under the Chief Commissioner?—Yes.

38184. Have the settled districts been withdrawn from the jurisdiction of the Punjab Chief Court since the formation of the province?—Yes.

38185. You have said that there are 43 officers in the Commission, but is that the correct number?—As a matter of fact, the number is rather doubtful. In one letter from the Government of India, they state the number to be 41 and in another 43, so that I split the difference and say 42, but the matter is really now under correspondence with the Government of India. Our *cadre* number is 34, and if you add 20 per cent. to that it makes 42; the thing has not been quite clearly settled yet.

38186. The Provincial Service consists of 20 Extra Assistant Commissioners. Who appoints them?—The Chief Commissioner. They begin at Rs. 250 a month and then, according to the period of their service, they receive an increment after five years to Rs. 300, after 10 years to Rs. 350, and they go up to Rs. 800. I think, although, as a matter of fact, none have gone further than Rs. 600.

38187. Are these men taken from the Subordinate Services?—Partly; we have the same system as they have in the Punjab; we have one register for direct appointments to the Provincial Service and another for the appointment of men of approved service such as tahsildars, Munsifs, and other subordinate officers who are recommended by the Heads of Departments.

38188. As a matter of fact, are the majority of them taken from the Subordinate Services, or are the majority of them appointed direct?—The majority have been taken from the Subordinate Services. The province has been going only for a short time, and we have had very strict rules about those who are taken direct, qualifying, so that there has not been much

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time, and only two or three men have had time to qualify and take appointments. About 17 of our Extra Assistant Commissioners have been taken from the Subordinate Services, while three have been appointed direct.

38189. Is the tendency to take them direct, having regard to their educational qualifications?—Yes, we are very strict about that.

38190. Is there a District Officer in every one of your five districts?—Yes, in every one of the five settled districts.

38191. Is the Deputy Commissioner the Chairman of the District Board?—Yes.

38192. It is said in the Chief Commissioner's note that the Commissioner has of late years effaced himself more and more—have you any remedy to suggest with regard to that?—Those remarks with regard to the Divisional Commissioner refer to India generally, and not to this province alone; we have no Divisional Commissioner here at all; the Revenue Commissioner is also the Divisional Commissioner for the five districts, so that you may take it these remarks refer to India generally.

38193. Is education directly under you?—All educational questions on which the administration has to pass orders come to me.

38194. Including primary education?—Yes.

38195. Is primary education mainly now in the hands of District Boards?—We got an imperial grant of Rs. 40,000 last year for the purposes of primary education and that is being expended separately, but the majority of primary schools are in the hands of the local bodies.

38196. In the villages in this province have you generally one recognised headman in each village?—Very often more than one. Most Pathan villages are divided into various sections, and each section has a headman, or *malik*.

38197. Do you get any help from these *maliks* in the matter of village administration?—Not much.

38198. Is it possible to obtain any kind of help by organizing panchayats from among them?—No, that is quite impossible, I am afraid.

38199. Is the *jirga* known in this province?—Yes, the *jirga* system is very largely worked.

38200. Is it known only amongst the frontier tribes, or is it known in the settled districts?—It is used in the settled districts as an addition to the ordinary law.

38201. Do you sometimes refer cases to the *jirga* for settlement?—Very frequently.

38202. Who has the power of disposing of such cases?—The Deputy Commissioner.

38203. Does the Deputy Commissioner when he thinks a case is a suitable one, refer it to them?—In a settled district when a case of sufficient importance occurs, and it is quite obvious there will not be sufficient proof to lead to a judicial conviction, and yet there is no doubt that an offence of a serious kind has been committed, the question is referred by the Deputy Commissioner to a *jirga* and the accused has the power of challenging the members; then when a suitable *jirga* has been appointed it makes its enquiry, probably, goes to the spot, looks through the police files and so on and comes to its own conclusion, and if the Deputy Commissioner agrees with the finding, he convicts the accused and passes sentence in accordance with the law.

38204. Are the *jirgas* appointed as occasion arises?—There is no standing *jirga*; it varies; it may be a *jirga* of three men or it may be a *jirga* of thirty men, and it is appointed by the Deputy Commissioner by name.

38205. Would it be of any advantage to appoint a standing *jirga* in each district or sub-division?—No, that would be a great mistake here, because there is so much faction and party feeling that it is essential in appointing a *jirga* to take into consideration the particular *jirga* you appoint in each case, and to be sure that you are appointing a *jirga* which will be in a position to give an impartial finding.

38206. Do you have to be careful in every case?—Yes. Our constitution in the frontier is not sufficiently aristocratic to admit of a standing *jirga*; there are not, as there is in Baluchistan, a large body of leading men; their numbers are so few and far between, and the constitution is on the whole so democratic that you could not have a standing *jirga*.

38207. So that on the whole you think the way in which the *jirgas* are worked is the best way in which they can be worked?—Yes, and on the whole they are doing useful work.

38208. (*Mr. Hichens.*) Reference is made in the Government memorandum to the rigidity of the Government Secretariat, and a tendency on their part to absorb power. Is that a very marked tendency?—It varies with the *personnel* of the Secretariat concerned. There have been periods in the last seven years when there has been a distinct tendency on the part of the Government of India to centralise to a degree and demand to have the detailed disposal of all matters; but that varies very much with the *personnel* of the Secretariat concerned, and with a change of Secretariat you often get a change of attitude in the matter.

38209. Would the same thing be true as to provincial Secretariats and their relations to District Officers?—Yes, it varies with the Head of the Administration or the Local Government, and very much with the Secretariat. Some Secretariats want to know everything, and are constantly calling for reports and information upon everything, while other Secretariats are content to leave greater discretion to local officers.

38210. Then it is not a matter upon which very much stress need be laid?—No, it is rather a matter upon which the Head of the Local Government should be asked to keep a watch, than to lay down any general principles; he ought to take care not to keep in his Secretariat people who are too grasping of authority—that is what it comes to.

38211. Allusion is made to departmentalism, and, as I understand, it has the effect of undermining the power of District Officers and Commissioners and so on; is that an inevitable tendency due to the progress of civilisation, or is it one that can be checked?—It might to a great extent be checked; with the creation of all these Imperial Departments Excise, Veterinary, Agriculture, and so on, the work of the Deputy Commissioner is both increased by constant references, and his actual power and position is often trammelled by their interference. It may be that it is a transition stage, which we are going through now towards a much better state of things when only agricultural experts will manage agriculture and so on, but at present, in this transition stage, the Deputy Commissioners are harassed by extra work and the strength of their position is marred by the removal from them of so many things as to which they had absolute authority in days gone by.

38212. Taking two points in which the Deputy Commissioner is possibly more interfered with than in any others, namely, Public Works and education, would the argument in favour of departmentalism be that the work is more efficiently done?—Yes.

38213. Would you, if you had your way, sweep away those departments?—No, I should say with regard to a thing like primary education, it should, as far as possible, be left to the Deputy Commissioner, and in the case of higher education, with regard to high schools, colleges, and Universities, it is obvious that they would be more efficiently managed by a special department. Where the actual lower work of education is concerned I should preclude the interference of the department as much as possible. The Deputy Commissioner is more in touch with the people, and much more able to persuade the leading men to send their children to school than any department possibly could be. One must be dependent in the early stages of education, to a great extent, on the District Officer. With regard to Public Works, provided the two staffs will co-operate freely, it is better that the Public Works Department should be throughout responsible.

38214. Co-operation between the expert department and the District Officer is the best way to secure efficiency?—That would be the ideal, but you can very seldom get complete co-operation.

38215. The idea is not to abolish the departments?—No, the departments are inevitable.

38216. A point is raised with regard to the growth of codes and regulations, and it is implied that many

of the regulations which are laid down are too minute and are unnecessary; is there a marked tendency in that direction?—There has been a great increase in the number of codes and rules, and they are so minute that very often a great deal of time is spent in calling the attention of people to the fact that they have been disregarding rules which they have not had time to read, and the correspondence mounts up enormously in that way. First the Secretariat makes a code of rules on a subject, and issues them; they are disregarded, and then there is a long correspondence pointing out that they have been disregarded, but the net result is not very much increase in efficient working.

38217. What is the procedure in regard to issuing rules; can the Head of a Department issue them?—There are two kinds of rules—certain rules may be issued under law—nearly all the acts of law authorise the Local Government or the Local Government, with the previous sanction of the Governor-General in Council, or the Financial Commissioner, or the Revenue Commissioner, as the case may be, to issue rules under the Act; and then there are also departmental rules or regulations which any Head of a Department is at liberty to issue. Of course, as a rule he would take the orders of his Local Government or Administration, before issuing any rules of a drastic nature, but it practically amounts to this that the Head of the Department concerned can issue a great number of rules.

38218. Would it be desirable from the point of view of checking regulations, to limit the number of persons who can issue them?—Yes, that might be a remedy, but the whole thing again is question of personal work; a wise Administration will tell its Heads of Departments that it does not want its officers over-burdened by unnecessary rules, and that a curb should be put as far as possible on the issue of general instructions.

38219. But there is nothing definite which can be laid down?—No, it is rather a canon of administration than any hard-and-fast law.

38220. A canon of administration which has been agreed to *a priori* from time immemorial?—Yes, and broken ever since.

38221. And if it has been broken ever since, is there a reasonable ground for supposing that it will go on?—If strong attention was called to it something might be done, but there is nothing more than that I can suggest.

38222. Have you any direct instances as to specific subjects governed by regulation in which it has occurred?—The only instance I can give is with regard to the rules regulating the import of carbide of calcium and certain explosive materials, which never come our way at all, but as to which we are ordered by the Government of India to issue general instructions of a peculiarly complicated character, although those commodities do not materially concern us and we have nothing to do with them.

38223. Then the instructions do not hurt you?—No, except that there is a good deal of time wasted in dealing with them. You have to draft them and send them to the local officer who, if he is a conscientious man, would enquire whether there was any carbide of calcium in the district, and a good deal of time is wasted in that way.

38224. I understand you think it desirable, from the point of view of the North-West Province, that your junior officers should stay here at least two years to learn administrative work thoroughly, and be then transferred to a Native State, and be transferred back again?—Yes, and of course, better still, I would leave him as long as possible; the longer a man stays the more useful he is, but we are bound to have a certain amount of give and take between this province and the rest of the department—there must be a flow between the two. They get short of officers elsewhere and want some of ours, or we get short of officers and have to take some of theirs; but, in order to make the flow between this province and the rest of the department as little injurious as possible in the interests of the work, I would suggest, as a rule, that junior officers should be kept with us until they have fairly mastered the rudiments of their work, and then we should have no objection to their going to Native States or elsewhere and coming back to us later, qualified for higher appointments without upsetting the administration.

38225. Is it an advantage or disadvantage to the administration that junior officers should have a wider experience than could be obtained in one province?—It is no advantage to the administration, certainly as far as this province is concerned; the conditions are so special that it is of little or no advantage to us to get a man with experience of Mysore or Rajputana or elsewhere, because he has to learn everything anew here, and his former experience is of no use administratively. It may make him a better officer if he has wider experience perhaps, but that surely applies to everything.

38226. From the point of view of the Administration, would it be a benefit if some of the permanent officers went, say, to another province for a year in order to see how things were worked and in order to get a wider experience which would fit them more for the bigger posts they would have to hold?—It might possibly be beneficial, except of course that the transfer of an officer after a year would involve a general posting all down the line—otherwise it would have some educational value and prevent us getting too cramped. In all small provinces there is a great tendency that way.

38227. Would you say that the desirability of retaining a man in a post for a long time was greater with regard to the position of a Deputy Commissioner or some analogous position?—Yes, such as a Political Agent or a Deputy Commissioner.

38228. How long do you think it desirable that a man should be kept in a post of that sort?—I should say four years; he might come back to it if he went on leave, but four or five years is quite long enough, because if he remained longer he would get one-idea'd and begin to lose a sense of the importance of other work, and he is very apt, having acquired so much knowledge of the people, to be inclined to take sides in a country which is absolutely over-ridden with factions. He cannot help it, but unconsciously he has his particular friends and advisers among the people, and he is affected by their advice.

38229. What is the difference between an agency and a district?—The districts are what were the settled districts of the Punjab, and they are absolutely the same as districts in the United Provinces, for instance, and are worked on practically the same lines. Agencies are the large tracts of country which lie between the administrative border of British India and the Durand Line, that is, the border of Afghanistan. These large tracts of country are often of a very rough character, and are divided into protected and unprotected areas; that is, that a fine line runs along each side of the road through each agency so to speak, and on each side we protect a certain area, that is to say, we tell the people that we must have the peace and order of an ordinary British district maintained in that area.

38230. Are they the same as Native States?—Not in the least; there is no ruling Prince, there is no King; you cannot call it a democracy, it is an anarchy with a sort of loose tribal *jirga* which occasionally takes action for common purposes, but murder, blood-feud, and vendetta, and so on, are of daily occurrences in these tracts, and we take no notice of them unless they occur within our area. We merely exercise what is called a political influence over them.

38231. (*Mr. Meyer.*) Are not officers of the Political Department, as a matter of fact, sent for administrative training in the Punjab as a rule?—Both in the Punjab and in this Province now; for the last three years they have sent us four to five probationers for training each year.

38232. And the conditions in your settled districts are very much the same as those in the Punjab?—Yes.

38233. You say, "Give a man administrative training in this province, and then let him go to the political area outside, and then come back to us;" but is that not exactly what is done?—Yes; as probationers they only stay for a year, and they exercise practically no powers; it is just at the end of the year when we could really use them they go away; if they were left with us for another year or two years as full-blown officers, then they would have acquired experience of which we should have the benefit.

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38234. Is your point that the present term of apprenticeship should be extended?—No, let them finish their apprenticeship in one year, but let them stay with us as full-blown officers for two years after that.

38235. You mentioned the case of an officer who was an excellent man with regard to frontier political work but who was not competent to fill an administrative charge, and that there was difficulty in finding him an appointment with remuneration suitable to his standing. Up to the highest appointments now in the Political Department, are not your salaries all fixed by personal grading?—Yes, they are in the agencies, but you come then to the question of Residencies which are appointments by selection, and in this province there are three Residentships—the Chief Commissionership, which is a first-class Residency, the Revenue Commissionership, and the Judicial Commissionership.

38236. If a man was so very valuable as regards political work proper, could not the difficulty you mentioned be overcome?—But a man does not want to spend his whole life in places where the amenities of life are small, and he looks forward after 10 or 15 years of trans-border agency work to work elsewhere. Such an officer as I speak of cannot look forward to a Commissionership, because he lacks the necessary administrative training, and in the same way it is doubtful whether an officer of that sort would be qualified to be Agent of the Governor-General in Baluchistan or Chief Commissioner here.

38237. Are there not prize appointments in every Service to which ordinary officers do not attain as a matter of course?—But every officer has a right to expect that his training will be such that he may carry the baton in his knapsack—there should be nothing in his work to prevent him rising to the highest office.

38238. The Chief Commissioner asks for full powers in regard to the appointment of Political Agent at Bannu and the Khyber, but is that not a little inconsistent with what he says when he acknowledges that in this province special control of the Government of India is necessary, in regard to frontier relations?—I do not think so, because as a matter of fact, under the present arrangement we have the power of appointing the Political Agent at Wana, which is probably an infinitely more inflammable spot than even the Khyber, and we can appoint the Political Agent at Tochi and Kurram, which are places which involve quite as much difficulty as the Khyber and Malakand, and it appears to me undesirable that in the case of these two places the Government of India should reserve to themselves a patronage which is simply the survival of an old system and old ideas. When the Chitral war took place and the Malakand Agency was created it was placed under the Government of India, and as such the appointment lay with them; in the war of 1897 owing to certain difficulties with regard to the Khyber, the Government of India said they could not leave it to the Punjab to select the Political Agent of the Khyber in future and that they would do it, so that these two appointments are really survivals of days antecedent to the creation of the separate Frontier Province.

38239. But logically, would not the Government of India be in a strong position in saying that if any one of these officials was able to set the frontier in a blaze, they should have some voice in his selection?—Yes, but the same thing would apply to Wana, and even more so. The logical development would be that they should take over the whole of the postings of the frontier, because any Assistant Commissioner, and especially at Wana, could set the frontier in a blaze if he wanted to. Either let the Government of India assume full responsibility for the whole of the appointments, or abolish the anomaly by which they make two appointments only owing to a survival of old customs and the reservation to themselves of a certain right. The only reason why we object to their doing so is that it involves a great deal of correspondence whenever an appointment is made, and much more than appears on the surface. If the Government of India would prefer to make the postings throughout the province, we have no wish to retain the power.

38240. Your position would be, then, that the Chief Commissioner ought to be trusted to make these appointments, and that if he makes them injudiciously the Government of India should be able to come down on him?—Quite so, in the same way as they would have the right to come down on him now in other places.

38241. You complain that you are not allowed to have your own provincial Gazette; have you ever asked the Government of India for permission to have a Gazette of your own?—No, we use Part II. of the Gazette of the Government of India; it is not that we want a Gazette of our own; we do not want to have any more than we have, but we should like to publish our postings in Part II. of the Gazette above the signature of our own Secretary. It is not from any desire to appear to exercise greater patronage that we wish for any change, but because it gives trouble in sending notifications from us to the Government of India and from the Government of India to the Gazette of India; it would save one unnecessary link in the chain.

38242. Why should you not have a Gazette of your own?—We should have no objection to that.

38243. You deprecate transfers, but have there not been a good many in this province? For instance, I see that Major Blakeway says that there have been numerous transfers in his district in the last three years, namely, seven changes in the office of District Judge, four changes in the office of Commandment, Border Military Police, and so on?—Yes.

38244. Is not the Local Administration, not the Government of India, responsible for those moves?—The Local Administration certainly is directly responsible, but the Government of India are indirectly responsible. The Government of India at the beginning of every cold weather dump on us perhaps four or five Political Agents of high standing whom we have to provide for, and every officer who comes to the province involves a general posting, so that everyone has to move down a step or two which means a change of posting all round. At the beginning of the hot weather the Government of India call upon us to provide various officers in order to fill vacancies elsewhere, due to their officers going on leave, and the departure of these officers causes a general posting again, and changes have to be made again all down the line. The effect of that is that with a Civil List that is constantly changing and fluctuating and with a very small *cadre* these changes are perfectly unavoidable, and there is no juggling which can obviate them.

38245. Except possibly a time-scale of pay?—I do not think that would obviate them or be popular. We have just had our pay altered, and another alteration would cause great alarm.

38246. Is the present system of administering the Frontier Province bound to cause more transfers and more dislocation than under the old system when the districts were manned by men of the Punjab Commission?—Probably, but if one were to examine the Civil Lists from 1897 to 1901 one would see the same thing occurring, from sickness and other reasons; transfers were nearly as frequent in former days as they are now.

38247. Is not a transfer on the frontier much more hurtful than it is inland?—Not if you have a staff which has been serving on the frontier for some time; for instance, Major Blakeway has been, on and off, Deputy Commissioner of Bannu for the last six years, and as soon as he comes back after an absence he picks up the threads at once in the same way as officers who have been in a district for years are able to do so. So long as you have a permanent staff of officers who know the frontier fairly well, I do not think it is very injurious though it may be undesirable.

38248. In the case of the Baluchistan frontier are not the conditions very different?—Yes.

38249. So that a man who knew the Baluchistan frontier, coming here, might be actually misled by what he thought his knowledge?—Quite so.

38250. As to Extra-Assistant Commissioners, you have a self-contained *cadre* and full liberty of appointment; why are there so many changes made?—Because we have nearly always to fill up four or five appointments properly reserved for Political Service Officers. At the present moment there are five appointments reserved for officers of the Political Department which we cannot fill owing to the shortness of officers, and we have to fill them with Extra-Assistant Commissioners; hence the continuous transferring and juggling.

38251. When an officer goes on leave not exceeding six months, say a Deputy Commissioner, suppose you have an Assistant Commissioner in the district who knows the district, but is not the next senior on the roll, would you put him in?—We should put in the man on the spot, provided he was qualified at all to carry on the duties.

38252. That is in the case of privilege leave vacancies?—Yes.

38253. But what about vacancies for six months?—In the case of a vacancy of six months we should consider the matter. We have never been so well off for Assistant Commissioners that the particular problem has really arisen. I can think of two or three cases in which we have filled privilege leave vacancies with Junior Assistant Commissioners on the spot, but in the case of a six months' vacancy we nearly always have to move a man from elsewhere. If there is a suitable Assistant Commmissioner on the spot we should not hesitate to put him in, in preference to another man.

38254. Who appoints tahsildars here?—The Revenue Commissioner.

38255. And naib-tahsildars?—The Revenue Commissioner subject to the approval of the Chief Commissioner.

38256. And he posts them?—Yes.

38257. You want proposition statements done away with. Is not a proposition statement the only clear way by which the sanctioning authority can gauge the actual strength of the office it is desired to increase, and the actual addition proposed to be made to the strength of it?—I should have thought that simply a statement that the office consists of 40 or 50 clerks, and that it is proposed to add two more would be infinitely more simple than the present arrangement.

38258. Would you be surprised to learn that in the Finance Department I have over and over again received letters from Governments from which it was quite impossible to see what was exactly contemplated until one referred to the proposition statement?—Of course I have not had experience in the Finance Department.

38259. The Local Government speaks of discouragement to District and Executive Officers from men being promoted mainly with reference to their deeds in the Secretariat. Surely Sir Harold Deane's own career is a refutation of that; he was not in the Secretariat at all?—No. I may say for myself that the remarks in that part of the Local Government's Note I do not personally agree with at all.

38260. Your own view is that the good man gets his chance whether in the Secretariat, or out of it?—I think so; it does not matter what work you do so long as you do it strenuously.

38261. I think that you are not in agreement with the Government memorandum on the matter of appeals?—No, personally I am not.

38262. It is stated there, for instance, that there should be no appeal against the dismissal of an officer?—I do not agree with that at all.

38263. Would it not rather run down the attraction of the Public Service if the fate of an officer were placed in the hands of one man, however distinguished?—Certainly; it would be the greatest mistake that we could make.

38264. (*Sir Steyning Edgerley.*) What are the relations of the Deputy Commissioner with your Police Officers in the Province?—The Superintendent of Police is, for the general purposes of the maintenance of law and order, the subordinate of the District Magistrate, but departmentally, as regards the interior economy and discipline of the police force, he is under his own Inspector-General.

38265. So that for the purposes of outside use the District Magistrate can issue orders and direct the movements of the police?—Quite so, for the maintenance of peace and order and the detection of crime and so on.

38266. Regarding these diaries which you complain are a great tax upon the clerical establishment; how many copies do you have to send away?—It varies with particular diaries; in the case of the Khyber diary, I think that comes to the General Officer Commanding, to us, to the Foreign Department, to the Malakand, and to the Quartermaster General. Most of them go to five or six different quarters.

38267. Have you no facilities for printing them here?—They are all printed in the Foreign Office; they are first of all typewritten in the Political Agent's office on a duplicator machine; probably they have to be done twice in order to meet the full number of copies that are sent out. It is essential to have them sent out promptly, otherwise they lose their value. Then they are sent to the Foreign Department, who print them and distribute them in print to all the offices that have already had them, so that they may be made up into neat books, and the typewritten copies are then dostroyed. All that, of course, involves a great deal of clerical work.

38268. You could not print them here?—No. Our own diary we do send in type; we can print our own here, but as a matter of fact the delay in printing the Agency diaries would detract very much from their value; their whole value is that they are a very prompt account of what has happened a week before in the Agency.

38269. The printing would not take more than twenty-four hours?—It would mean much more than that; Wana is four days' post from here.

38270. Has it not to come here to be delivered?—It goes direct from Wana to the General Officer at Dera Ismail Khan; that is only a day off; if we posted it here he would not get it for eight days instead of getting it the next day.

38271. But the copies which go outside the province could be printed by the Foreign Office?—Yes; a good many of them are printed and distributed in that way. I think the whole idea of the diaries is a little overdone; there is a little too much said in them.

38272. It has been suggested in some parts that it would be a good thing to test the genuineness of the desire to appeal by raising the stamp duty on appeals to the Local Government or the Government of India; what is your view about that?—I do not think that is at all necessary; appeals are not sufficiently frequent to demand that.

38273. Have you any ideas about the training of young Civilians?—I think it is important to give them a good training in revenue work and (above all things) criminal and civil work first, and not to give them any political work until they have done all that. I think the most dangerous thing is to give young Civilians the idea that they are going to be diplomats before they have learnt the law.

38274. Do you think the year they at present spend in England is useful?—I think it is.

38275. (*Chairman.*) It has been suggested that you might perhaps bring them out to India and use some central training place, such as the new Police Schools, to teach them the languages and customs of the people, revenue law and village accounts and so on, would you prefer the year at home?—I think the year at home is better.

38276. You tell us you get asked for opinions and so on; are these really very numerous?—They are fairly numerous. In our general proceedings I notice there are about eight or nine a month which might very often be abolished without doing anyone any harm.

38277. Opinions upon what sort of subjects?—Every kind of subject; the price that ought to be allowed for the purchase of a motor car for a Government officer, the suitability of the law to amend the limitation of suits, the desirability of legislating with regard to Insurance Companies (which we do not possess)—absolutely every question that could come under the head of administration we are asked for opinions upon.

38278. Who send you these?—The various departments of the Government of India. The Legislative Department sends us practically all Bills and all law for opinion, and a great many of those do not really concern us nearly. The Revenue Department sends down a great many revenue references for opinion, and we get a great many from the Home Department; questions referring to the whole police system of India, the abolition of Port Blair in the Andamans, and things like that.

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38279. You have been asked to give an opinion upon Port Blair?—Yes; Port Blair does concern us, as we supply the greater part of the population of Port Blair from this province; still, the question was a very wide one that involved a great deal of thought on wider considerations of expense, etc., which did not concern us.

38280. Are you supposed to send these on to your District Officers for their opinion?—Yes. If we followed the lead we have had we should send them all on; as a rule now we exercise as careful a discretion as we can in selecting the officers to be consulted; generally now we merely consult perhaps two or three officers who we know have had facilities for finding out something about the particular subject.

38281. Most of these, you think, could be dispensed with?—A great many.

38282. You say "Rulings on obscure and phenomenal circumstances are sent to us by the score;" will you give us an example of that?—If a clerk goes to the hills and takes his step-son with him, his step-son is entitled to travelling allowance now, although he is not really a part of the family; that is a ruling which is, of course, valuable in a way, but it is a thing that is very likely to be overlooked in the event of our ever having a clerk with a step-son who wanted travelling allowance.

38283. Will you give us another example?—We get constant rulings about Native States; loans must not be taken up by Native States except in certain cases; we have not any Native States here, so that that does not concern us at all. If I were to go through the proceedings I could mention a great many instances.

38284. You say that Imperial Departments are hampered by financial limitations and that certain charges which might perhaps be put upon the military estimates are put upon the civil estimates; is that within your own experience?—A very typical case occurred the other day here. The Cantonment Magistrate complained that he was unable, owing to the enormously onerous nature of his executive duties, to deal with the mass of civil work in his Court; the civil work accumulated to such a degree that the Judicial Commissioner had to complain about it. After consulting with the military authorities we came to the conclusion that it was necessary to appoint another officer, either an Assistant Cantonment Magistrate, as they have in all large cantonments, or else a cantonment tahsildar. The Government of India in the Army Department, after considering the matter, said that they were unable to give us another officer paid from military funds as cantonment magistrates are, and that the Civil Departments must produce a Judge.

38285. You refer to the frequent references to higher authorities necessitated by the growth of Codes, Rules and Circulars; will you explain the meaning of that?—In a great number of these codes and rules and so on, they enact that certain things may not be done without the sanction of higher authority.

38286. But is this the work of the Provincial Government or the Government of India?—It is the work of the Legislature rather; it may be under rules and circulars or in provincial codes. For instance, under the law as it stands we wanted to appoint an additional Small Causes Court Judge the other day. We found that in order to do that we had to get the sanction of the Governor-General in Council.

38287. Was that a question of expenditure?—No, it was not at all; it was a question simply of powers; under the law the provincial Government "may with the sanction of the Governor-General in Council appoint certain persons to be" so and so; in other words, it was a question of investing the man with powers; the man was already getting his pay as something else, but it was a question of investing him with these powers; under the code as it stood the sanction of the Governor-General in Council was necessary. We had to wire; of course it was purely formal, and the Home Department sent us a wire back to say that sanction was given.

38288. Those are the sort of powers you would like the Local Government to be provided with?—Yes.

38289. (*Mr. Meyer.*) In some provinces there is a rule restricting appeals from Government servants to this effect, that no second appeal in the case of an officer drawing less than Rs. 50 shall go on beyond the Head of a Department or the Board of Revenue as the case may be; is there any such rule here?—No, not that I know of; there is no such rule.

38290. There is full liberty of appeal to the Chief Commissioner?—Yes. The appeals are not in any case legal appeals, but there is liberty to petition up to the Chief Commissioner, and the petition will be considered in the same way as if it were an appeal.

38291. Even if it is a *chaprasi*?—Yes.

38292. (*Chairman.*) Are Commissioners responsible for postings and transfers?—Yes.

38293. May we take it that good executive work is taken into consideration by the Local Government in considering the recognition or promotion of a particular officer?—In this province it certainly is. The remarks about the Secretariat in the Chief Commissioner's note are, I think, intended to apply to Secretariats generally.

38294. But in this province what is taken into consideration when you promote an officer?—We have not the power to promote an officer; they move up by their grades and get their pay.

38295. But when you transfer an officer?—In transferring an officer we take into consideration his suitability for the particular post to which it is proposed to transfer him.

38296. That is a very general answer?—If we wanted to put an officer into the Khyber we should not put in a man whose experience had been entirely judicial; we should select for the Khyber or for any important political charge a man who had, for instance, commanded a Border Police Corps, or a man who had worked in a district where there was a good deal of political work, or a man who had been in one of the less important Political Agencies and had shown himself to be a man who could be relied upon, and a man of discretion who would not force on trouble when it could possibly be avoided.

38297. I may take it from you that that is a definite statement of the conditions under which officers' claims are considered?—Yes.

38298. You were Under-Secretary to the Government of India?—I was for a time.

38299. Was that before this province was formed?—No, it was since the formation of the province in 1903. I was acting for the Deputy Secretary of the Foreign Office.

(*The witness withdrew.*)

KHAN BAHADUR KHWAJA MUHAMMAD KHAN of HOTI was called and examined (through an interpreter).

Khan Bahadur Khwaja Muhammad Khan.

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38300. (*Chairman.*) What position do you hold?—I am chief of my own place and a Viceregal Darbari. I am a *jagirdar* and landlord.

I do not think it desirable to curtail the right of appeal in respect to administrative action or personal questions, nor do I see any necessity to impose the condition of obtaining a preliminary certificate from the officer whose decision is appealed against, which would be very hard upon the people.

Commissioners and Deputy Commissioners should be given extended powers to enable them to expedite the disposal of important matters connected with public welfare, which they would do after consultation with leading men from among the people. The Local Government should allow Commissioners and Collectors greater control over expenditure, and define its limits.

At present the influence of the Local Government is in the direction of uniformity. But in future the people of a bad type, such as thieves, dacoits and bad characters, should be dealt with very strictly, while *Raises* and good honest men should be treated even

more kindly than at present, so that the former class may be intimidated and the latter encouraged to render more assistance to officers of the Government.

The influence of the Commissioner in all matters is sufficiently strong.

The Executive Officers have not sufficient opportunities for personal contact with the people, which is perhaps due to the pressure of work. In this province the Chief Commissioner interviews all sorts of people with open heart and clear brow. The Executive Officers should frequently come in contact with leading men and *Raises* and consult them, as they evidently know the people better than European officers.

All Executive Officers possess a sufficient knowledge of the vernaculars.

Only such officers should be selected who are experienced and in touch with the people, and who are trusted and liked by common people as well as *Raises*.

Officers should not be frequently transferred, but should be kept at one place for a long time.

Local bodies should only be empowered to control the expenditure within their income, and in case of emergency to borrow such sums as they can repay in the same or the following year.

The creation of Advisory and Administrative Councils is in my opinion very important. Such Councils should be constituted of leading gentlemen of good position, who are known for their loyalty to Government as well as for integrity and honesty, and have the confidence of the people. Officers should consult them in all important matters and act upon their advice. These Councils should be given wide civil and criminal powers, and made responsible for the prevention of murders and dacoities and for bringing offenders to justice. Officers should be bound to act upon their advice.

The District Boards should be invested with powers of supervision and control over the smaller municipalities within their districts.

The extension of the powers of village communities is most expedient and is calculated to cause a decrease in crime. If leading men of good position, reputed for honesty, are given greater powers in the disposal of local affairs relating to revenue, civil, police and criminal matters, I think it would serve a triple purpose. Firstly, crime would be diminished; secondly, justice would be done in all cases, as leading gentry known for integrity are better acquainted with local circumstances than European officers; and, thirdly, the measure would relieve Executive Officers of a portion of their work, and they will have ample opportunities for personal contact with the people.

38301. Are you familiar with the constitution of the *jirga* in this province?—I am very often present in the *jirgas*, and I know about their formation.

38302. When a *jirga* is formed here, is one man more or less responsible for its proceedings; is there a kind of head man?—No particular person is responsible for the procedure in a *jirga*. The Magistrate appoints the members.

38303. When a *jirga* of men appointed from a tribe sits, as a rule is it fairly easy to arrive at a conclusion on the matter which they are investigating?—They listen thoroughly to everything that is said to them, and they do not find much difficulty in arriving at a conclusion; they make enquiries from the people on the spot and also from all influential persons.

38304. Is the Magistrate present when the enquiry is actually held?—No, the Magistrate or the Deputy Commissioner is not present; only the opinion of the *jirga* is submitted to him.

38305. Do the members speak more freely in the absence of the Magistrate; do they discuss more easily amongst themselves?—They express their opinions freely, and as a rule the Magistrates have nothing to say to the manner in which opinions are expressed.

38306. Do they discuss more freely amongst themselves than they would if the Magistrate were present?—Yes, they are more free in their discussions and more outspoken. The influential men and the Deputy Commissioners also know that *jirgas* are sometimes appointed without due care and that they accept bribes, and this is a great drawback to the administration of justice; all the officers know it. If the *jirga* is appointed with care, and responsible and well-known men constitute the members, then justice can be better done.

38307. But there is no doubt that there is a certain amount of bribery and corruption?—Yes, and those that constitute the *jirga* have themselves been punished several times for such bribery; two or three *jirgas* have been punished for their corruption.

38308. Are the *jirgas* liable to be much influenced by faction?—They are not liable to be much influenced by faction except when they are appointed carelessly.

38309. Is is possible to choose out of a tribe or a village men who will be neither corrupt nor factious?—The Deputy Commissioners know which people are corrupt and which are not, but the difficulty is that if the Deputy Commissioner appoints those people they will not be able to do their own work; the work of the *jirga* is so much that it will absorb all their energies.

38310. (*Sir Steyning Edgerley.*) Do you think that the Administration rewards good work sufficiently?—No, the reward is ordinary.

38311. Ought officers to have more power to do so?—If there were power it would be better.

38312. That is to say they should be able to reward on the spot at once?—To reward on the spot would be a very good thing and a matter of great gratification.

38313. You recommend the appointment of Honorary Magistrates and Honorary Civil Judges; do you think the people would be as content with the decision of a single person as with that of a *jirga*?—The people would benefit considerably if Honorary Civil Judges were appointed.

38314. Would they be content with the opinion of a single *Rais*?—The people would be quite contented; I know the conditions of my own territory better than they could be known by European officers.

38315. (*Mr. Meyer.*) Is it only the Deputy Commissioner who appoints the *jirga*, or can a *jirga* be appointed by an Assistant Commissioner?—The Sub-Divisional Officer of my own part of the Peshawar district has power of himself to appoint the *jirga*.

38316. That may be an Assistant Commissioner or an Extra-Assistant Commissioner?—An Assistant Commissioner only.

38317. Could a tahsildar appoint a *jirga*?—A tahsildar or Extra-Assistant Commissioners cannot appoint *jirgas*, and that is to the benefit of the people.

38318. Do the *jirgas* only deal with crimes, or do they deal with civil cases also?—They are only appointed in criminal cases—very rarely in civil cases; most cases are not sent to the *jirga* at all, they are sent to the ordinary Courts. All offences, such as murder and other grave offences, are sent to the *jirga*.

38319. Suppose one man beats another, would that go to the *jirga* or to the tahsildar's Court?—Cases of ordinary simple hurt or grievous hurt are sent to the Judge; murder and attempts to murder are sent to the *jirga*.

38320. Might the *jirga* be used more instead of the ordinary Courts in a number of these small cases?—It is desirable to send these petty cases also to the *jirga*.

38321. Might civil cases—questions of property when the amount is small—go to the *jirga*?—Suits about land and even about money could profitably be sent to the *jirga*, provided that the *jirga* is very carefully appointed. Sometimes the Deputy Commissioner appoints the *jirga* very carelessly, and that results in great evil.

38322. Would it be possible, instead of having a separate *jirga* for each case, to have one permanent *jirga* for a village or a group of villages?—If the men are literate and also able to influence their own people, then it is possible to have a standing *jirga*, but ordinarily the men are illiterate and they get their judgments written by petition writers.

38323. Would the people like it?—Neither I nor the people would like it.

38324. At the same time you want panchayats in the villages?—A panchayat can decide cases more easily.

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38325. If you cannot find good men for a permanent *jirga* will you find good men for a panchayat?—If the Deputy Commissioner appoints those people with care then they cannot do their own work; the *Khans* or Chiefs or leaders of the people whom he can appoint can do the work properly, but they will not be able to do their own work.

38326. Then you want an Advisory Council; what sort of people would sit on that?—I would appoint great *Khans* or Chiefs who are literate and at the same time who have no fear of the authorities but who can give their opinions independently; men who would be independent and who would not flatter the officials.

38327. Are there a number of such men to be found in the Pathan districts?—Yes, such men are available in all the sub-divisions.

38328. (*Mr. Dutt.*) You say that Advisory Councils should be given wide civil and criminal powers; do you mean that they should form a sort of standing *jirga* for the whole district?—The Deputy Commissioner so far never consults the influential people or the *Khans*, they are regarded as mere waste paper. If the Deputy Commissioners consult men of known integrity, influence and wealth in their own districts, the number of cases, civil and criminal, would be reduced to 20 per cent. of the existing number.

38329. Is it your idea that most of these important cases should be referred to the Advisory Council exercising civil and criminal powers?—Important administrative cases. My opinion, if acted upon, will lead to this—that the leaders of a tribe will blame their own persons if they do wrong, and those persons will naturally not do it again.

38330. So that under such a procedure there will be substantial justice done by such leading men assembled in council?—Greater justice will be done in that way, because European officers cannot know so much of the internal affairs of the people as the leading men of the place itself.

38331. Do you desire that they should have the power of passing the final order, or that they should send their opinion to the Deputy Commissioner for him to sign the final order?—It should not be like the Assessors in a Sessions Court, where the Sessions Judge very often does not listen to what they say; their opinions should be acted upon.

38332. Do you also propose such standing tribunals in *tahsils* or in large villages?—If such an Advisory Council were established it would be well.

38333. Do you think that if such tribunals are established in different places in a district substantial justice will be done to the people by their own countrymen?—Yes.

38334. If these judicial tribunals are established, is there any necessity for establishing separate panchayats?—In that case there would be no necessity for panchayats.

38335. Is there a recognised headman in every village or in every tribe in a village?—In my *tahsil* there are eight or nine *Khans*; in the whole of the Peshawar district there are *Khans* who are considered the Heads of their own people.

38336. (*Sir Frederic Lely.*) You said just now that the *jirga* was very subject to corruption; how would your Advisory Council differ from the *jirga*?—I have already laid down, as the very first condition, that only those people should be selected who are trusted by the Deputy Commissioner and who are known not to be corrupt.

38337. Men should be appointed who are not corrupt, who are influential, and who think of their own honour?—Yes.

38338. And the only means of doing that is to leave the selection to the Government authority?—Either the Deputy Commissioner or the Chief Commissioner

38339. How many villages have you in your estate?—I have about 40 villages of my own.

38340. Who supplies them with water?—The water comes from the river. It is irrigated by canals.

38341. And drinking water?—There are some wells also.

38342. At whose expense are the wells kept up?—The tenantry have constructed those wells.

38343. Are there any schools?—There is one middle school in which education is given up to the matriculation standard.

38344. Are there any primary schools?—There are 30 or 40 primary schools. The students pay tuition fees, and a cess is taken along with the land revenue.

38345. Then there is a local fund cess?—Yes.

38346. Who manages that; is there a Local Fund Board?—The money is paid to the Deputy Commissioner. I am a member of the District Board, but so far not a single rupee has been spent according to my suggestions; the Deputy Commissioner spends it according to his own views. My *tahsil* contributes Rs. 13,000 a year.

38347. (*Chairman.*) How often does the District Board meet?—There are several meetings of the District Board, but during the last 20 years I have attended only five; my reason for that is this: when attending I found out that my opinion was not accepted, and the money was merely being collected, but not being spent as our part required, so I did not attend any further. Rs. 13,000 are taken from my *tahsil* every year in the shape of local rates; I personally pay Rs. 1,100 or Rs. 1,200 local rates; I pay about Rs. 20,000 as revenue per annum, and about Rs. 1,00,000 I pay annually for water rate for canals. I founded one bazaar, and I pay Rs. 600 income tax on that. Rs. 500 per mensem I pay as house tax from the bazaar. Nevertheless, when it is a question of expenditure, I have no voice—in fact, I am called upon to expend money myself. They want me to build roads, to water the roads, and so on, without their contributing anything. For a single aqueduct to convey dirty water, I have been ordered to repair it at my own expense, and nothing has been contributed.

38348. Who takes the revenue from the dirty water canal?—The Government takes it.

38349. Is there anything else you desire to say?—I think that officers should be directed to mix with the people more frequently and more sympathetically.

38350. What do you mean by sympathetically?—In the same manner as European officers mix among themselves. They consider the natives very low, sometimes they cannot be seen at all; on other occasions a visit to them by a native is fruitless.

38351. They do not get what they want?—They do not get what they want, or they are not pleased with it.

(*The witness withdrew.*)

KHAN BAHADUR SARDAR SULTAN IBRAHIM was called and examined (through an Interpreter).

Khan Bahadur Sardar Sultan Ibrahim.

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38352. (*Chairman.*) You live in Peshawar?—Yes; I live also in Lahore; I have villages in several different districts, Gujranwala and Lahore. Here also I have house property round about the city. I am a retired Extra Assistant Commissioner. I have been a pensioner for the last nine or ten years.

When the Local Government is the supreme power in the province, its powers must not be so limited, but the Government of India should give full powers to the Local Governments under it, so that they may be able to look after the welfare and prosperity of the provinces under their control.

Borrowing powers may be conferred upon the Local Governments to a certain specified limit. The Local Government for raising the loan should proceed through the Commissioners, and they should contract with "*Raises*," *mahajans*, and money-lenders in a way that they may know all about the aim and object of the loan, and afterwards it should be notified in the Gazette and local newspapers.

The Local Governments should be given full powers in every department under them. The Local Government is the highest power in the province and it must be given full powers. This would be to the benefit of the Government and the raiyats.

Local Governments should be allowed to exercise their powers as they deem fit regarding the welfare of the provinces under them, and they may or may not

follow the other Local Governments in this connection, because they are likely to know more about the provinces under their administration.

Appeals should be allowed as before, so that everyone may be able to set his mind at rest having gone up to the final Court of Appeal, and there is no need of a certificate of the officer against whose order the appeal is instituted.

The revenue powers now in the hands of the Financial Commissioners should mostly be conferred upon Commissioners. Similarly Deputy Commissioners and Collectors should have the most part of the powers now exercised by the Commissioner. A Sub-Divisional Officer should also likewise have similar powers given him provided he be a European. The Financial Commissioner in his turn should have a greater part of the powers now in the hands of the Local Governments. Thus the work would be equally distributed and carried on smoothly.

Commissioners, Deputy Commissioners, or Collectors and Sub-Divisional Officers (if he is a European and has officiated as Deputy Commissioner for a period of at least five years) should be given full executive powers. Their powers should be unlimited concerning executive affairs, except that they should not be given powers to sentence to death, and even they may be allowed to pass a sentence of death after hearing the accused, when he may be convicted of murdering a European out of sheer malice, but a Sub-Divisional Officer should not proceed in a case like this without the express permission of the Deputy Commissioner. Special regard should be had of the Frontier Provinces in this respect.

Commissioners and Deputy Commissioners should be given full powers in order that the interest of the minor may be very well guarded and any surplus in the accounts of the property and estates of a minor should be lent to the members of such respectable families who may be on the verge of ruin on comparatively small rates of interest, and on realization, the principal along with the interest, should be added to the estate of the said minor, and thus the interest of the minor as well of some other respectable family would be very well looked after. All restrictions now imposed upon the Commissioners and Deputy Commissioners regarding their powers as to Court of Wards should be removed. But as regards those Courts of Wards which have comparatively a smaller amount of property of the minor, well-to-do members of the same village or of some adjoining village should be appointed guardians of the minor as the Government think fit.

Commissioners and Deputy Commissioners must be given extra powers to control the expenditure of municipalities and District Boards, and a complete inspection made by the Assistant Commissioners of their respective districts.

The prestige and influence of the Local Governments are moderate, and they are bound by the rules prescribed for them. Any benefit which they desire to confer upon the raiyat deserving it is barred because of the observance of the rules laid down for their guidance. Accordingly such extra powers should be given to the Local Governments that their prestige may increase, and they may be able to win more popularity.

Secretaries deal with every case cursorily according to office routine, and thus the rights of people are generally ignored, while shifting enquiry should be made in each case, and the relief deserved be given to the party concerned.

There is no influence of the Commissioners in other departments except that of revenue. For instance, they, in spite of being fully alive to the wrongs done to the raiyats by the Irrigation Department, cannot take any steps against its officer because they have no control over him. The agricultural population who have their land irrigated feel quite miserable, and consider it to be a scourge sent down upon them by God. If an enquiry be made into the matter, it shall be known that although village outlets have every now and then been changed, yet no good result has been arrived at. This department is of no use, and is a cause of much unnecessary expenditure. If it be placed under the Commissioners or Deputy Commissioners, and an increased number of subordinates be given to them to carry on irrigation work, I am sure the Government will gain lakhs of rupees and the raiyats will be much relieved. It is strange that a Commissioner is the head of the Revenue Department, and the means which are the main cause of bringing about a great deal of improvement are placed under quite a separate officer, and he has nothing to do with them. How can his opinion carry any weight or force in matters concerning other departments. The Irrigation Department should be amalgamated with the Revenue Department under the Financial Commissioner, except that the Construction Branch of the former may be kept separate under the control of the Irrigation Department.

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Although the raiyats have occasion to see the officers frequently, still they are not so free as a rule, and feel shy when calling upon them. Considering the officer to be a man of a ruling class of a foreign country and nationality they feel afraid of him. Courts of panchayat should be established at every thana* (Police Station), and Commissioners and Deputy Commissioners should hold meetings from time to time to study the hearts of the raiyats. These meetings to be held every third month by the Commissioner and every month by the Deputy Commissioner. In towns extra members should be nominated in each *mahalla*. By the introduction of the said panchayat they will have a hand in the government of the country, and so sympathy with the ruling nation will be engendered and they will try for its prosperity.

As regards the knowledge of the language of the raiyats, the officers are well versed in it and can make themselves understood. If any of them does not know the language and its pronunciation at first, he can acquire the knowledge of it in a short space of time. There is no very general complaint concerning this in the Punjab and the Frontier Province.

The existing powers of Commissioners and Deputy Commissioners are quite sufficient, but in the case of breach of the peace some special powers might be given; but such powers should be conferred upon those Deputy Commissioners who have worked as such for a period of at least five years, and at most ten years, and won popularity amongst the subjects.

Frequent transfers of Commissioners and Deputy Commissioners are not advisable, but amongst officers subordinate to the said high officials constant tranfers ought to be made. Thirty-five years ago a Deputy Commissioner was confirmed in his post on reaching old age, but now on coming from England they have only to pass a probationary period of two years and then are confirmed, and are shifted from one place to another very often. This is detrimental both to the Government and the raiyats. If, for instance, a breach of the peace takes place, such officers can prove of very little use in putting an end to it. Deputy Commissioners who have worked for ten years must be given preference over others, and posted to big districts, where there may be a great deal of executive work to be performed, and those who may have worked as Deputy Commissioner for a lesser period must be posted in small districts. Deputy Commissioners should not be transferred except in cases of leave or emergency, and the officiating man should be an Assistant Commissioner who has worked for five years in the same district, and thus must be knowing a great deal about the *tahsils* and other things, and must be popular amongst the subjects.

The existing powers of the different heads of departments and of those officers who are under the Local Government are in my opinion quite sufficient.

The powers of the municipalities should remain unchanged, because they do not value their power and exercise their powers in a manner not worthy of them. A scheme for sanitary improvement should be set up in which the Deputy Commissioner may be the supervising officer, and for his assistance a sufficient number of men must be employed to work under him. A list of all the *kachas* (streets and lanes) of the city should be drawn up, and a general register be kept for this purpose. Names of *Raises*, *sufaidposh* and pensioners and of other well-to-do people of every *mahalla* should be registered through the tahsildar. The *kachas* may be equally distributed into groups. The District Magistrate should nominate one man from

* I mean that panchayats should be held in any locality lying within the boundary of every thana.

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every *kacha* as a Municipal Commissioner every year. Members so nominated should be given charge of the sanctioned work in their respective circles and they should be held responsible for it. There should be an establishment under every such member to carry on the sanitary measures adopted, and they should be given full powers to appoint and dismiss any one as they like. There is no need that these members should be elected by votes taken for them, but a nomination should be made out of that general register. They should be changed yearly, and one who might have done meritorious work during his office should be given a certificate or a *khilat* on his vacating the office. A meeting should be held every second month, and the President should be the Deputy Commissioner, and the subject for discussion the sanitary condition of every *kacha* in the city. Thus these people will have a chance of seeing the Deputy Commissioner, and the Deputy Commissioner will in his turn come to know more about the city. The same system should be introduced in the different *tahsils* of a district.

There is no need of establishing Advisory or Administrative Councils or holding such consultation meetings. No such matters come up before the Commissioner or Deputy Commissioner in which men called upon to attend such meetings may give their opinion. But Commissioners and Deputy Commissioners should hold *Majlis-i-Inkishafi* (a meeting to sound the mind of the public) in a manner as below stated. The Deputy Commissioner to hold a meeting every month and the Commissioner every third month. Thus a great deal of benefit would accrue both to the Government and the subjects. A list of well-to-do and educated people should be drawn up in every village. This list should consist of *sufaidposh*, *lambardars*, old men, intelligent youths, educated and uneducated, *muafidars*, *jagirdars*, *mahajans* and merchants.

Out of this general register 60 men should be selected to constitute the *Majlis-i-Inkishafi* of the district, and these men should hold their office for one year, and hold sittings every month. A notice of the meetings should be issued to a group of five persons before the date fixed for the meeting. The subjects for discussion in these meetings should be fixed by the Deputy Commissioner, and a group of five members should give in their opinion in writing. The subjects should be such as the damage caused to crops; their how and why. What steps were taken to prevent such blights, and what remedies. Whether English, Yunani or village customary ideas of removing such evils were adopted, and which of them succeeded. What steps should now be taken. The following subjects should be fixed every month by the Deputy Commissioner:—The strict measures taken by the police; bribery, and how to check its growth; famine and education. A spokesman of every group of five members should read out a paper on the notified subject. A regular debate will thus be carried on between the Deputy Commissioner and those present, and the meeting will then come to a close. If the Deputy Commissioner sees any such matter in which his interference is necessary, or in which he requires some assistance, he will issue his orders afterwards. The slips on which the members have given their opinion should be filed, and destroyed after a period of two years. On the second day of the meeting a dinner or tea-party should be given by the Deputy Commissioner at his place at the expense of the Government, and he should allow every one present to talk to him on any point they like and after this they may be allowed to depart. Every European Assistant Commissioner should also be present at this meeting. In the same manner the Commissioner should hold a meeting every third month, and the same proceeding should be adopted as by the Deputy Commissioner; but the Commissioner should select fifteen men per district from his division; and it would not be unadvisable if any Deputy Commissioner also attends this meeting.

The members of a District Board should be given powers to supervise the work of petty municipalities, as a Deputy Commissioner would be relieved of a great deal of unnecessary burden put upon him, and the municipalities will also have to use greater amount of care in their work.

There is no such system as the courts of panchayats or village-bodies in the Punjab. The powers of a panchayat Court should not exceed those of 3rd grade powers. In my opinion these Courts should be established in all provinces, especially in the Punjab, and it will prove of great advantage to the Government and the raiyat, and the Government of India will gain in strength thereby, which every man of common sense can very well realize. These Courts should be thus organized:—Members of a panchayat should be selected from the general register kept for the *Majlis-i-Inkishafi*. They may be given civil, criminal and revenue powers to the extent of 3rd grade powers, and one panchayat to continue in office for a period of two years, so that every deserving man may get a chance to become a member thereof. The Education and Police Departments should be under the panchayat of their respective circles, and the powers of appointing and dismissing the chaukidars should be in the hands of the panchayat. In cases of murder two members out of the eleven which constitute a panchayat should be along with the investigating police officers, and they should be allowed to send in their opinion direct to the Deputy Commissioner.

Some of the advantages that are likely to accrue from introducing this system of panchayats are as follows:—a decrease in the number of cases coming up before the District Court; an increase in the information of the Deputy Commissioner as regards the inward and outward condition of every place; cases of the breach of peace would come to the knowledge of the Deputy Commissioner earlier; cases of dacoity would lessen and the perpetrators would be very easily apprehended; such idle persons who promulgate seditious ideas amongst the masses will thus be engaged in the work of the Government, and such persons would behave well in order to get a place in the panchayat; people will grow more sympathetic towards the rulers and its Government; abatement in bribery; and an advancement in education. But the District Magistrate should have nothing to do with the decision of cases and should be simply a supervising officer.

My proposals about the establishment of *thanawar panchayat Majlis-i Inkishafi* and the appointment of Municipal Commissioners in every city and town without taking votes appear useful to the interest of the Government. I think that all meetings, congresses, etc., now held by the subjects will vanish. The aim and objects of these societies are to get the voice of the subjects heard by the Government. To realise them they strive and incur a good deal of expense. The Government would get a good many chances of studying the minds of the people. The subjects in turn will be relieved from the loss of heavy expenditure. It is apparent that the Deputy Commissioners being wholly and solely absorbed in the executive work will find very little time for the disposal of the judicial cases. Judicial work should be taken from the Deputy Commissioners and be entrusted to the Assistant Commissioners and the City Magistrates under them. The Deputy Commissioners will thus have sufficient time at their disposal for holding interviews with the people and thinking over the means beneficial to the good of the subjects. If any Deputy Commissioner shows negligence in the discharge of his duties in this respect to this matter he should have to give an account for his neglect. The Assistant Commissioners and City Magistrates who are popular amongst the subjects should officiate as Deputy Commissioner of the district. If he goes on leave no consideration should be paid to seniority or grade. In order to win the hearts of the people and become acquainted with them the Deputy Commissioner should join *Raises* and gentry in their marriage and funeral processions. Indians are half-cultured people and observe customs alien to those of the Europeans. As the Europeans have to pass nearly half of their days in governing them, so it is necessary that they should make themselves thoroughly familiar with the Indians. Such familiarity will not interfere with their influence, prestige and dignity. The name of Mr. Gladstone, the renowned Deputy Commissioner of Umballa, is remembered with great respect and honour by the people of that district. Though he was familiar with the subjects, yet his dignity and respect were not diminished a bit. He had neither handed over some territory to any one, nor had he bestowed treasure upon the other. The attitude assumed by some men of India in 1907 showed the height of meanness and despicability. Though they deserved to be shot there and then, yet the Government, being generous, treated them kindly. These faithless people had risen up against their benefactors,

who imparted sound education to them liberally. I feel confident that the Government will make the most of holding such like meetings, as it does now, in future.

38353. When you were in Government service was the correspondence carried on in the office in the vernacular or in English?—The correspondence was in Urdu; I do not know English at all.

38354. The whole of it was in Urdu?—The whole correspondence was in Urdu, except on special subjects, when it would be written in English.

38355. Do the Deputy Commissioners know the vernaculars well?—In the Punjab particularly the officers know the vernaculars well, and those who are new-comers pick it up quickly.

38356. And here?—Yes; this has been separated from the Punjab only recently.

38357. You say that the Sub-Divisional Officer should have larger powers given to him provided he is a European; why do you say that?—The Government has very graciously given us education, and the proper result should have been that to-day the gratitude which was due from the natives should have been exhibited, and the Government should have been able to feel gratified that its efforts towards education had been beneficial. Instead of that, we find that these people are ungrateful, and in fact the enemies of their benefactors. A century will be required before the people will be fit to be entrusted with powers. There may be one man in a thousand who could be trusted, but the general rule applies, and because we find one man in a thousand, we cannot say that that governs the whole case. A standard should be fixed for higher education. Besides other things I would include the wealth, and position of the family before the advent of British rule, and physical fitness; a certificate should be given only then. The mistake was made originally in this way. People accustomed to despotic rule were at once given access to education; their education was based on the wrong principles, and it proved harmful instead of useful.

38358. A witness told us that it was much better that the Deputy Commissioner should be respected than that he should be liked; what have you to say upon that?—We require both; if he is respected and not liked, that would mean nothing.

38359. (*Mr. Hichens.*) When you were Extra-Assistant Commissioner in the Punjab, were the transfers of Indian officials very frequent?—The transfers were very frequent then, and are very frequent now.

38360. Of Indian officials?—Both of Indian Native Extra-Assistant Commissioners and all European officers, except in my own case. I was for 39 years in this district, excluding three years when I was in the Mutiny. At the time of the Mutiny I was here, and in 1858 I got together some recruits, and went to the border of Nepal.

38361. You were yourself a long time without being transferred, but that was accidental?—It was quite accidental, on account of my services.

38362. How long should a Deputy Commissioner remain in a district without being transferred?—In my opinion such a province as the Punjab should be divided into four portions, and four or five districts in each portion should be so officered that the officers should work only in that portion, not going out of it until they retire. When he is originally appointed an officer should be consulted as to which part of the province he would like to go to, and as far as possible he should be retained in that part until the time of his retirement.

38363. A witness told us that in this province factions were somewhat prevalent, and that if a European stopped more than four or five years in one district he might become partial and take sides with one faction as against another; and the witness based upon that the argument that it was not well to keep a European officer more than four or five years in one district. What is your opinion as to that?—This applies only to this province, and not to the districts beyond the Attock river; there are no factions in that part. According to my principle, within the division an officer might be posted for four or five years in one district, and for another four or five years in another district and so on, till he completed his service.

38364. Do you think that in this province it is likely that a District Officer would take sides with one faction or another when he has such knowledge of the district as a man can pick up in four years?—European officers are not liable to take sides in cases of faction; there may be very rare cases, but that is generally not the case with European officers; it is not their habit as far as I have seen. I cannot say what will be the case in the futnre. That is the mark of distinction of a European officer.

38365. (*Mr. Dutt,*) You say that the Irrigation Department should be placed under the Commissioners or Deputy Commissioners; do you mean that the Irrigation Engineer in each district should be subordinate to the Deputy Commissioner in work relating to the people?—The Engineer of the canal should be subordinate to the Commissioner and the Deputy Commissioner, not in the construction of the canal, nor in the preparation of the scheme, but so far as the revenue collection work is concerned; because the Deputy Commissioner and the Commissioner are Head of the Revenue Department, and they see with their own eyes the people being tyrannised over, and they are not in a position to interfere, because the department is separate.

38366. In what way are the people tyrannised over?—The Canal Officer diminishes the water supply, and if to seek redress a man applies to the Deputy Commissioner, he is in the future debarred even from receiving the little water that he formerly got, because the complaint is resented. There would be a great advantage if two tahsildars were appointed in every *tahsil* with a canal, one for irrigation and one for revenue, and they should take the work alternately every year; one year the man doing irrigation work before should do the revenue work. In that case the tahsildar would himself think of the revenue, because if he does not give the water he would not be able to collect the revenue; then he will be discredited.

38367. Do you propose that a tahsildar should be associated with the Canal Engineer for the distribution of water?—No; there is already a *zilladar* for that work.

38368. Your idea is that the Irrigation Engineer should be under the orders of the Deputy Commissioner for the distribution of water?—He should be subordinate to the Commissioner also.

38369. You say that Courts of panchayats should be established in different places; will you explain what you mean by that?—My object is that the raiyat should be able to express his purpose to the officers, and should be able to fearlessly express whatever he has to say. Now that there is education in the country it would be to the advantage of the people if they were just made to understand that they also have a little share in settling their own affairs and a little share in the administration of their own affairs. The gulf between the European officers and the natives is very great, and the only way in which the raiyats can feel that they hold some position is to have the power to settle their own affairs.

38370. Do you think that if these village Courts were established there would be substantial justice done to the people?—Very substantial justice. The panchayat Court should be for every thana, not more than one.

38371. What are the benefits which you think would accrue?—The bribery and the tyranny of the police would cease; as soon as a panchayat Court was established, people would not go to the congress or to foolish lectures; they would find everything at home.

38372. They would be able to settle their own affairs in the villages?—Exactly.

38373. On the whole you think that these village institutions would be beneficial to the people?—The people would be benefited; bribery would come to an end; discontent would come to an end; the number of cases would diminish, and there would be more communication with the Deputy Commissioner.

38374. (*Sir Frederic Lely.*) Is there a District Local Board here?—Yes.

38375. Does that consist of leading and representative men?—There are representative and leading men in it.

38376. Are they as a matter of fact consulted in the management of Local Fund affairs?—Their opinion is

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taken by the Deputy Commissioner. The District Boards are not flourishing, but if they were given power over the subordinate municipalities in the district it would be better.

38377. (*Mr. Meyer.*) Are there Local Boards here for the *tahsils*, or only for the districts?—There are District Boards only, no *tahsil* Boards.

38378. Has your service been in the Peshawar district as an Extra Assistant Commissioner, or in other districts too?—I was tahsildar and *rissaldar* and Extra-Assistant Commissioner and native Adjutant. All in the Peshawar district, and three years in India.

38379. In this district you have a sub-divisional system?—There is a sub-division here at Mardan.

38380. And Naoshera?—I was also in charge of Naoshera, but not as Sub-Divisional officer; now there are two sub-divisions; Sir Harold Deane made two Sub-Divisional officers.

38381. But in most districts there are no Sub-Divisional officers?—Only in big districts such as Lahore, Ferozepore and so on.

38382. Generally is the system in the Punjab that the Assistant Commissioners and the Extra-Assistant Commissioners are all at the district headquarters doing any work that the Deputy Commissioner chooses to give them; one might do criminal cases, another excise, and so on?—That is the system.

38383. Which do you consider the better system; the system under which an officer is in charge of the sub-division and doing all the work there and the people can come to him, or a system like the one I have described?—I have no preference for one over the other; the existing system should continue; the people do not benefit by any change of this kind; that concerns the Deputy Commissioner.

38384. Which would you have preferred yourself when you were in the service; to be living out at Mardan, or to be at the district headquarters?—Every officer wants to have money, and as the Sub-Divisional Officer gets Rs. 50 more than another officer, you can understand.

38385. Who appoints the tahsildars and naib-tahsildars in the Punjab?—The Financial Commissioner.

38386. Might they be appointed by the Commissioners of divisions?—Yes; the Commissioners should be empowered to appoint them, because the Commissioners know the people better than the Financial Commissioner, and come more in contact with the people; also because the Financial Commissioner is hardworked, whereas the Commissioner has now nothing to do; he is a sort of postmaster.

38387. You would like the Commissioner, when there is one in the Punjab, to be a big man, not a postmaster?—He is the Governor of a division, and he should have irrigation, and revenue, and *jirga* work all under him; at present he has no powers; he is a Governor without orders.

38388. You would like each Commissioner to be Governor of his division, with the Lieutenant-Governor of the Province above him at Lahore?—That is exactly what I mean.

38389. In this province what sort of people do they appoint as tahsildars and naib-tahsildars?—Those who share in the kindness of Government, but generally people of good families.

38390. Not clerks?—Less than in the Punjab.

38391. Did you attend the District Board meetings much when you were in service?—I never attended a meeting of the District Board; I never had leisure to attend it.

38392. Did you get any money for your sub-division from the District Board?—I never got any money.

38393. Might not the District Boards be used as the Advisory Councils that you suggest in the districts?—Not at all; my object is quite distinct.

38394. Why could they not be used?—My object is that the Deputy Commissioner should know everything that passes in the district.

38395. Could not the District Board members tell him that?—The District Board members are very ordinary people. For every *tahsil* a list should be made in which all clever people, all good people, all rich people, all the *sowcars*, all the zamindars, are included. When that list is made, it would come to about a thousand for every *tahsil*, and if there are three *tahsils* in the district out of each *tahsil* 60 or 120 might be selected for one year, and these might vacate their places the next year to the other names on the list; thus the Deputy Commissioner would meet with them once in three months and would know everything that passed in the district. The panchayat Courts should also be taken from this list. This register should be before the Deputy Commissioner and the Commissioner, and the Commissioner should select the names for his own Advisory Council, while the Deputy Commissioner should select his particular names. At the monthly meeting they would say what they had to say. About the present famine for instance, also the plague and weather crops were good or not; they would give information of everything that passed in the place to which they belonged, and the Deputy Commissioner would help those who were deserving of help. At first it would appear very troublesome, but the people would like it very much, and they would follow the lead of the Government. You would have no Congresses, no lectures. If the Government makes this arrangement, then the influence of agitators will not reach to the villages, because the villages will be already occupied; the people would oppose the Congress when they have access to the Deputy Commissioner.

(*The witness withdrew.*)

LALA PARMA NAND was called and examined.

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(*Chairman.*) You are Secretary to the Municipal Committee at Abbottabad?—Yes, also a member of the District Board, and a Barrister-at-Law.

The Government of India is being worked on the principle of a joint Hindu family with the Governor-General at its head. As the control of the whole family is centred in the *patria potestas*, so the Government of India acts as to the other Local Governments. If one were to examine critically a joint Hindu family, he will find that the advantages that accrue from this institution do not outweigh the disadvantages. So the scale preponderates towards individualism. In the same manner the Local Governments should be made more independent than they are in the revenue and in the general administration of the provinces. If some of the incidents of a joint Hindu family are maintained while others are given up, the system may work well. It often happens that very urgent demands of one province are ignored for the sake of some scheme in another province: *e.g.* it is admitted by all connected with the North-West Frontier Province that a railway from Hasan Abdal to Abbottabad will be a paying concern. The Local Government is perhaps convinced of the desirability of this scheme. The district of Hazara is sure to develope its resources to the fullest extent and increase its revenue, but the Local Government is powerless, and unless sanction is given by the higher authorities, the work cannot be taken in hand. In the same manner some rivers require to be bridged over, and if a large sum is to be spent the sanction cannot be accorded by Local Government. People may suffer, the revenue may suffer, but nothing can be done till the sanction from the above is obtained.

I would not curtail the right of appeal to the Local Government or the Government of India. It may happen that at times a case may be very clear and no interference on the part of higher authorities may be necessary, but sometimes cases do arise in which injustice is done and the wrong is rectified by the right of appeal. It is an instinct inherent in the Indian mind to seek redress of their grievances from the highest authority. Even in Moghal times the Emperors gave free access to all those who complained of any injustice done to them by the Governors of the provinces. Even at the sacrifice of public time the right may not be curtailed at all. It is not desirable that appeals be only allowed in cases where certificates

are granted by authority passing the order appealed against that reasonable grounds of appeal exist. This restriction, if it does exist, may be removed. Similarly appeals to heads of Departments and Commissioners may be permitted.

Executive Officers have not sufficient opportunities for personal contact with the people. They are very busy with their work, judicial and otherwise. They are not often out in camp. They are not accessible to the generality of the people. Several persons do not go to see them as they are not properly treated. Many educated men will refrain from going because they are compelled by officers to take off their boots or shoes ; others have to wait long outside the bungalows. Some would refrain from going as the orderlies would not report as long as they are not paid. Some officers are careful to avoid these obstacles ; others do not.

Existing obstacles may be removed. The Executive Officers when out in camp may invite the leading men of a town or village and talk to each and every one of them. They may sometimes make surprise visits to villages and talk to village men and enquire about their grievances. In big towns it is desirable that Indians and Europeans should meet on social gatherings to which the Executive Officers are invited. In the Hazara district the Deputy Commissioner has arranged for holding a horse and cattle fair. On this occasion there is always a large gathering, a sort of tournament is held, and the Deputy Commissioner takes a keen interest in the matter. He mixes freely with the people assembled, and a sort of mutual fellowship is created, which goes a long way in cementing together the rulers and the ruled. Some officers keep a haughty demeanour towards the people of India and look down upon them. They are under the impression that if they freely talk with the people they lose their prestige. They in fact try to keep the people awe-stricken. Such officers cannot know the inner feelings of the people, who always hold aloof and would never give their mind to them.

There is no doubt that the majority of the Executive Officers possess a sufficient knowledge of the vernaculars. The new officers do not speak fluently to make themselves quite intelligible but in time they do learn the vernaculars right enough.

Great care ought to be taken in the selection of officers. Merit, and not seniority, should be the recommendation for the appointment of Executive Officers. Some officers on account of their *zulum* and utter disregard of procedure prove a terror to the people, and to whatever district they are transferred they carry their habits with them and produce a baneful effect upon the people. They estrange the people from the Government.

Transfers should not be too frequent, nor an officer be allowed to stick to one district for a period of more than from three to five years. No transfer should be allowed except under special circumstances within three years, and no officers should be allowed five years in one district.

Larger powers may be granted to municipalities. I have worked as a Secretary to the Municipal Committee of Abbottabad for about three years, and members when they begin to take interest in the municipal work do carry on the business in a proper manner. As long as they are not made responsible for a certain work they feel less interested, but the moment a duty is cast upon them they begin to realize their position and try to perform it in a conscientious manner. It is necessary that the Deputy Commissioners may have control over the general conduct of the business, but now the time has come that the municipalities at the headquarters may be allowed a larger hand in the administration of the municipal affairs.

District Boards are doing useful work, but not so much as is being done by the municipalities. The members feel that they carry no voice ; they do not interest themselves in the work ; they think their visit to the headquarters is a trouble to them, and therefore the Deputy Commissioners have to keep a watch over their attendance. This is due to the fact that they are not made responsible for the work and no duty is assigned to the members. In the Hazara district many valuable suggestions are made by the members in connection with roads, canals and other matters ; they are being trained to undertake the responsibilities, and in the near future they will be able to manage their affairs alright.

The present functions of the municipalities and District Boards which have existed for the last ten years may be suitably extended.

I am in favour of the creation of a Council to assist District Officers. This Council should be a representative one. All tribes living in the district may be represented in it. Each municipality of the district should send one or two members to this Council. District Boards should also be represented. They should meet twice a year or as often as the Deputy Commissioner or the Sub-Divisional Officer may require them. If the question relates to something in which the whole district is concerned, then all the members may be invited ; if it is a local question, then the members selected from that locality may be invited. This Council will bring the Deputy Commissioner into closer touch with the people and he will be better able to explain the intentions of the Government to the general public, and many misapprehensions will be removed. If questions in connection with plague, or an epidemic, or the destruction of rats, etc., are to be notified to the people, these Councils will be the best mediums to inform the people. These Councils being representative, the members may be made responsible to advise the District Officers as regards their educational, sanitary and police needs. The members may bring to the notice of the District Officers any increase of certain kinds of offences. These Councils may also be the means to appoint village or town panchayats. In fact, after the panchayats are organized, they may be allowed to select a member to represent that body in the Advisory or Administrative Council of the district.

It is not necessary to invest District Boards with powers of supervision and control over the smaller municipalities in their respective districts. In the Hazara district there are four municipalities, out of which two, *viz.*, Baffa and Nawashahr, are small municipalities. It is better if all these are allowed to manage their own affairs. The District Boards have plenty to interest themselves otherwise.

Village communities can be of great use. At the outset their work may not be quite satisfactory, but when they are trained and made to realize their position and responsibility they will surely work in a manner conducive to the welfare of the society. The panchayat system has always been a great force in this country, and if this institution is given a legal sanction it is sure to work out well and relieve the Government of many of its burdens. Lately the Deputy Commissioner, Hazara, heard complaints against the Forest Officers of their tyranny to the people : he wanted to put that down ; but he also mentioned that he did not like the offences against the Forest Law committed. He wanted a solution to this difficulty. My reply was that the people did not help the Government in this matter. The people knew that there were a Deputy Conservator, an Extra Assistant Conservator, a Forest Ranger and a guard, and that it was their duty to protect the forest. They would connive at an offence being committed, firstly, because it was not their concern to prevent it ; secondly, to escape themselves from the harassment of attendance in Courts, they would like to keep quiet. Thus the Forest Officers are perforce compelled to make false evidence, and if they succeed by this means, they begin to make false cases. My reply was that the people should be interested in the preservation of the forests, certain rights given to them, and village panchayats formed. They may be allowed to try the forest offences, and, as prompt action will be taken, evidence will be soon forthcoming, and offenders will be at once detected and the forest saved. The *jirga* system is already in vogue in this district, and it can be an effective measure to decide civil and petty criminal cases. The villagers at once know the offenders and it becomes a common talk of the place. If Courts of Justice find difficulty in coming to a right conclusion, it is because the evidence is not forthcoming ; but in villages, if panchayats are given the power, they can at once find the true state of facts. In civil matters the village panchayats may be allowed to hear cases up to Rs. 100. *Ilaka* panchayats may hear up to Rs. 200, and the district panchayats to Rs. 500. The members of a panchayat may be numerous, and selections may be made out of them. Litigation, both civil and criminal, can be reduced. The expense of attendance at Courts will be materially reduced and the zamindars saved from the litigating propensities. People who rush to

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Courts on imaginary grievances will be checked in their career. These village communities when properly organized will act as Municipal Committees, and all local affairs relating to revenue, police, sanitation, education and other matters will be properly disposed of by them.

38396. Who is the Chairman of the Sub-Committees?—There is no Chairman. On the Sanitary Sub-Committee the Civil Surgeon is the Chairman, and he leads there; then on the Public Works Sub-Committee there is a contractor who well knows the work, so he leads in that matter.

38397. Do you wish to see the Deputy Commissioner continued as Chairman of the municipality?—I would rather like that some non-official member should be the Chairman; the members would then feel a sense of responsibility and would take greater interest in their work; at present the real work is done by the officials, and the members do not take a great interest in the work. The moment the burden is thrown upon them they would take interest in the work.

38398. What is the size of Abbottabad?—It is a small place, only about 7,000 population; there is the cantonment, and along with that there is a civil station as well.

38399. Out of a small number would you get a fit person to be Chairman?—They are mostly men who are employed in offices, and there are contractors; the town has grown only since the last fifty years; it is not a very big town; there are good people who could be had to do the municipal work.

38400. How often do you meet?—About twenty times a year.

38401. You are a member of the District Board?—Yes.

38402. How often does that meet?—Once a month.

38403. Who is the Chairman?—The Deputy Commissioner. There is no Vice-Chairman; the District Judge is *ex-officio* Secretary to the Local Fund.

38404. Does he attend the meetings?—Yes, always.

38405. Do they work through committees?—They have got sub-committees, but I do not think they work through them at all.

38406. (*Mr. Meyer.*) Have not tahsildars here civil jurisdiction as well as criminal?—Yes.

38407. Is that the case with the Assistant Commissioners and the Extra-Assistant Commissioners?—Yes; the Extra-Assistant Commissioners and Assistant Commissioners have first class powers, while the tahsildars have third class civil powers and second class magisterial powers; with second class magisterial powers they can imprison for six months; the third class Munsifs can only try cases up to Rs. 100.

38408. Have you Munsifs and Subordinate Judges as well as the Revenue Officers?—Yes; there is one Munsif who would hear cases up to Rs. 500; he is a second class Munsif; only petty cases are sent to the tahsildars, within Rs. 100, while the District Judge has pecuniary powers up to any amount.

38409. The Assistant Commissioner or Extra Assistant Commissioner has first class powers?—The first class powers of a Munsif.

38410. The same as if he were a regular Munsif?—Yes.

38411. Do you have much criminal and civil practice outside Abbottabad?—Not much. Nearly all the officers live at Abbottabad except at one place, Oghi, which is just on the frontier; there the Political Officer is a first class Munsif and has first class magisterial powers; I may have to go to Oghi; otherwise the majority of the officers are at headquarters, and therefore I have not to go much outside.

38412. Who is the Chairman of the municipality at Abbottabad?—The Deputy Commissioner.

38413. Does he attend often?—The Deputy Commissioner is Chairman, the District Judge is *ex-officio* Vice-Chairman, and the Vice-Chairman practically runs the municipality.

38414. Does your budget go up to the Commissioner?—Every year; it must be sanctioned by the Commissioner.

38415. Does he make many alterations in it?—Not many; generally he agrees with what we say.

38416. Who prepares the budget?—I prepare the budget in consultation with the Vice-President.

38417. How long have you been Secretary?—Since three years I am Honorary Secretary.

38418. Does the municipality work by committees?—We have sub-committees, one for the Public Works Department, one for sanitary purposes, one for octroi purposes, and one for education purposes.

38419. Do the members attend?—Yes, generally they do.

38420. And they do a good deal of work?—Most of them do, not all of them; we do get a lot of work from them, because if the Chairman is very careful he would ask the sub-committee to do their work properly, and they really do take an interest in their work.

38421. It has been suggested that the *jirgas*, who, I understand, are special juries for dealing with cases of grave crime and occasionally Arbitration Courts, might be used more for ordinary civil and criminal work instead of people going to the usual Courts; what would you think of that?—The *jirgas* are not properly constituted bodies. We had one Deputy Commissioner, Major Thompson, whose practice was that, whenever a District Board meeting was called, at that meeting all the *Khans* were invited; he would take a few of them and appoint them as elders. His object in that was this: people sometimes get prejudiced or they may be bribed, therefore he would pick out from the District Board certain people who would be free from any corruption. The drawback was that these men would not go to the place about which they were investigating, and were apt in that way to take a different view of the matter than they would have had if they had investigated on the spot. Under the Frontier Law a civil suit can be referred to a *jirga* when a breach of the peace between the parties is apprehended. The decision of the Deputy Commissioner is final, and the decree can be revised by the Chief Commissioner only. As for criminal powers, I do not know that they would work very satisfactorily to decide criminal cases, but as far as civil cases are concerned they would be really useful. It would be a saving of expenditure. Arbitration or compromise in such cases is much preferable to taking the case right through the Courts.

38422. Does your municipal budget go to the Revenue Commissioner?—Yes.

38423. When you have to re-appropriate, do you have to go up to him too?—Yes; if there is a re-appropriation from one sub-head to another sub-head under the same head the Deputy Commissioner can do that, but if there is a re-appropriation from one head to another head it must go to the Revenue Commissioner.

38424. Have you any references of that sort?—Not many; at the end of the year we make some; I do it at the end of every year once or twice.

38425. You pay for the schools?—Yes.

38426. And for vaccination?—Yes.

38427. Do you have anything to say to the management of schools?—The whole thing is in the hands of the Committee; we have a sub-committee which looks after the schools. That is only one school which is within the municipal limits; we have no concern with the schools in the district.

38428. Speaking of the school within the municipal limits, you can appoint your own masters?—Yes; we have to apply to the Director-General of Education for men, but the appointments lie with the Committee and with the Deputy Commissioner. Ordinarily the matter is brought before the Committee, but the whole thing lies in the hands of the District Judge, the Vice-President or the President.

38429. In the District Board have you got power over the school establishments?—There is power, but I do not think it is exercised by the members; it is generally exercised by the Local Fund Officer or by the Deputy Commissioner himself.

38430. It is not the case, as in some places, that the inspector of schools or some deputy inspector runs the schools?—The inspectors of schools who visit the schools make reports, and of course we are bound to consider the reports of the inspectors; as to the promotion of masters we have to ask their opinion; if there is an appointment to be made we submit the papers for the opinion of the inspectors to see whether they approve of the appointment or not.

38431. The inspectors belong to the Government and not to the District Board?—That is so.

38432. Who manages vaccination?—Within the municipal limits it is managed by the Municipal Committee, and outside those limits by the District Board.

38433. And dispensaries?—Also by the District Board.

38434. The District Board say where they will have a dispensary, and they can get a Hospital Assistant removed if they do not like him?—Yes.

38435. Did you ever have any *tahsil* Boards?—No, we have not any *tahsil* Boards, only District Boards.

38436. What size is your district?—We have three big *tahsils*; in area the district is a large one; it stands second in this province as regards population.

38437. Would it be desirable to have *tahsil* Boards?—I do not think so. One district is quite enough; it depends of course on the interest which the District Magistrate takes. If he takes an interest the attendance is very regular and the members take interest, but if he is a little slack they will begin to stay away and not to take much interest.

38438. Did you ever have a non-official Vice-Chairman of the District Board?—No.

38439. Might you have one if you could get a good man?—We have men who would do the work, but they should be under the control and supervision of the Deputy Commissioner.

38440. The Deputy Commissioner would remain President and you might have a non-official Vice-Chairman?—Yes.

38441. Do you know about other places?—In big towns there may be non-official Vice-Chairmen, but in the majority of cases the Deputy Commissioner is the President.

38442. One of the Assistant Commissioners really does the work?—That is so.

38443. You speak of how much better it would be if the people were put to manage their own forests, because then they would understand the benefit of them; but are there not large village forests already in the Hazara district?—There are two kinds of forests, one is protected forest and the other is Government forest; in the Government forests no one has any hand but the Deputy Conservator; in the protected forests zamindars have certain interests; they can apply to the Deputy Commissioner for certain trees and the trees are given to them free; they are called *Gwala* forests. The Deputy Commissioner always complains that there are fires in his forests, and also there are complaints of the forest rangers cooking up false accounts against zamindars. This difficulty could be done away with if we had village panchayats who were made responsible for the upkeep of the forests; there would be no fires and they would manage better than at present. Now, if a man is seen setting fire to a forest, the man who sees it will not become a witness, he will be afraid to give evidence; he will not try to get the man arrested and punished, because he would say it is not his responsibility—there is the forest guard, there is the Government; but if these men were made responsible, then they would be on the look out that there should be no fires in the forests, and if any offence was committed they would try to get the offender punished.

38444. (*Mr. Dutt.*) The District Judge is the highest officer in the district in civil matters, and the Deputy Commissioner, the Assistant Commissioner, and the Extra-Assistant Commissioner, all exercise civil powers?—Only the Assistant Commissioner and the Extra-Assistant Commissioner.

38445. Is there a separate class of officers called Munsifs?—Yes, they only try civil cases.

38446. Where do they come in?—Their appointment is direct from the Judicial Commissioner; they only try cases up to Rs. 500.

38447. Is there a Munsif in every district or every *tahsil*?—There is one Munsif for every district; if there is extra work, sometimes they give Additional Munsifs to get the work done.

38448. He is a sort of assistant to the District Judge?—Quite so.

38449. Who elected you Secretary to the municipality?—I was nominated by the Deputy Commissioner; there is no system of election; it depends on the Deputy Commissioner.

38450. Does he nominate all the members?—Yes.

38451. What is the income of your municipality?—As far as the octroi is concerned it is about Rs. 18,000; last year the budget was about Rs. 31,000—the whole income from various sources.

38452. Do you have to hand over any portion of that money to the cantonment?—We have a joint octroi system; our previous arrangement was that the octroi levied on articles imported to cantonments was paid to the cantonment, and that on imports within municipal limits was credited to the Municipal Fund. The expenditure was distributed in proportion to the income. The military authorities protested that as the population of the military cantonment was greater than that of the civil station, they ought to get a proportionate increase in the octroi income; the arrangement now agreed upon is that we will have to pay one-fifth of the whole income to the cantonment.

38453. Roughly speaking, you think that that would be the proceeds of the octroi for the things which go to the cantonment?—Yes. We pay one-fifth of the whole income to the cantonment.

38454. Who appoints the Secretary to the District Board?—The District Judge is always *ex officio* Secretary to the District Board.

38455. Does he belong to the Provincial Service?—Not necessarily; if there is an Assistant Commissioner of course he belongs to the Covenanted Service, but an Indian District Judge will also act as Secretary.

38456. Is that according to law or according to practice?—According to practice.

38457. According to law have the members the power of electing their own Chairman?—In first class municipalities, that is so.

38458. I am speaking of District Boards?—In the case of District Boards the power is there, but it is never exercised.

38459. The members have also the power of electing their own Vice-Chairman and their own Secretary?—That is so.

38460. Is primary education entirely in the hands of the District Board?—As far as District Boards are concerned, the whole expenditure is borne by the District Board.

38461. Who supervises and manages your primary schools?—There are inspectors of schools; first of all there is the district inspector; he is in charge of all the schools in the district; he visits every school twice a year.

38462. I do not want the details, but generally, you say, the inspection is done by the inspector and his subordinates?—Yes.

38463. Are they under the orders of the District Board or under the orders of the Education Department?—They are under the orders of the Education Department.

38464. They are not in any way under your orders or control?—No.

38465. Suppose you wanted to withdraw a grant from a particular school or to endow another school, have you to rely on the recommendation of the inspector?—On the recommendation of the village; if there is a village in which a school is said to be wanted, the District Board will consider the application, and it may ask the inspector whether he has anything to say upon it; if the inspector says, "This is a good village and there is good prospect of an indigenous school being started here," he would recommend the Board to sanction it.

38466. The final sanction is given by the District Board?—Yes.

38467. Both in the case of giving a grant and in the case of withdrawing a grant?—Yes.

38468. Does that arrangement work well?—I think it does.

38469. You do not propose to have sub-inspectors or inspectors paid by the District Board to do the work?—I think the present arrangement is satisfactory.

38470. You say that "The *jirga* system is already in vogue in this district and it can be an effective measure to decide civil and petty criminal cases." Do

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you propose to have a sort of standing *jirga* in every thana, or in every district, or do you propose to appoint them as occasion arises, as is the present practice?—First we should have village panchayats; the village panchayats should have civil work up to Rs. 100; these village panchayats might try ordinary assault cases in the villages; then there should be an *ilaka* panchayat, which should have in its control say, 10 villages.

38471. The *ilaka* would not correspond with the limits of a thana necessarily?—That would be arbitrary; it might correspond with the thana; that would be an arrangement that might be made afterwards. The thana would do very well to make an *ilaka*, or a *tahsil* might be an *ilaka*. In that *ilaka* there should be some responsible persons elected. Then I would submit that if a case could not be decided by the village panchayat, the parties should be asked to choose any men from the *ilaka* panchayat. They would have, of course, to choose men from the number of names that are on the file of the *ilaka* panchayat. The parties might be asked to accept certain names, and when they told us what names they accepted, those men should be given power to try cases up to Rs. 100. Then there should be a district panchayat, to which very good men, men of good standing, should be nominated, and from among them selections might be made to try civil cases, as well as criminal cases, and their decisions should have legal sanction. The same might be the case with the *jirga*, only those men should be appointed as *jirga* men whose names are on the list of the district panchayat.

38472. You would not have two separate bodies?—No.

38473. By associating the people in this way with the dispensing of justice would the result be on the whole beneficial?—Quite so. Zamindars whenever they have any small cases have to stop at headquarters for two or three days; sometimes adjournments take place and cases may go on for one or two months; it is such a great loss to them that they really borrow money in order to come to headquarters, and thus they incur debts which they would avoid if they could simply refer their ordinary cases to the panchayat of the place.

38474. (*Mr. Hichens.*) You say that no officer should be allowed to stick to one district for a period of more than three to five years; what is your reason for that?—My reason is this, I say that at least they should stick to each district for not less than three years; if they are transferred oftener they do not get much information about the place.

38475. But you say that they should not remain for more than five years?—It should not be less than three and not more than five years. My object is that they should never be transferred under three years.

38476. But why not more than five?—Because five years is quite enough for an officer to stay in a place; if he is a good man, other districts should get the benefit of him; if he is not a good man, the sooner he is transferred the better. For five years he should remain, and he might shew his usefulness, or not; after five years he should be transferred to some other district.

38477. If they were all good men you would like them to stay on indefinitely?—I would say that if they were all good men we should have the benefit of them after the five years.

38478. Who nominates the members of the District Board and the municipality now?—The Deputy Commissioner makes recommendations, and then the Chief Commissioner sanctions the appointments.

38479. Are you quite sure?—As far as the municipalities are concerned I know that names are sent up to the Chief Commissioner and he sanctions them, and then they are published in the Government Gazette.

38480. Do any of the villages round about here hold grazing land and lands for fuel and pasture and so on in common?—In the Hazara district nearly every village has common pasture land, and all the villagers send their cattle for grazing purposes; it is generally not partitioned among the members, but is used by them in common for the grazing of the cattle of the whole village.

38481. Who decides any dispute that may arise with regard to that?—If there is a case of title it will go to the Civil Court, otherwise the Revenue Courts are given jurisdiction to try cases about partitions of these common grazing lands.

38482. They do not settle disputes among themselves?—No, there is no system of people referring cases to any *jirga*, or any panchayat; generally if they have any case they at once rush to the Courts and get their rights decided.

38483. Are the lands themselves on the whole adequate for the purposes for which they are intended?—They used to be very adequate, but attempts are now made to partition them. If there is a large piece of grazing land, the proprietors would like to get it partitioned, reserving one-fifth for grazing purposes, and the other four-fifths partitioning amongst themselves. This process which is going on is very harmful for the general people, because the landlords monopolise the whole of the land and leave the people to look after their cattle themselves.

38484. Is that against the law?—It is not against the law, because the law gives them the right to partition, but it is undesirable that common grazing land should be allowed to be partitioned. The landlords should not be allowed to monopolise the whole of the common grazing land. There is one point I should like to mention as regards the powers of Local Governments. In my own district we wanted a railway since a long time; there is no railway connection in the Hazara district. The matter has been discussed, and even the Local Government has agreed that it would be desirable and useful to the district in order to develope its resources. Our district is well known for timber; we could send timber from that district to many others; it is also a fruit-growing district; but there being no railway we cannot develop the resources of our district very much. The Local Government is satisfied that if the railway were to be established it would be a paying concern. Nevertheless the Government of India will not sanction the railway. So far, the control of the higher authorities over the Local Government is really very strong; if that was done away with the provinces would be better able to arrange for their own purposes.

38485. (*Chairman.*) How long is this railway that you want?—It is only 40 miles.

38486. Could the money for that railway be found locally?—My father, who is a landholder and a contractor, sent a letter to the Government of India stating that if permission were granted for a railway to be constructed from Hasan Abdal to Abbottabad, simply as a private enterprise, the money would be found. The Government of India replied that it was a frontier railway and that the Government must insist on keeping it within their own control. My contention is that, if the public were prepared to start a railway, there is no reason why it should not be given a chance; this railway would be useful and it would pay.

38487. So that in this particular case the money would have been forthcoming locally?—Yes.

(*The witness withdrew.*)

Mr. SUNDAR SINGH was called and examined.

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38488. (*Chairman.*) You are a pleader at Peshawar?—Yes.

The powers now conferred by the Punjab Court of Wards Act on the Local Government should be conferred on the Financial Commissioner, and the Commissioners of divisions be constituted Courts of Wards for their respective divisions. The Punjab Court of Wards Act has been extended to the North-West Frontier Province by Regulation 5 of 1904, but the change proposed for the Punjab is not feasible for this Province as we have no Commissioners of divisions in this Province. The provisions of the Court of Wards Law should be extended so as to embrace the cases of persons other than "land-holders," who by reason of their wealth deserve the protection of the said law. The present law, although applicable to

"land-holders" of however small property does not apply to persons other than "land-holders" however large their property may be. I would further recommend the repeal of the proviso to section 5, subsection 2 of the Punjab Court of Wards Act of 1903.

I would not propose any alteration in the matter of administrative appeals to the Local Government nor require a certificate in this case as to the reasonableness of the grounds of appeal from the authority appealed against. But in the case of personal appeals the requisition of such a certificate might be made a condition precedent to the presentation of such an appeal. Some limitation of time should, however, be fixed within which such appeals should be preferred, and no appeal should be admitted after the expiry of the prescribed period unless the appellant satisfies the Local Government that there was sufficient cause for his not preferring the appeal within the prescribed period. When the appeal has once been decided by the Head of the Department to which the appellant belongs, I would not allow a second appeal to the Local Government. But in cases when the order impugned was passed by the Head of the Department himself, not on appeal, but originally, the officer affected thereby should be allowed to have his case heard on appeal by the Local Government.

Executive Officers in our province have many opportunities to come into contact with the people. They do not fail to take advantage of such opportunities to ascertain the matters that are useful to them in the administration of their charges. There are no obstacles in the way of Indian gentlemen desirous of interviewing the officers. Every facility is afforded to the people to see the officers and to express their views and opinions.

The officers of this province possess sufficient knowledge of the vernaculars of the province.

A general increase is required in the administrative staff. The officers are very overworked. With all the hard labour they have to do at the sacrifice of their health they cannot efficiently cope with their duties. This is not due to any want of devotion to the work on their part, but to the multifarious duties they have to perform and the heavy bulk of their work.

The areas of districts as at present constituted are enormously large, and certainly a reduction in their areas is necessary to conduce to their better administration.

A reduction in the areas of the tahsils is also required.

In the event of grant of larger powers to Commissioners, Collectors and other local authorities greater care will be involved in their selection and seniority will have to be set aside in favour of merit.

At times the transfers of officers are frequent but I cannot say that they are unnecessarily so. The exigencies of the Public Service require such transfers. The paucity of officers has mainly to account for this. An increase in the administrative staff will to some extent reduce the necessity of so frequent transfers.

I am not in favour of granting larger powers to (*a*) municipalities, (*b*) District Boards and (*c*) Sub-Divisional or Local Boards and village unions. The conditions of the country do not allow the grant of any larger powers to such bodies. I do not think that the functions of these bodies can be suitably extended.

I am in favour of the creation of Advisory Councils, but not in favour of the creation of Administrative Councils. I would constitute the Advisory Council by selection of its members from among the different communities of the district for which the Council is constituted in such a way as to represent all the interests of the districts. Only such persons should be nominated as members who by their character, position and education are qualified to represent the various interests involved. Each member should be appointed for a term of two years to be eligible for reappointment if he has proved himself a capable person to serve on the Council. The functions of the Councils should be to advise the Divisional or District Officer, as the case may be, on matters affecting the general administration of the division or the district, but it may be left to the option of the Divisional or District Officer concerned to accept or not the opinion of the Council. I am positively against the appointment of the members of the Advisory Council by *election.*

It would not be expedient to invest District Boards with powers of control over the smaller municipalities within their respective Districts.

It may be possible, but it is not desirable at all, to give greater powers to the village communities in the disposal of administrative affairs.

38489. Are you a member of the municipality here?—I was.

38490. Were you nominated?—I was: all members are nominated here; there is no election.

38491. You say, that some limitation of time should be fixed within which appeals should be preferred. What time would you suggest?—At least two months.

38492. And if they were not presented within that time?—Then they should not be admitted at all.

38493. You say, that there are no obstacles in the way of Indian gentlemen who desire to interview officers?—Yes; confining myself to this province only.

38494. Do you find that people come up quite freely to discuss their grievances?—Yes.

38495. Are they received in a friendly spirit?—Yes; the "*sarafs*" have been received in a very friendly way by the Chief Commissioner and the Deputy Commissioner and every consideration given to their views.

38496. Is there a Court of Wards in this province?—Yes, the Punjab Court of Wards Act has been extended to the Frontier Province.

38497. Are the Financial Commissioner's powers all that could be desired?—I submit that the powers which are now vested in the Local Government may be delegated to the Financial Commissioner or the Revenue Commissioner of this province, and that would satisfy the people and the requirements of the case too.

38498. You are in favour of Advisory but not of Administrative Councils. Do you think the *jirga* would take the place of the Advisory Council?—No, I would not say that, because the *jirga* people are selected from the ordinary people; I would prefer that the Council should be composed of people of position and also of education.

38499. And that they should be nominated by the Deputy Commissioner?—Yes, in consultation with others, and from his personal experience of the district.

38500. As a matter of fact, does the Deputy Commissioner and other officials consult local opinion at the present moment?—In some cases only; some officers do not do so.

38501. Would you like to see it made compulsory upon them to do so?—I do not say compulsory; an Advisory Council might be constituted and it might be left to the option of the Deputy Commissioner whether he should consult them in matters which were of vital importance to the people.

38502. Would you leave it very much to the discretion of the Deputy Commissioner?—Yes, because we are so much mixed up with political matters on the frontier.

38503. You are against the appointment of the members by election?—Certainly; that would lead to bloodshed here.

38504. (*Mr. Dutt.*) What is your idea as to the number of men who ought to compose an Advisory Council?—We should take into consideration the various interests concerned and then appoint persons to represent these interests; I do not say that the numbers should be inordinate, but, say, about 20 in a district.

38505. Would the Deputy Commissioner, when he wanted to consult them, have to summon them all, or would he only ask those whom he thought fit to give advice on any particular subject?—I would be particular in that; firstly, they should be chiefly the persons who are conversant with the matter, and if you want to go further other members might be consulted.

38506. So that you would have a Council of about 20 members and the Deputy Commissioner would consult those whom he thought fit?—Yes, and who were conversant with the matter in question.

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38507. Supposing the members wanted to represent something to the Deputy Commissioner would you empower them to bring forward any matter which was exercising the minds of the people?—Certainly, I would give them power to make representation.

38508. You say it may be possible, but it is not desirable at all, to give greater power to village communities; what powers have they now?—Practically in this district we have no village communities as in Madras and other places, but there are some privately constituted Councils, and it may be that they might have some powers, but I would not give them any further powers at all, having regard to the peculiar circumstances of the province.

38509. Do you refer to the whole province?—Yes, because the faction feeling is very high and under those circumstances it is not desirable to give them any further powers.

38510. When were you a member of the municipality?—From 1895 to 1898, and I was municipal counsel for 10 years.

38511. Does the municipality appoint a pleader of its own?—Yes, and I am notary public of the district too.

38512. Are there many primary schools supported by the Peshawar municipality?—Very few.

38513. Are there any dispensaries supported by the municipality?—Yes, there are four dispensaries and one hospital entirely supported by the municipality.

38514. Have you a dispensary or a Hospital Committee which looks after them?—No, the whole matter is left in the hands of the Civil Surgeon.

38515. Who appoints the Hospital Assistants?—The Assistant Surgeons are appointed by Government and the Hospital Assistants are appointed by the Principal Medical Officer, or, as we call him, the Administrative Medical Officer.

38516. So that you have no hand in appointing doctors to these institutions?—No.

38517. Do you sometimes inspect them, or make any remarks about their management?—No. The members have no power of that kind.

38518. So that only a certain amount of money is taken from you to support them?—Yes, they are provided for in the budget.

38519. Who inspects the primary schools?—The district inspector. He is a Government servant.

38520. Do the members of the municipality inspect them?—No.

38521. Have you any sub-committees in the municipality?—We have a Public Works Sub-Committee, a Finance Sub-Committee, a Sanitary Sub-Committee and there is a nominal Education Sub-Committee too, but it is entirely nominal.

38522. Does the Public Works Sub-Committee decide as to which roads shall be taken in hand for repair and construction and allot money for the purpose?—Yes.

38523. Do you maintain any gardens in this town?—Yes, we have two big municipal gardens, and we have also a small garden attached to the District Courts.

38524. Are they a big charge on the municipality?—Yes.

38525. (*Mr. Hichens.*) Has the municipality anything to do with secondary education?—Yes. They appoint teachers and allot the money, and they have powers of inspection; the full power rests with the Inspector-General of Education whose duties are combined with those in Baluchistan.

38526. Do you pay for the whole of the secondary education in Peshawar, or does the Government give you a grant to help you?—No, it is done out of municipal funds.

38527. And there is nothing received from Government?—No, so far as I know.

38528. Is the Peshawar high school under the Municipal Board?—Yes, it is called a Board School.

38529. Are you satisfied with the system of appointment to the Municipal Committee here?—Yes, perfectly. The circumstances are peculiar and under the circumstances we are quite satisfied.

38530. Is there any difficulty in finding members who are ready to serve on the Committee?—No, there are many who offer themselves, because they think it an honour to serve.

38531. When they get on the Committee, do they work hard, and take an interest in the work, or are they satisfied with being able to call themselves members?—I should say they are mostly members in name only.

38532. Is the Chairman an official?—The Deputy Commissioner is always Chairman; according to the rules under the Municipal Act XX of 1891, the Deputy Commissioner is the President and the Senior Assistant Commissioner is Vice-President.

38533. How often, generally speaking, does a Municipal Committee meet?—Ordinarily once a month.

38534. (*Mr. Meyer.*) Do you know anything about the other municipalities in the province?—I do; there are only municipalities at headquarters of districts in this province.

38535. In each case is the Deputy Commissioner Chairman?—Yes.

38536. And the Senior Assistant or in his absence Senior Extra-Assistant Commissioner is Vice-Chairman?—Yes.

38537. In the Hazara district are there not four municipalities?—They are rather notified areas.

38538. Would it be possible to have a non-official Vice-President in Peshawar?—I am not in favour of that.

38539. Have you a non-official Secretary occasionally?—No; he is a paid Secretary.

38540. Would you be in favour of having the members of a municipality elected?—No.

38541. Who are the *ex-officio* members of the municipality?—The executive Engineer, the Head of the Educational Department, the Superintendent of Police and the Civil Surgeon.

38542. The idea of the last witness was that there should be *jirgas* for the disposal of civil and criminal cases of a petty character, first of all a village of local *jirgas*, then an *ilaka* with larger jurisdiction and above that a district *jirga*; would that work?—As regards Peshawar I am inclined to think it would not work, because there are too many factions.

38543. Are the people here mostly Pathans?—Yes.

38544. Have they constant feuds amongst each other?—They have.

38545. Is the Court of Wards here the Revenue Commissioner?—Yes, and the Deputy Commissioner carries on the work practically under him.

38546. In that respect, would you leave things as they are?—Yes.

38547. In the Punjab they want the Commissioner to be the Court of Wards?—Yes, but we have no Divisional Commissioners here, and I would leave things as they are.

38548. Might the Deputy Commissioner have some larger powers?—I think the present powers are already enough.

38549. How long is it since you left Amritsar?—I came here in 1883, and I have been here ever since.

38550. (*Sir Steyning Edgerley.*) Then you have very little experience of the actual working of the Court of Wards in the Punjab?—I have some experience; because I go there very often and my chief concerns are there.

38551. Might the Commissioners of Divisions there be safely constituted Courts of wards?—Yes.

38552. Would that be approved of by the people?—I think they would prefer it.

38553. Were they not formerly Courts of Wards?—It has not been so in my time.

38554. Is the Government at much risk of obloquy or dislike if they fail to clear an estate when once they have taken it over?—I do not think so.

38555. Have you never heard that suggested?—No.

(*The witness withdrew.*)

NAWAB MUHAMMAD HUSAIN KHAN was called and examined (through an interpreter).

Nawab Muhammad Husain Khan.

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38556. (*Chairman.*) Where do you live? — In Peshawar.

38557. Are you a member of the municipality?—No, I am appointed by Government as a member of the District Board.

The Local Governments should be given borrowing powers, but only in cases of emergency. Several measures which Local Governments wish to take quickly either remain undone owing to want of funds or are kept pending, and are completed in many years, or lost sight of altogether.

The Local Governments should be given powers for the creation of new appointments and the enhancement of salaries. Sometimes, for instance, when cholera or plague epidemics make their appearance, the officers feel the necessity of strengthening the establishments, as owing to the want of hands the work is not satisfactorily done. If the Local Governments were empowered to create new appointments a lot of trouble will be saved, and at the same time it would not be improper if the salaries of the establishment already employed are enhanced with a view to rewarding their services or encouraging them to do good work.

The influence of the departments of the Government of India as regards this province at present seems to be inclined towards unfair and excessive rigidity, and should be put in right direction by means of leniency and impartial enquiry.

The Imperial Secretariat is not impersonal, and all questions concerning local affairs are decided in the Imperial Secretariat mostly in accordance with the opinions of the Local Governments concerned.

The right of appeal should on no account be curtailed.

The powers now given to Executive Officers appear to be sufficient and need not be extended, as all officers are not expected to be equally just.

The rules relating to the Court of Wards are all based on the principle that everything done should be for the ward's benefit. The rules as they stand at present are sufficient, and none of them is contrary to the main principle.

The influence of the provincial Governments is not inclined towards rigidity, but is beneficial to the people.

Partly from pressure of work, and partly from their own tendency of keeping aloof, the Executive Officers have less opportunities of personal contact with the people. If officers cease to show themselves self-conceited and mix with people with open forehead and cheerfulness, their influence and trust will increase, which will be of great advantage to them.

The officers who are just, good-natured, and good administrators should not, if possible, be transferred for seven years at least.

It is desirable to create Advisory Councils, which can be useful to Government in matters relating to education, commerce, and municipalities.

The District Boards should be invested with powers of supervision over the smaller municipalities. This measure would prove very useful, but its success depends to a great extent on the members of the District Boards.

38558. Are you satisfied with the method of nomination of members of the District Board by Government?—Yes.

38559. How often does the District Board meet?—Three or four meetings are held every year.

38560. Do you attend them all?—I never attend them, because I have too much other work.

38561. Are the people satisfied with the way in which the work is done on the District Board?—They are.

38562. Have Executive Officers too little opportunity of meeting with the people?—When there is necessity they mix with the people.

38563. Not otherwise?—They have too much work and do not mix with them without occasion.

38564. Can they speak the language fairly well?—Yes, they speak Pushtu and Hindustani; the more prevalent language is Hindustani.

38565. In your opinion is there any necessity to write the language as well as speak it?—Those officers who can speak Pushtu can also write it, because they have passed an examination in it.

38566. In practice is it written much?—The writing of the language is not of much use, but they learn it for their examinations.

38567. How long do you think an officer ought to stay in his district?—A good officer, provided he is kind and just, may remain for seven or eight years, or even for 20 years, the longer the better.

38568. Is the District Board composed of leading representative men?—It is composed of leading men. They are all selected by the Deputy Commissioner.

38569. How many villages are there on your estate?—I am a Border Chief.

38570. Have you no territorial jurisdiction or ownership?—I am one of the Chiefs of the Mahmund tribe.

38571. Have you any special ownership in villages?—I am Head of the Mahmund tribe, and I and my brother do whatever work is necessary with regard to that tribe.

38572. Do the villages get some benefit from the Local Fund Cess?—The villages get some benefit from it—they get help in the way of schools and roads.

38573. (*Mr. Dutt.*) How long have you been a member of the District Board?—I have been a member of the District Board for 22 years.

38574. Have you not attended any of the meetings at all?—Yes, I attend once a year, and when there is very urgent work I might attend a meeting, but then the Deputy Commissioner sends a special order for my attendance.

38575. What is the income of the Peshawar District Board?—I do not know the total income of the Peshawar District Board, but it is a fairly heavy one.

38576. Are the primary schools supported by the District Board?—The primary Schools are supported by the District Board.

38577. Has the District Board an engineer of its own?—No, the roads are made through the establishment of the District Board. It has overseers but no engineers.

38578. You say it is desirable to create Advisory Councils which would be useful in matters of education, commerce and so on; what kind of men should be selected for these Advisory Councils?—Clever, good and influential people of the district should be selected for an Advisory Council.

38579. Should they be selected by the Deputy Commissioner?—Yes.

38580. Would you wish them to meet monthly?—They should meet as required.

38581. Where does the Mahmund tribe live?—There are different classes of Mahmunds; the Mahmund tribe to which I belong inhabits the tract lying between Fort Barra and Fort Shamsbatoo—distance about 20 miles—which is comprised in this district.

38582. When disputes arise amongst members of this tribe are they referred to a *jirga* for decision?—In criminal cases whenever there is judicial proof they are referred to the Sessions Court, but if there is not, then they are tried by the *jirga*.

38583. What happens in civil cases?—Civil cases are never referred to the *jirga*, except cases falling under Section 8 of the Frontier Crimes Regulation, when the Deputy Commissioner has the power to refer to the *jirga*, but that power is very seldom exercised.

38584. When the *jirga* decide cases do their decisions give general satisfaction to the people?—The public concerned are not satisfied with the decisions of the *jirga*.

38585. Do they rather prefer the decisions of the Judicial Courts?—Yes.

38586. (*Mr. Hichens.*) How many members are there on the Peshawar District Board?—I do not know.

38587. Is the attendance fairly good?—Yes, it is fairly good.

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38588. What language is used in the proceedings?—Pushtu and Hindustani.

38589. In what language are the records kept?—The records are kept in Urdu.

38590. (*Mr. Meyer.*) Might not the District Board be used as an Advisory Council; why create a second body?—It is one and the same thing.

38591. You need not have two different bodies; might not a Deputy Commissioner meet the District Board and talk with them with regard to general questions?—Two distinct bodies are not needed, and the Deputy Commissioner might meet the District Board and consult them.

38592. Would it be impossible to improve the *jirgas* so that they could inspire more confidence in dealing with civil and criminal cases?—I do not think the *jirgas* can be improved so as to inspire greater confidence.

38593. Why do they not inspire confidence?—Because they are not trusted; there are factions among them, and they take bribes.

(*The witness withdrew.*)

KHAN BAHADUR ABDUL GHAFUR KHAN OF ZAIDA was called and examined.

Khan Bahadur Abdul Ghafur Khan.

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38594. (*Chairman.*) You are Divisional and Sessions Judge at Jhelum?—Yes, since about four years. I am a member of the Statutory Civil Service, which was abolished some time in 1892.

Every effort should be made to make Government as popular as possible, by bringing into greater relief the benevolent and beneficent character of the Government. The conferment of titles is very good, but they are more or less empty sounds, and sometimes the recipient of a high-sounding title finds it very difficult to make his position compatible with the dignity and distinction which the exalted nature of the title carries with it, and which is an inseparable element of the title. For instance, the title of *Nawab* or *Raja* has got a very high notion attached to it according to Indian ideas. It is therefore anomalous to confer this title on a man who is not the Chief of his people or a *jagirdar*, and has not the means to maintain the dignity of the title. I therefore propose the creation of life *jagirs*, allowances and assignments, which should be quite distinct from hereditary ones in each district. The amount for such grants would be fixed by the Local Governments, with due regard to economic and other conditions. Recommendations in this respect should be made only in case of persons distinguished for loyalty and meritorious services. The Local Governments should have full powers to make such grants for life. It is the first duty of a foreign Government to make people understand by practical methods that the Government has the power and will of appreciating and rewarding, and is ever ready to reward exceptionally good service and distinguished loyalty. When once people learn that the Government has nothing to give because of the number of appointments being limited and the demand greater, a sort of despondency creeps over them, which eventually culminates in discontent and disloyalty.

The utility of free intercourse between Europeans and Indians, between the District Officer and the people, can never be overestimated. It should be the bounden duty of the Deputy Commissioners and Commisssoners, and in fact all European officers, to be sympathetic, affable, and courteous. They should try to understand the people and their wants. They should allow them free access, give them patient hearings, listen to their requests, and profit by their counsel. Every Deputy Commissioner and Commissioner should have a limited fund at his disposal to hold parties, and conversaziones to which leading men of all classes should be invited. This is the only way by which the District Officers would be able to carry on the administrative work to the entire satisfaction of the people and for the good of the Government, and thereby foster a spirit of loyalty which ought never to wither or fade.

I am in favour of augmenting the power and control of the executive, but it is absolutely necessary for the stability of the Empire that the executive should never interfere in, or openly criticise, the decision of the judicial. The independence of the Judges must be maintained to sustain and protect the traditional reputation of British Justice. Discontent is bound to arise in cases when the belief of the people in the independent character of justice is impaired.

I am much averse to the multiplicity of departments and too much interference of petty officials in the liberties of the people. The vagaries of these petty uneducated and corrupt petty officials are the root of all evils. I would like to see intelligent and zealous young men of good family and education appointed to those posts the holders of which come in direct contact with the people. I would like to raise the pay of posts of trust and honour, and employ more Indians on these posts. Good family position and past services to the Crown should be *sine quâ non* for appointments to these posts. Day by day a large number of the members of good families, who rendered good services to Government, and who have a stake in the country, receive high education, and are in every respect fit for being placed in position for trust and responsibility. It is absolutely necessary that there should be a field for advancement to high position for young gentlemen of good families of tried loyalty in Government Service, who will serve as a link between the public and the Government. They being members of the aristocracy of India will endear themselves to the people at large, and will be readily accepted by leaders for guidance. Their official position will enable them to come in free contact with European officials, who will learn from them the real desires and condition of the people, but unless positions of trust and responsibility, as distinct from those occupied by men of middle classes, are especially reserved for members of the aristocracy, their services would not be of very great use. I would therefore advocate the revival of a service on a par with the defunct Statutory Civil Service to which I have the honour to belong. The institution of the Imperial Cadet Corps affords scope for the military talent of the members of the upper classes, but there is no service on the civil establishment which is of equal dignity as that of the Cadet Corps. This is very unfortunate, because it is the Civil Service of India which must govern the people, and the members of which have direct dealings with all classes.

The Government of India, though probably aware of the conditions prevailing in each province under its control, are guided by uniform principles in shaping their policy. This sometimes leads to the introduction of administrative measures which are unsuitable for all provinces, and especially for the Frontier Province. I strongly advocate that the Government of the Frontier Province in matters of administration should have larger powers than they have now compatible with needs and desires of the people ascertained through their selected Chiefs. Complicated laws that cannot be easily understood and followed even by the more advanced communities than the Pathans, should give place to simple, comprehensive and beneficial measures, such as the decision of all controversial matters by the councils of elders composed of men of recognized probity, wide influence and admitted integrity.

I suggest the creation of two *jirgas*, *viz.*:—

(1) The lower *jirga*.

(2) The higher or *shahi jirga*.

Disputes and cases should be referred to these *jirgas* for—

(*a*) arbitration,

(*b*) investigation, and

(*c*) reports and decisions.

The lower *jirga* ought to decide ordinary cases of small value as well as those offences which are not serious. The higher or *shahi jirga* should decide and investigate cases of higher value and serious offences.

I oppose all restrictions to the right of appeal.

Commissioners and Deputy Commissioners should have funds at their disposal, the former Rs. 10,000 and the latter Rs. 5,000 respectively,—to reward the

good services rendered by officials and non-officials in their respective divisions and districts.

The influence of the Commissioner in matters pertaining to departments other than the Land Revenue Department is not sufficiently strong, and adequate weight is not given to his views. The Commissioner, however, should have absolutely no power of interference with or criticism on the work of Judges and Courts in their judicial capacity. In all executive and administrative matters, even those entrusted to officers of other departments, *viz.*, other than the Revenue, Civil and Police Departments, his voice should have very great weight.

Executive Officers owing to their onerous and multifarious duties cannot find sufficient time for coming in personal contact with the people. The Deputy Commissioners should have absolutely no case work, and should only attend to the supervision of the work of officers under their control. They should also allow free access to their subordinates for consultation and guidance in administrative measures. Deputy Commissioners and Commissioners should hold garden parties and other such functions to which representative and influential men of their districts and divisions of all classes should be invited. They should also entertain native gentlemen whenever occasions arise, and freely accept the hospitality of native gentlemen. They should be very often on tour, and invite the people at large to open-air meetings and converse with them freely, and discuss matters of importance with representative men. In this way they could easily glean the inner feelings and grievances of the people. For such parties and conversazione adequate sums should be placed at their disposal.

The weakness of our administration, which has reached a dangerous point, is excessive interference with the liberties of the people. There are so many departments in each district, which for the justification of their existence try to create work for them, that it leads to unnecessary official interference in matters which would be best left alone. The work of each department is carried out through petty officials who are often corrupt and unreliable. They are apt to interfere in matters with which no interference is needed. Take the case of a patwari. He is a despot within his circle on whose correct work the revenue system depends. His pay is very small, and he has many opportunities of taking bribes. The entries made by him are supervised and checked by kanungoes, who also are petty officials, and are invariably in league with their subordinates. Within a *tahsil* where there may be from 50 to 100 patwari circles the tahsildar and his naib have many other duties to attend to, and thus the patwari is the sole custodian of the revenue records, the entries of which give rise to extensive litigation and quarrels. Similarly the action of the subordinate Police Officers in many cases gives rise to great discontent and trouble, as does that of the officials of the Canal and Forest Departments, who have direct dealings with the public. The patwari is a necessary element in the machinery of the Revenue Department, and his retention is unavoidable. I would make the post attractive and assign to it a much higher pay, by which men of high qualification and integrity could be induced to accept it.

The Police, Canal and Forest Departments should be subjected entirely to the control of Commissioners and Deputy Commissioners. There should be independent officers of much higher status than those now holding the gazetted appointments in each district in charge of each department. They should have independent control of their respective departments, with powers of making appointments and dismissals, but subject to the supervision of the Deputy Commissioner and Commissioner. This will obviate the necessity of reduction in the area of the districts and other charges.

No officer should be speedily transferred from a place about whom there is no complaint, who is popular with the people, and whose work is well spoken of by his superiors. In privilege leave vacancies the next senior officer actually in the district should be appointed.

I am strongly in favour of the constitution of Administrative Councils to assist Divisional and District Officers in the administration of their respective divisions and districts. These Administrative or Advisory Councils should be separate for the division and the districts comprised in the division. Selected and distinguished members of the district Advisory Councils may sit in, and become members of, the Divisional Council. The number of members should be fixed by the Local Government. Nominations should be made by the Local Government in case of the Divisional Council and by the Commissioner in case of the District Council. Unimpeachable character, respectability, social status, and vast influence should be the qualifications for nominations.

The internal administration of villages should be left in the hands of the village council constituted by the District Officers after the fashion of village panchayats. In civil disputes they should act as Boards of Conciliation to bring about compromises. In other matters they should help the authorities.

38595. You speak of the conferring of titles; do you think that they are much valued?—Yes, these titles are valued by some people who are rich, but to those people who are not rich they are useless, because they cannot maintain their position and status.

38596. Is it a mistake to confer these titles?—No doubt they are looked upon as a kind of reward, but they should be accompanied in deserving cases by some other mark of favour.

38597. Do you mean with some grant in order to enable the recipients to keep up the dignity and the position conferred upon them?—Yes.

38598. You say that the utility of free intercourse between Europeans and Indians and between the District Officer and the people can never be overestimated; at the present time is that too restricted?—I am very strongly of that opinion. Indian officials, of course, have free access and are allowed it by the public, and I do not think there are any restrictions in the case of an Indian gentleman who wishes to meet an Indian officer, but with regard to a European officer, apart from his desk work which is enormous, there are also in this country the social functions which have to be considered, and naturally they have not much time to devote to them as they are so much occupied, while Indians, who are trained more amongst the people, naturally come more in contact with them.

38599. We have been told that Indian officials, in many cases, are quite as apt to stand aloof as European officials—what would you say to that?—I think that would be accounted for by the characteristics of the particular individual, but I am taking the case as a whole. The majority of Indian officers must necessarily come into contact with the people, while the majority of European officers might not have the opportunity, or might not have the inclination.

38600. Have you ever noticed amongst Indian officers any such tendency?—I have heard of a case, but I have not seen anything of it myself.

38601. Supposing a European officer wished to be affable and courteous, would he find it easy?—It is quite conceivable and possible, but that depends more again on personal idiosyncrasy.

38602. Is it desired on either side?—It is very much desired, and I am very strongly of opinion that affability and courtesy and gentlemanly qualities in an officer endear him to the people at large, and his kindness is always appreciated, while on the other hand if an officer stands aloof and is not very courteous, the strength of the Government is not maintained, and he does not advance very much in the estimation of the people.

38603. A witness told us to-day that it was much more desirable that an officer should be respected than that he should be liked; would you agree with that view?—I really do not understand what he meant; but if he meant that an officer should be strong and should be of a temperament that the people might fear him and all that, I do not agree; if, on the contrary, the object is that an officer should be respected and at the same time be courteous and polite, I agree. But I think he drew a line which really does not exist, to my mind, between the two things.

38604. You would like to see a certain number of posts in the Public Service reserved to Indian gentlemen of good position and family. Do you think that that would strengthen the Government?—Yes, the reason being that in this country there are only two classes more or less. There are the members of the aristocracy who, though they are at present in a deplorable condition, are yet recognised as leaders of

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society in many respects, and then there are the common classes. The members of the aristocracy are now being educated by degrees; they have acquired knowledge, and there are many deserving young men among them who might fill posts of trust and responsibility with distinction. Mere local position in a province under British rule means very little. A man may be a very rich man and a very influential man but, without any official position, he is not looked upon with any degree of respect, and he would not be regarded as a very useful member of society, because his powers are limited within his own circle. He has no power of doing any good to the people in the official world; he might guide their ideas and aspirations, but he is not of much use to them in matters which they might expect he would be, and that being the case, it is only natural, and desirable, that Indians should have a greater share in the administration of their own country. If that is conceded, then the members of the aristocracy, for whom any branch of the Civil Service may be reserved on account of their social position and previous training and family traditions, will be received by English officers with greater freedom, and on the other hand they would be recognised as guides and leaders of the people in their own community. That would be a link between the two communities, and through that medium good results with regard to the administration of the machinery could be effected.

38605. You would like to see something corresponding in the Civil Service to the Imperial Cadet Corps?—Yes; the Service to which I belong is the Statutory Civil Service, the only distinction being that we get 64 per cent. of the pay of the Covenanted Service.

38606. (*Sir Steyning Edgerley.*) You suggest that there should be some power of granting rewards; do you mean rewards by Deputy Commissioners?—I mean by all Executive Officers; they have enormous power of punishment in this province especially, but they have absolutely no power of giving rewards for good service.

38607. Is it of political importance that they should have the power of making rewards?—Yes.

38608. You have made some suggestions with regard to social meetings and so on by Deputy Commissioners and Commissioners, and that they should hold parties and so forth to which men of all classes should be invited. Would there be no difficulty with regard to that?—By "all classes" I meant men of standing and position belonging to different communities and different nationalities.

38609. You meant the leaders of society?—Yes, I did not mean that the masses should be invited and that sort of thing.

38610. Even in your own house there would possibly be considerable difficulty with regard to a meeting of all classes?—Yes, but we have open-air meetings where everybody is received.

38611. You suggest that each Deputy Commissioner should have a grant of about Rs. 5,000?—I would suggest Rs. 10,000 per annum.

38612. Have you any idea what that would probably cost?—An enormous figure, but the results would justify it.

38613. If it were done generally throughout India would it not mean at least 15 or 16 lakhs of rupees a year?—Yes, but the result obtained would justify even such a large expenditure.

38614. You speak of raising the pay of the patwari and making his post a more responsible one; what sort of pay does he receive now?—A patwari now gets from Rs. 10 to Rs. 20 a month, and I would raise it to Rs. 50 a month provided that you get the kind of man I have suggested. It is an anomaly that a man on whose correct work the whole revenue system depends should be not much above the status of a mere servant. The whole thing, of course, means expense.

38615. That would cost another very large sum. Would you be prepared to raise the amount by taxation?—Personally, I do not understand the question of taxation one way or the other, because I am not very much in touch with financial matters.

38616. But in order to carry out reforms of this description you would have to raise taxation?—Perhaps the salt tax might be raised; it is a very small amount and if a man can afford to pay one pice, which he does now, he would not feel it if he had to pay two. Or a shop tax might be imposed.

38617. But when considering a reform intended to benefit the upper classes, is not the objection to that, that the tax falls on the poor?—But they could afford to pay 2 pices.

38618. The last witness told us that he thought the Commissioners in the Punjab might be made Courts of Wards—would you agree with that?—As a matter of fact, it is the Deputy Commissioner who is the Court of Wards, and the Financial Commissioner is the controlling authority.

38619. Would it be a wise measure to delegate the power of the Financial Commissioner to Commissioners of divisions?—I do not think so; the Financial Commissioner's sanction in many cases does not entail any very great hardship or create any delay.

38620. Then you would not be prepared to make any change?—I do not think so.

38621. (*Mr. Meyer.*) Would you have the Local Government scatter life *jagirs* and allowances and assignments freely?—The Local Government ought to have the power of selection.

38622. Are you prepared to face the expense? Would there not be far more candidates for the grants than there would be grants to give?—Competition perhaps would be desirable.

38623. Would you not excite more hatred on the part of the people whom you disappointed, than gratitude from the people to whom you would give these advantages?—I think that enthusiasm on their part would be more permanent, but that argument might be applied with reference to any reward.

38624. With regard to the Statutory Civil Service which you desire to see revived, the selections made were not altogether fortunate, in some provinces?—That is, of course, a question of selection, but the time chosen for the inauguration of the Statutory Service was too early, and there was not the right material at hand at that time, whereas now there are any number of men who are fitted for the service, and if you have a certain number of appointments open to men of good birth and education, they would be filled. The Provincial Service is a subordinate Service and the position of an Extra-Assistant Commissioner is only just a little above that of an ordinary tahsildar. As these appointments are open to anybody, I would like to see a special reserve *cadre* for men of really good family and education, and at the same time of good standing. So far as "listed" appointments are concerned, I understand with reference to the Frontier Province that there are none in the province, and no such posts are open to them. In the Punjab there are nine appointments theoretically reserved, but the conditions are such that when the Statutory Civil Servants hold these appointments, no Provincial Civil Servant is selected for them, the natural result being that men do not attain any position or high post until they arrive at the fag end of their service.

38625. You think that it is better to revive the Statutory Civil Service?—Exactly, because I should like to see new blood infused into the Service and the revival of the Statutory Civil Service is necessary from another point of view. I would like to see young men of good family kept in the country, and not sent to England where there are so many opportunities of their coming into contact with an undesirable class of people. Now-a-days examinations are made so stiff that a young man has to go to England at an early age, and if he qualifies for the Civil Service, it is no doubt an advantage to him personally, but then on the other hand he becomes of no use to his country. Another danger is the political danger. When such a man comes back he is probably not received into English society here in the same way as he has been in England, so that it makes him discontented and a feeling of discontent is not a good thing. Upon these grounds, therefore, I strongly advocate a revival of a service which may be considered by everyone to be a distinct service, and into which one could get men of families which are very distinguished.

38626. But are there not a certain number of men of good family in the Provincial Service?—There are, because there is no other alternative for them.

38627. If you had a Statutory Civil Service, would not the number of appointments be very limited?—Yes; it was two a year in the Punjab.

38628. And you would still have your lower aristocracy trying for the Provincial Service?—The number of appointments made every year to the Indian Civil Service is not more than four or five in the Punjab, but according to the old rule—the Statutory Civil Service rule—the number was one-fifth to every Covenanted Civilian, so that supposing there are 150 Civilians in the Punjab, and every year appointments were made to the Statutory Service, you would have in the Punjab between 20 and 30 officers, and they would certainly have exercised a great influence in the country for the good of the administration.

38629. In the Punjab, is there not a system of fluctuating assessment?—Yes, in certain districts only.

38630. That is to say, the assessments are levied on the amount and character of the crop?—Yes.

38631. The amount levied is less if there is a bad crop than if there is a good one?—Yes.

38632. Is not the danger of corruption on the part of the patwari very considerably increased by that system?—Yes. I know of one instance where we had one whole *tahsil* under the fluctuating system, and I tried to get two naib-tahsildars, instead of one, to assess the land, and it was with great difficulty that I got them.

38633. With regard to the grants which you wish Commissioners and Deputy-Commissioners to distribute, are they to be lump sums?—Yes, something like contingent expenses every year—a special item might be allotted as contingent expenses for that purpose.

38634. Would you give the money to individuals, or would you allow the money to be given to a village and say, "Here is some money—build a mosque or make a well," or something of that sort?—I do not know as a matter of fact if it would be feasible to reward a united service—a service rendered by a whole community, or village—such money would be used more appropriately for rewarding individual services.

38635. (*Mr. Hichens.*) A witness told us to-day that he thought a Deputy Commissioner should not serve longer than four or five years in a district on the ground that if he stayed longer he might become impregnated with the factious spirit which appears to obtain in this province—do you agree with that?—No. I have not noticed any factious spirit on the part of any European officer in this province.

38636. The witness said that they might get to know so much about a district that they might insensibly take sides with one faction or the other?—I do not think so; my impression is that if a Deputy Commissioner was kept longer in a district he would be more useful. It is a difficult position for any man to hold, and the difficulty is that on the one hand he is required to turn out such a large amount of desk work, he also has to decide revenue suits and to act as a District Magistrate, in which capacity he not only supervises the work of his subordinates, but he is, time after time, required to deal with criminal and revenue work himself. He is also bound to submit and verify so many reports every day. Thus a large amount of work is thrown on the shoulders of a single man, with the result that the work is scraped through sometimes, and sometimes it is left to subordinates who carry it out with the sanction of the Deputy Commissioner's signature, which, of course, makes that Deputy Commissioner assume responsibility for work which he has never done. He cannot possibly under any circumstances be impregnated or affected by any kind of party spirit in the way suggested.

38637. Given a good sympathetic officer, would you say that the longer he stayed in a district the better?—Certainly.

38638. Are the transfers of European officers more frequent than the transfers of Indian officers?—I think so.

38639. What would you attribute that to?—It is due to the creation of appointments; there are appointments specially reserved for European officers and they are shifted about from place to place.

38640. Do Indian officials stay a considerable time in their stations?—I have never seen any European officer kept over five or six years, but in the majority of cases the members of the Provincial Service stay longer.

38641. Are the richer and more influential people in this province ready to act on the District Board and municipalities?—I do not know much about municipalities, but so far as the District Board is concerned, I believe everybody of any standing in this district is a member.

38642. Do they accept that responsibility from the point of view of the honour it brings or from a desire to do some good public work?—I think the majority of them only accept the position because it implies some sort of honour and respectability as distinguished from the common people.

38643. Do the people of that class attend the meetings at all regularly?—I do not think everybody attends except once a year.

38644. Is sufficient trouble taken to interest them in their work?—I think not.

38645. Would the way to remedy that be by giving them some definite responsibility?—Yes.

38646. Is it practical politics to do that in this province to day?—Yes, I think it is a very simple matter; their duties have nothing to do with the ordinary affairs of state and no political matters are involved; it is a case of dealing with the internal administration, and I am an advocate of decentralization from the lower end.

38647. What would you do with reference to giving them larger responsibility?—A circle might be allotted to each District Board member, and he should make himself responsible for the up-keep of the roads in it and transact all other business pertaining to it which come under the Board. A responsible officer should go round and see how the duties were being carried out.

38648. Would you suggest that there should be a non-official Chairman of the Board?—Certainly.

38649. Would that be desirable?—In the Frontier Province I am not quite certain that such a position could be given; I do not think there is any gentleman here who would be able to fill the post. We have to educate the people by degrees and when they are educated for those particular tasks, then, of course, a non-official Chairman might be found.

38650. Would the way of developing a spirit of local self-government be for the District Officer to try and interest people in regard to small works of public importance, which in time might lead up to something else?—Yes, I want them to be educated first.

38651. At the present moment it is not desirable to go beyond giving them small responsibilities?—Yes, within a limited circle.

38652. If they were approached in the right spirit would the influential men in a district be prepared to co-operate with you?—I think so.

38653. (*Mr. Dutt.*) You have proposed the creation of two new kinds of *jirgas*, a lower *jirga* and *shahi jirga*; do you propose to increase the number of the existing *jirgas*, or do you propose the creation of a new kind of institution?—I am proposing the creation of a new kind of institution; there is at present no nomination for a *jirga*, and there is no such thing as a recognized membership of a *jirga*. Each case has to come before a Deputy Commissioner, or an officer who has the power of a District Magistrate who decides whether it is fit to be referred to a *jirga*, and only those cases are referred where judicial proof is wanting and where judicial conviction cannot be secured. Then a *jirga* is selected haphazard.

38654. What would be your proposal exactly?—There are two sets of *darbaris* in this province, one called the provincial *darbari* and the other composed of people who have a right to be admitted to the divisional *darbar*. We can easily draw up a scheme by which the gentlemen who are on the provincial *darbar* should constitute the *shahi jirga* (something on a par with the system which now exists in Baluchistan), and the members of the divisional *darbar* should constitute the lower *jirga*.

38655. So that you would have a standing larger *jirga* and a standing smaller *jirga*, and when cases arose you would refer them to the particular members selected for the occasion?—No, what I should prefer

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is that they should sit all at the same time within a district so that there could be no possibility of favouritism or malpractices on their part. They should be under the supervision of the Deputy Commissioner.

38656. But are not the numbers of a *darbar* very large?—No, in this province they are not larger than 30 on the provincial *darbar* list.

38657. And you think that they should sit together in all cases of importance which may be referred to him?—Quite so.

38658. And that a smaller Council should be formed for the trial and disposal of less important cases?—Exactly.

38659. Do you propose also that both civil and criminal cases should be referred to *jirgas* for disposal?—Yes.

38660. Would that not largely decrease the work in our Courts?—No. I would but make a distinction so far as civil cases are concerned; I would not refer any complicated cases to them involving points of law, but only questions of fact.

38661. Should that reference be made in civil cases by the District Judge and in criminal cases by the Deputy Commissioner?—All cases whether of a civil or criminal nature are referred to a Council of elders by the Deputy Commissioner, and therefore I would make him the only channel for referring these cases.

38662. You say that the influence of the Commissioner is not sufficiently strong now—is it your idea that the Commissioner should be consulted in all important matters in all departments within the limits of his division?—Yes.

38663. Elsewhere you say that the Canal and Forest Departments should be subject entirely to the control of the Commissioner and Deputy Commissioner?—I am talking, of course, only from the administrative point of view, and not from the point of view of technical matters.

38664. So far as the distribution of water is concerned, should the Irrigation Officer be under the orders of the District Officer?—Yes, to a certain extent, but a Deputy Commissioner would very seldom interfere in a case of that kind, because it is a question of technical knowledge.

38665. But supposing the people came to the Deputy Commissioner and complained that they were not getting sufficient water, would you empower the Deputy Commissioner to pass an order on the Canal Engineer to give water to certain fields?—I think so, provided there is a safeguard and he had satisfied himself, as a matter of fact, that the Canal Officers were not treating the people properly.

38666. Is there a forest officer in your district?—No. There are forest areas which are called reserved forests, and for each specified area there is an officer who is called a divisional officer.

38667. Do you propose that these divisional forest officers should, so far as their general work is concerned, be under the orders or control of the Divisional Commissioner?—Yes.

38668. And that any orders or wishes expressed by the Commissioner should be complied with by the forest officer?—Yes.

38669. The reserved forests are under the control of the forest officers, but what is the practice with regard to protected forests?—The protected forests are also under the control of the forest officer, but the Deputy Commissioner has larger powers with regard to them.

38670. Have you, as Deputy Commissioner, had any experience as to the management of these forests?—Yes.

38671. So fas as protected forests are concerned, might their management be transferred to the Revenue Department?—Yes, I think so.

38672. Are they not mostly grazing fields?—Yes.

38673. And the Deputy Commissioner, with such technical help as may be necessary, would be able to manage these protected forests as distinguished from the reserved forests?—Yes.

38674. Are there many factions in every village in this province?—There are factions, but they did not always exist in the same way as they exist now.

38675. But taking things as they are now, would there not be some difficulty in creating village panchayats in the face of the existing factions?—People, of course, would complain in the beginning, but they might complain as to any measure which was introduced, and if they thought by complaining to the authorities a measure which they did not like would be dropped, they would do so. Any measure considered to be good ought to be tried sympathetically, and an attempt made to see whether any good results could be obtained.

38676. Where there were different tribes in the same village would you select the headmen of the different tribes to form a panchayat?—Yes; headmen might be constituted into village panchayats, and, by degrees, others might be associated with them.

38677. Might simple and ordinary matters be left to them to deal with?—Yes; I would leave matters involving Rs. 50 or Rs. 100, as to which lengthy litigation is undesirable, to them.

38678. When you speak of Administrative or Advisory Councils, is it your idea that a Council should simply give advice to a District Officer or that they should help the District Officer in administrative matters?—They should be simply advisory bodies for the purpose of giving advice in times of emergency, because at times it is quite conceivable that Executive Officers might not really understand the inner feelings of the people on some particular question, and when those inner feelings have been ascertained by duly qualified men, their advice would be of great help to the District Officer.

38679. Might not an ordinary *darbar* be made into an Advisory Council, or would it be necessary to form a separate Council?—I think Advisory Boards must not be composed of the divisional *darbaris*; I am talking about the nobility. The men who are divisional *darbaris*, according to my experience, are not composed of the very highly placed members of society, and they are not intelligent enough to be of much help. Therefore I should like the Advisory Council or Board to be a distinct body, and it should be recognised as a distinct honour to belong to it. The members of it should be really useful men in case of any emergency.

38680. (*Sir Frederic Lely.*) You speak of the petty officials as being the root of all evil; would you say that they are one of the chief weaknesses in the present adminstration?—Yes.

38681. Is there any way of improving them which you could recommend except by increasing their pay?—Yes; the work of these petty officials requires very thorough supervision, and it is in that connection that the only improvement, if the present régime is allowed to remain, can be obtained.

38682. How would you secure greater supervision over their work?—I would have officers to supervise the work by going on the spot whenever there was occasion, and I would allow them also to consult the people with reference to any grievances or complaints they might have to make.

38683. Are not all the grievances and complaints of the people listened to even now?—I do not think they are.

38684. Do you mean to say that if a man has a complaint against a patwari and states it in a proper manner, it is not attended to?—It may be that it is listened to, but it gives rise to constant applications and lengthy litigation, and a man might not be able to go on with that sort of thing. Of course, the machinery of the law exists for dealing with complaints.

38685. I am speaking of the case of a petition to the Deputy Commissioner?—An ordinary petition, unless supported by actual facts and evidence, would not be listened to. Petitions are sometimes sent to the Revenue Officer, who sends them to the tahsildar, who makes enquiry, but meanwhile time has elapsed, and the whole matter is probably settled.

38686. Then what you say with regard to the treatment of complaints as to misconduct is, that they are not thoroughly taken up?—I think they are not.

38687. But you do not suggest that a larger number of supervising officers is necessary?—Yes, I think so.

38688. Should the number of Sub-Divisional Officers be increased?—There should be a larger number of Gazetted Officers, if the present system is left unchanged.

38689. Would you give patwaris and such like men any connection with the village panchayat?—The village panchayat might be utilised in supervising their work and in looking after them.

38690. Would you attach the patwari in any way to the panchayat as clerk or in any other capacity, or would you keep the village panchayat absolutely isolated from Government officers?—The patwari's duties are quite distinct from work of a civil nature; the patwari has only to make entries in certain records with reference to questions of possession and ownership of land, and that sort of thing. My idea was that only small petty matters of a civil nature should be referred to panchayats.

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38691. Would you keep the patwari entirely distinct and apart from the panchayat, or would you employ him as their clerk?—The patwari, as a rule, has already so many duties to perform that he could not possibly help the panchayat in such a way.

38692. Would that be your only reason for not so employing him?—Yes, and I would rather a patwari did not come into contact with the panchayats, so that in regard to deciding any particular case he might not influence them.

(*The witness withdrew.*)

Colonel J. E. DICKIE was called and examined.

38693. (*Chairman.*) You are Secretary of the Public Works Department?—Yes, since about four years.

With reference to the Public Works Department of this province, the powers of the Local Government to sanction "works" might be raised from Rs. 20,000 to at least Rs. 25,000, as the Officer Commanding Royal Engineers can sanction estimates for Military Works up to the latter figure.

On the whole the tendency of Government is in the direction of rigidity and uniformity, but it is difficult to particularise. As far as the Public Works are concerned, the following are some examples where more power might be delegated to local authorities:—

(*i*) *Sale or dismantlement of Imperial Civil buildings.*—Under paragraph 1907, Public Works Department Code, if the cost of a permanent civil building is over Rs. 1,000, the Local Government cannot sanction its sale or dismantlement. This limit of Rs. 1,000 might be dispensed with.

(*ii*) *Reduction of rents of Government buildings.*—Government of India sanction is required to reduce the rent of any Government building below the amount which should be charged under paragraph 1068, Public Works Department Code. Local Governments might be authorized to sanction the reduction of, or exemption from, rent.

(*iii*) *Purchase or construction of residences.*—Under paragraph 1063, Chapter IV, Public Works Department Code, Local Governments can sanction the purchase or construction of residences up to Rs. 10,000 only. This limit might well be omitted, and power given up to the Local Government limit of sanction for ordinary works.

(*iv*) *Class A Works.*—Local Governments cannot re-appropriate funds from the grant for Class A Works without Government of India sanction. This restriction might be removed.

(*v*) *Grants for English stores.*—Local Governments cannot transfer funds from the English to the Indian grant (*vide* paragraph 2107, Public Works Department Code, Volume II), although money can be given from the Indian to the English grant. The restriction might be removed.

(*vi*) No exemption on account of charges for establishment and tools and plant can be made by Local Governments when one fund or one branch of the department carries out work for another department. Power might be given to Local Governments to remit the charges for establishment and tools and plant.

(*vii*) Under paragraph 510, Public Works Department Code, Local Governments can sanction the write off of irrecoverable personal advances up to a limit of Rs. 1,000, in each case a report being made to the Government of India. This report might be dispensed with.

(*viii*) *Lapses.*—I should like to see balances of allotment at the end of year carried on instead of lapsing. They could, *if necessary*, be separately accounted for or reported on.

The different provinces resemble each other as little as one European country resembles another. Measures of reform or improvement suitable to one might be quite out of place in the case of its neighbour. Interchange of views between different Administrations would, doubtless, be beneficial, but the Head of each Government should be allowed latitude in adopting salutary reforms and in developing his charge on his own lines.

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As regards appeals of all kinds, I consider these should be most restricted and only allowed in very exceptional cases after a British official has once given his decision. Generally speaking, appeals have a demoralizing effect in that they encourage litigation and weaken authority. One appeal should be the limit.

Most of the returns called for in the Public Works Department are necessary, but the forecast for stores from England might, for example, be dropped, as it is impossible to do more than make a guess in August of what will be required the following year.

When travelling about and meeting zamindars and *maliks*, I hear constantly of unwarranted exactions by minor officials. Possibly, if increased powers were given and fewer reports, returns, &c., exacted from Executive British Officers, the latter might be in a better position to check abuses.

The influence in question appears to be in the direction of too much rigidity and uniformity. There is a want of elasticity in that the country is too much regulation-ridden. Rules have been drawn up with the view to meeting all possible contingencies instead of for guidance in considering cases on their merits.

So far as my observation goes, I think Executive Officers are too much tied to their desks. It is a matter of common knowledge that minor officials are venal to a degree. The only remedy is to take away desk work so far as possible and give Executive Officers greater opportunity for personal contact, but what would further improve matters would be to augment the numbers of the British officials. Plurality of regulations also is not for real efficiency.

Generally speaking, the desirability of reducing district and other charges depends on circumstances. The "partition of Bengal" was advocated in "Indian Polity" as far back as 1873, if not before. To give a local instance, the Peshawar district has now become too heavy a charge for one Deputy Commissioner.

Transfers of officers are generally considered to be too frequent. This has been recognized in the Army Department and the remedy applied.

38694. When you have to get sanction for estimates for contracts and so forth, do you correspond through the Local Government with the Public Works Department?—Certain estimates, of course, are contained in the budget, and with regard to those which are not contained in the budget one either has to take the sanction of the Government of India in the Public Works Department or the Local Government.

38695. What are your powers with regard to sanctioning estimates?—As Secretary, I can sanction up to Rs. 20,000.

38696. Have you any productive works here?—None.

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38697. Have you any protective works?—Yes, in a way.

38698. In the case of imperial protective works, what is your power of sanctioning estimates?—I can sanction up to Rs. 20,000.

38699. And with regard to contracts?—That is the same.

38700. What are your powers of sanctioning estimates for provincial works?—There are no separate provincial works as distinct from imperial works here—everything is imperial.

38701. And your powers, whatever they are, are the same?—Yes.

38702. With regard to minor works, have you any powers of sanction?—With regard to minor works, the Officer Commanding Royal Engineer and Garrison Engineer are allotted a certain amount of money, and can sanction according to their powers.

38703. Have you no greater powers than they have?—Yes; Commanding Royal Engineers can sanction up to Rs. 2,500 for single minor works, and my powers with regard to minor works are no greater. I do not interfere with regard to minor works at all.

38704. You state that under paragraph 510 of the Public Works Code, Local Governments can sanction the writing off of irrecoverable personal advances up to a limit of Rs. 1,000. Ought that sanction to be extended?—Yes, I think so. I do not quite know what limit, but if it were extended I think it might save many references.

38705. Cannot you give a limit?—I am not prepared to say—perhaps the amount might be doubled.

38706. Have you a certain number of Provincial and Subordinate officers under you or is yours entirely a Military Service?—The whole of the establishment is under Military Works.

38707. Have you no Provincial Service?—None.

38708. (*Mr. Hichens.*) You suggest you might have further powers as to the purchase or construction of residences for Government servants?—Yes, that only goes up to Rs. 10,000.

38709. What power would you be prepared to give to the Local Government in regard to cases of that sort?—Take, for instance, the construction of a circuit house which may cost Rs. 25,000 or more. Without the special sanction of the Government of India the Local Government might go to that limit.

38710. Would you be prepared to lay down certain general principles and then rely on the Local Government to interpret them?—I am not prepared to say whether that would be altogether wise; it depends a great deal, of course, upon individuals.

38711. What inconvenience would result supposing the decision of such matters was left entirely to the discretion of the Local Government?—I do not think there would be any.

38712. Then is there any objection to giving them full power?—None that I can see; if an officer who is to be given full power is fit for the position he ought to have it, and if he is not fit for the position, then he ought to go.

38713. You refer to an excess of rigidity and uniformity, and you say that rules have been drawn up with a view to meeting all possible contingencies instead of for guidance in considering cases on their merits; have you any specific instances in your mind?—Yes; I was thinking, for instance, of cases where dangerous work is being carried out and where, as sometimes happens, accidents occur and workmen get killed. In such cases their people might want money to bury them and perhaps for other purposes, but one cannot do anything without going to the Government of India. I saw a case in the "Pioneer" the other day as to a dak runner, which indicates exactly the sort of thing I mean. In such cases a District Officer has no power to make any grant, and has to pay money which is required from his own pocket, risking whether he will get it back again.

38714. In a case of that sort, ought the District Officer to have a small fund from which he could make grants of that kind?—Yes; practically, when engaged on a big engineering work, one can generally manage to spend a little in various ways. Of course it is irregular, but it is quite advisable and quite right that one should be allowed such a fund.

38715. I thought you meant that there were a number of finnicking rules which harassed you?—So there are.

38716. Can you give any instance as to that?—No, I am sorry to say I cannot.

38717. Are there a large number of such rules?—Yes; there are many things, the settlement of which might be left to the local officers.

38718. Is too little left to the discretion of the officer and possibly is he rather too much nursed?—Yes, he is a little bottle-fed, I think.

38719. You say that the transfers of officers are generally considered to be too frequent, and that that had been recognised in the Army Department and the remedy applied. What was the remedy applied in that case?—The remedy applied has been that when one post is vacant, they have not to move a dozen officers all round to arrange for everybody getting his proper step. There is no "general post" of that kind. As far as possible they arrange matters within the divisions, and in the case of Staff Officers, if for instance in the first division a senior Assistant Adjutant-General goes on leave, they do not bring another man from another division.

38720. Could that rule be applied with regard to civil appointments?—I think so; there is perhaps a little more "general post" than is quite necessary.

38721. Is it desirable that a man should not stay longer than four or five years in one district?—Yes, I think as a rule that is quite long enough.

38722. (*Mr. Dutt.*) Are District Board works in this province executed by servants of the District Board—supervisors and overseers—or are they executed by your subordinates?—District Boards have their own district overseers who generally do the work, but there was a case the other day when a District Board wanted to build a hospital and do the work themselves, because we could not build it at the rates. They asked us to estimate for it, and asked if we would build it, and we should have been very glad to do so, but we could not do it for the money.

38723. Do they sometimes undertake large roads costing many thousands of rupees, and have their own qualified engineers to carry out such work. They do not undertake any large works in the way of communication.

38724. Are most of the main roads in this province maintained from the provincial funds?—From imperial civil funds.

38725. Have you any supervision over the work of District Boards?—No; if one is asked to do so, one of course gives advice and help.

38726. If your department did any work for a District Board would it charge them a percentage on the cost of the work done?—I rather think that one ought to charge a percentage according to the regulations. For instance, this very building we are now in was built nominally by the District Board, but practically our officers supervised the whole of the work without any charge. I think it was not quite right, but still there was comparatively little money available, and it is possible that the military works estimates ought to have been credited with something for the cost of supervision.

38727. (*Sir Steyning Edgerley.*) Is there not some prohibition in this province with regard to the powers of the Local Government as to metalling roads?—There is nothing special; no imperial road can be metalled without the sanction of the Government of India, but there are no special rules having reference to this province.

38728. Does that mean that all your roads here are imperial roads?—Yes.

38729. And therefore the Chief Commissioner cannot have any road metalled without going to the Government of India?—Yes.

38730. Suppose a road is wearing out over a bridge; cannot the Chief Commissioner order that it should be metalled and repaired?—Yes, certainly.

38731. Then you can repair little bits of roads?—Yes, they would be considered parts of the bridge.

38732. But between the bridges you cannot metal?—No.

38733. How far do your powers extend in the Military Department?—To Rs. 25,000.

38734. And in the Civil Department they only extend to Rs. 20,000?—Yes; that sum might be raised to Rs. 25,000.

38735. Is there any correspondence with regard to raising your powers in the Military Department?—No, I think not.

38736. You say that the forecast for stores might be done away with: am I right in understanding that in August of one year you have to try and guess what stores you are going to buy during the year beginning in the following April?—Yes, and one has to make a rough forecast.

38737. Which, I suppose, is practically useless?—I do not think it is of much use.

38738. What is done with it and why is it required? I could not tell you; it must be for some financial reason.

38739. But as far as you know it is quite the reverse of trustworthy?—I do not think it is at all trustworthy, and it rather commits one to ask for things which might not be wanted. Of course, that touches upon the other question as to the purchase of stores.

38740. (*Mr. Meyer.*) With regard to metalled roads, is it only when it is decided or desired to make a new metalled road at the expense of imperial funds that reference has to go to the Government of India?—That is all.

38741. You would not have to refer to the Government of India with regard to the repairing of a road already on the list, because the metalling had got out of order?—No.

38742. If a Local Government had absolutely full power to build houses for its officers and so on, might it not mean a considerable addition to their salary?—That would depend on the Local Government.

38743. Are not the rents which are charged under the Public Works Code meant to be commercial rents?—Yes.

38744. A percentage on capital, *plus* maintenance charges?—Yes, but it is not so much in the case of officials of the Local Government. For instance, Kohat is very much congested at present, and it would cost about Rs. 4,000 to build a house there for the head clerk to the Deputy Commissioner, and the rent assessed for that bungalow would be Rs. 18 or Rs. 20, whereas a tenth of his salary would be under Rs. 16, and as he is a European official it would seem desirable in a case of that sort that the Local Government might be able to lower the rent to what he could afford to pay.

38745. It is not so much a case of lowering the rent, because that is fixed by rule at 10 per cent. of the salary, as the building of a house the cost of which is larger than the rent would cover?—Yes, and that is the case frequently.

38746. You speak of the Local Government not being able to re-appropriate funds from the grant for Class A works without the sanction of the Government of India. What does that mean?—Class A works are works which are entered in the budget of first importance. It may be that late in the year one has more money than one can spend under Class A works, and one cannot transfer it to some other work without the sanction of the Government of India.

38747. Is that not peculiar to this province, and due to the fact that there is no provincial settlement and the money is imperial; you are not speaking of the Local Governments generally?—No. Not peculiar to this province.

38748. In the same way, in regard to charges for establishment and so on, you are only speaking of this province?—Just so.

38749. As a matter of fact, you have never served in any other province in this capacity?—No.

38750. With regard to the question of irrecoverable balances, may not amounts which are irrecoverable, have become so by the negligence of some officer?—That is quite possible.

38751. And if you gave an officer larger powers with regard to remitting or wiping off amounts on the ground that they have become irrecoverable, might you not have some men writing them off in order to cover their own laches?—A case of that sort is not likely with the officer one knows, at any rate; I do not say it is impossible, but it is unlikely.

38752. But have they not to work very largely through their subordinates?—Yes, that is so.

38753. Are your military works carried out under the Public Works Code?—Yes, and also under the regulations for the army.

38754. Are you freer with regard to military matters than you are with regard to civil matters?—No, I do not think so.

38755. You cannot go about giving money to widows and build houses as you like on the military side?—No, there is no occasion for it.

38756. You have your rules with regard to house building and so forth?—Yes.

38757. Do you consider that the provisions of the Public Works Code are too rigid generally?—I think so, a little.

38758. Are the returns which are called for generally necessary?—I think they are very fair and are mostly all required.

38759. You say that regulations should be framed more for guidance than for rigid adherence; is it not possible that a rule might disappear under the exercise of a dispensing power on the part of the Local Government?—It is possible.

38760. There again it is not a principle which you apply in the Army: there you rather require strict obedience to stern rules?—Obedience to direct orders is required undoubtedly, but orders must be intelligently carried out, and there may be occasions when orders may be disobeyed absolutely.

38761. Do you mean that you would disobey the letter and conform to the spirit?—Yes, exactly so.

38762. You say that you have heard in the course of your tours of unwarranted exactions by minor officials; does that include your own department or do you refer to the Revenue Department?—I include all.

38763. Are they all equally bad if not controlled?—They all want controlling undoubtedly.

38764. They are not sufficiently controlled owing to the want of a superior staff—is that your idea?—It would be better if the staff was somewhat stronger.

(*The witness withdrew.*)

Adjourned.

SIXTY-SECOND DAY.

PESHAWAR, *Saturday, 28th March*, 1908.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Major C. B. RAWLINSON was called and examined.

Major C. B. Rawlinson.

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38765. (*Chairman.*) You are Deputy Commissioner of Peshawar?—Yes, since January, 1903.

I do not consider that any extended powers in revenue matters could be granted to Deputy Commissioners (or Sub-Divisional Officers) as a body, and it would be impossible in practice to grant different powers to different officers or to officers of various lengths of service. The powers are ample in the cases of junior Deputy Commissioners, and in some matters more than ample in the case of an officer appointed for the first time as a Deputy Commissioner. The only extension of administrative powers required is less interference with Deputy Commissioners' executive orders by superior officers. I am not exaggerating when I say that there is no order of a Deputy Commissioner which cannot be carried in the form of an appeal or an application for revision, or merely of a petition, to a superior officer by the person aggrieved. I would curtail the right of appeal by requiring a certificate as to the inadmissibility of the appeal from the authority whose order was appealed against.

Larger powers of reappropriation might perhaps be given to Deputy Commissioners.

Secretariats view most matters from a purely departmental standpoint, being, as a rule, out of touch with local officers, the people, local conditions and executive experience.

The existing system of officering Secretariats is pernicious in more ways than one. Officers remain Secretariat Officers for too long periods; they are not as a rule selected on account of practical experience with the very matters which they mainly have to deal with, but for their powers of literary expression or some such reason; there is a tendency towards "once in the Secretariat, always a Secretariat Officer;" and Secretariat Officers are frequently junior to the majority of the executive, burden-bearing officers, whose work they are called upon to deal with in what necessarily becomes a political or controlling manner.

Provincial Governments are dominated by considerations of revenue to an excessive extent. Our revenue system is too inelastic in itself, but provincial Governments make little effort in the direction of greater elasticity. This can be instanced almost daily in matters of income-tax, arrears of revenue, suspensions of revenue, leases, court-fees in pauper cases, lapsed *muafis*, etc.

Executive Officers (*i.e.*, Deputy Commissioners) are so overburdened with work, which increases yearly with the giants' strides taken in almost every department and line—*e.g.*, excise, veterinary and agricultural development, audit, education, arboriculture, as well as with the general advance towards perfection, to a large degree theoretical and paper, *e.g.*, trade, registration, excise matters (the result of the Excise Commission), *takavi*, sanitation, education, local self-government, archæology, new Bills and Acts, with the production of reports (annual) of the past year's administration in each line, upon the literary excellence of which superior officers are apt to form opinions as to the compiler's executive-administrative abilities, and with an unwieldy and over-powering mass of English office correspondence—that it is with the greatest difficulty—at any rate in Peshawar—that the Deputy Commissioner can tour at all or receive one-half of the native gentlemen, and others who desire personal interviews. His personal contact with the people may be said to be confined to some small contact with the officials, the leading Native gentlemen, and the criminal classes. Assistant Commissioners have ample opportunity for personal contact with the people, but the people fail to appreciate this fact—and not unnaturally—for Assistant Commissioners are only birds of passage as a rule, and it is the Deputy Commissioner of the district to whom the people look and cling.

With the existing elaborate machinery of Government in India, I cannot suggest how to remove the obstacles except by a reduction of the areas of district charges.

The staff of this province requires augmentation. Sub-divisions are frequently without Assistant Commissioners. The smaller districts are frequently without Assistant Commissioner at headquarters. Border military police forces are undermanned. Police European Gazetted Officers are insufficient.

The Peshawar District is too large a charge for one Deputy Commissioner. The proposal to convert part of it into a separate district is now approaching completion.

I do believe that any grant of powers will lead to appointments by selection in place of by seniority. The tendency is always towards seniority to the exclusion of all else. Appointment by selection could only go with a system of regulating salary by mere length of service, which is not desirable.

Transfers are regrettably frequent. I cannot say if they are "unnecessarily" so. An improvement would be effected by an increase in the administrative staff.

I would grant no larger power to municipalities or District Boards. In this province, at any rate, greater efficiency would be secured by District Board members in District Board administration, which is only natural amongst a people with no traditions of public life and with little but ignorance and suspicion of unknown individuals, and with either blind hatred or blind affection for their relatives, acquaintances, and neighbours. Pathan temperament is hopeless soil for local self-management.

In the case of municipalities, too, there is little true public interest in municipal affairs by municipal members. Formerly membership carried with it a certain amount of prestige and dignity as well as opportunity for peculation. Now it merely means a considerable amount of distasteful work.

No Advisory Councils would be of any use in Peshawar at any rate. Executive Officers, who know their charges, know whom to consult, and when. The factious spirit of Pathan Communities renders such Councils impossible.

38766. Were you appointed Deputy Commissioner by the Foreign Department?—I am not quite sure—I suppose I was appointed by the Chief Commissioner.

38767. Had you served previously in this province?—The province was created when I was at home on furlough, but I had been before in what is now the province since 1890 when it was part of the Punjab.

38768. What is the size of your district in square miles?—I have not a notion.

38769. What is its population?—I do not know.

38770. How many subordinates are there in your district? Have you an Assistant Commissioner?—I have an additional District Magistrate as my first Assistant; I have a City Magistrate; I have an Assistant Commissioner in charge of the Naoshera sub-division; I have an Assistant Commissioner in charge of the Charsadda sub-division, and an Assistant

Commissioner as Commandant of Police. I have also an Extra-Assistant Commissioner as Treasury Officer. I have also an Extra-Assistant Commissioner as a Revenue Assistant and I have two Extra-Assistant Commissioners at Mardan.

38771. Have they charge by territorial areas or by subject?—Territorial.

38772. Who is there below them?—The tahsildars come next. I have five tahsildars; there are five *tahsils* in the district.

38773. Who are the officers below them?—Naib-tahsildars.

38774. Can you appoint a tahsildar or a naib-tahsildar or transfer them?—No.

38775. Have you no power over them?—No.

38776. Who is the officer below a naib-tahsildar?—A kanungo.

38777. Do you appoint and move them?—Yes.

38778. You say that there is certain amount of interference with the Deputy Commissioner's orders by superior officers—what do you mean exactly by that?—I mean that there is no order which I can give with regard to any person, whoever he may be, that cannot be appealed against in some form or other, and if a man does not care to accept an order as the order of the Deputy Commissioner, he can appeal against it.

38779. Is that with regard with revenue matters alone?—That is with regard to all matters.

38780. Then in all matters you think you have no power at all?—Yes; very nearly.

38781. (*Sir Frederic Lely.*) In every district in this province are there recognized sub-divisions?—Yes.

38782. In each sub-division is there an Assistant in charge to whom are delegated practically all the powers of the Deputy Commissioner, or what are his relations to the Deputy Commissioner?—In the Peshawar district there is a sub-division with headquarters at Mardan which is in charge of an Assistant Commissioner.

38783. Is there only one sub-division to a district?—No, but this is a special case which is differently treated from the others, and for some years past now there has been an Assistant Commissioner in charge of Mardan with practically the full powers of a Deputy Commissioner; as regards the other sub-divisions they have not the same powers as a Deputy Commissioner by any means.

38784. Do you delegate powers to the Sub-Divisional Officer at Mardan at your discretion or is the delegation made by the Chief Commissioner?—The delegation is made by the Local Government.

38785. Have you no discretion whatever as to the powers which may be exercised by him?—I can confer some powers upon him under the Frontier Regulations of my own accord.

38786. Does he live in his sub-division or does he live at headquarters?—In the Peshawar district the Naoshera man lives at headquarters. The Charsadda man does not live at headquarters. Practically with one exception they live in their sub-divisions.

38787. Are they all First Class Magistrates?—They all have powers as such.

38788. They take criminal appeal work?—The Assistant Commissioner at Mardan has appellate powers.

38789. Practically are they responsible for the work of the administration each within his own sub-division?—No, not in the least. To take an instance the Assistant Commissioner in the Charsadda sub-division does practically no work at all; the revenue work is done by the Revenue Assistant.

38790. Who lives at the headquarters of the district?—Yes; he lives there, but he spends the greater part of the year touring, and with regard to the ordinary Assistant Commissioner the only revenue work he does is the revenue case work which is sent to him.

38791. Has he nothing to do with the collection of the revenue?—No; with the exception of Mardan, which is treated specially; there the Assistant Commissioner does the whole of the revenue work.

38792. Is the Sub-Divisional Officer the superior of the tahsildar, and does the tahsildar look to him for orders on every point?—No. I should say not.

38793. In revenue matters has the Sub-Divisional Officer no control over the tahsildar?—None.

38794. What, as a class, is the character of the tahsildar—is he efficient and reliable?—They vary: some are very reliable and efficient, and some are the very reverse.

38795. Does the naib-tahsildar belong to the same class?—Yes.

38796. And then comes the kanungo?—Yes; who belongs to a totally different class.

38797. Has the Sub-Divisional Officer any authority over him at all?—No, I do not think he ever knows him or sees him.

38798. Who is his immediate superior, the Revenue Assistant Commissioner?—The Revenue Assistant Commissioner and the Deputy Commissioner.

38799. Then below him have you patwaris?—Yes, they are paid in grades.

38800. Are they sufficiently paid to secure efficiency?—Yes; they are sufficiently paid on the whole.

38801. What is your opinion as to them as a class?—Very moderate.

38802. What remedy can you suggest for improving them?—It is no use increasing their pay—that will not increase their efficiency; it is generally the idea that if you increase a man's pay you will attract a better stamp of men, but in this case I do not think you will.

38803. Are they hereditary?—Very much so; most patwaris put their sons in as candidates to start with.

38804. Have they any legal right of inheritance?—I do not know that they have any right, but if it is a question between the selection of a patwari's son and an outsider, the appointment is given to the patwari's son in preference to the outsider. A recommendation is made by the Revenue Assistant, and the order of appointment is passed by the Deputy Commissioner.

38805. Is there no qualification necessary?—Yes; when a man starts as a patwari he has to pass a patwari's examination, while he is a patwari assistant or candidate.

38806. Does he get a probationary nomination subject to his passing the examination?—Yes.

38807. Does that produce as good a class of men as it is possible to obtain?—No, not as good as it is possible to obtain, but as good as is required.

38808. And you have no improvement to suggest?—No; not as regards patwaris.

38809. (*Mr. Dutt.*) Is there a *tahsil* generally in each sub-division?—There is always one *tahsil* in a sub-division, and generally more; a sub-division generally contains two or perhaps three *tahsils*.

38810. Do those tahsildars exercise civil as well as criminal and revenue powers?—Yes.

38811. Do the Sub-Divisional Officers try civil, criminal, and revenue cases?—Yes.

38812. Does the Sub-Divisional Officer hear appeals from the tahsildar?—No, except at Mardan.

38813. Ordinarily, when there are appeals from a tahsildar, who hears them?—The additional District Magistrate in criminal cases, and in civil cases the same officer, who is then called the District Judge.

38814. And revenue appeals?—They go to the Deputy Commissioner.

38815. Is the patwari the man who collects the land revenue in his own village?—The patwari is the village accountant; the *lambardar* collects the revenue and pays it into nearest treasury.

38816. Is there a treasury for each *tahsil*?—At each *tahsil* there is a sub-treasury.

38817. Is the land revenue collected in the gross for a whole village or is it collected individually from each cultivator?—From each holder.

38818. Is the settlement here generally for 20 years?—Yes.

38819. Have you much irrigation in this district?—Yes, a great deal.

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38820. Is there a separate irrigation rate?—Yes, called a water-rate.

38821. Has that been amalgamated with the land revenue?—No, not in the majority of cases.

38822. Is the Irrigation Department under the Canal Engineer?—It is a separate department altogether, and the rate is collected by what is known as the Irrigation Department.

38823. Has the Deputy Commissioner any voice with regard to the distribution of irrigation water?—Not in the case of canals and the Irrigation Department, in an ordinary way, but if he found reason for calling the attention of the Irrigation Officer to anything which he thought was not right he would do so; in the ordinary course of events he has nothing to do with it.

38824. Suppose a large number of cultivators came to you and said that their crops were drying up because they were not getting sufficient water, would you make an enquiry from the Irrigation Department?—I should send that on to the Irrigation Department and ask the officer in charge to kindly consider the application.

38825. Would he in that case inform you of the action he had taken?—Not unless it was a rather more important matter than usual. He is generally inundated with petitions, because no cultivator ever admits that he has enough water.

38826. Is it desirable that the Deputy Commissioner should have a little more control especially with regard to the distribution of water which is a very important thing for the cultivators?—No, I do not think he should have any more control as far as the distribution of water goes.

38827. Have you any reserved forests in the Peshawar district?—Yes; we have a small reserved forest.

38828. Have you also protected forests?—That is a protected forest.

38829. Is there not a distinction made between reserved and protected forests?—Yes, there is what is called Block A and Block B in this district. One is absolutely reserved and nothing is allowed to be done in it at all—that is Block A; and in Block B certain things are allowed, like grazing of cattle aud the collection of dead wood, and so on.

38830. Who is the officer in charge of these forests in this district?—We have a superintendent of forests.

38831. With regard to Block B, would you have any voice as to making rules?—The forest is entirely under the Deputy Commissioner; there is no Forest Department here at all.

38832. You are the Chairman of the District Board here. What, approximately, is the income of the District Board?—I should say about Rs. 65,000, but I really do not know.

38833. Is the income derived from the cess levied on land?—It is derived from the local rate.

38834. Is it supplemented by a Government grant?—In recent years we have had some supplemental grants, but they have been special cases, and cannot be relied on every year.

38835. Have you a sufficient staff of men to look after the construction and repair of those roads?—Yes; but I have not enough money to keep the roads up.

38836. Is primary education also undertaken by your District Board?—Yes.

38837. Have you sufficient money for primary school purposes?—The Education Department never seem to think that we give them enough, they generally find fault with their school buildings and appliances and everything they can. I do not think we have enough money.

38838. As far as primary schools are concerned, do you hand the money over to the Education Department and allow them to look after the schools?—No; the details pass through the District Board's accounts.

38839. Is the actual inspection of the village schools done by the Board?—It is done by the District inspector of schools and the officer in charge of education.

38840. Is the inspector an officer of the Education Department?—I am not quite sure where we get him from.

38841. (*Mr. Meyer.*) Is your Sub-Divisional Officer concerned purely with case work—revenue, criminal and civil?—He is concerned more or less with everything—it may be veterinary matters or excise, or any matter of any kind, but the majority of his work is case work.

38842. You say he is not concerned with the collection of the revenue, but does he go round and report on the state of the crops?—No; it is not laid down anywhere that he is to go round particularly and report to anybody regarding the state of the crops.

38843. What is done in practice? Do you get some assistance from your Sub-Divisional Officers with regard to the ordinary executive revenue administration, apart from case work?—You can get as much assistance out of them as you choose: you can depute them to go and make any enquiries with regard to anything; you can practically order them to do whatever you think necessary.

38844. In practice do you rely on your Sub-Divisional Officers in these matters, or do you work chiefly through the Revenue Assistant?—We work chiefly through the Revenue Assistant.

38845. Have you any veterinary work here under the District Board?—Yes.

38846. Does the District Board manage that work or is it done for them?—It is supposed to be managed by the District Board, but like most other things it is entirely managed by the Deputy Commissioner.

38847. Not by an outside department?—No. We are assisted very much by the Superintendent of the Civil Veterinary Department in whose circle we are.

38848. Then it is the Board nominally, but the Deputy Commissioner practically, who has the matter more or less in his own hands?—It is very much worked by the Deputy Commissioner, together with the Superintendent of the Civil Veterinary Department. In fact we go so far that the Superintendent appoints the veterinary inspectors and assistants; I do not appoint them because it is a technical matter for the department; they appoint, transfer, and dismiss them.

38849. Do you appoint schoolmasters?—No. It is left to the officer in charge of education.

38850. Do you have much to do with medical relief, or is it managed entirely by the Civil Surgeon?—That is likely the veterinary business, and is managed entirely by the Deputy Commissioner with some slight assistance from the Civil Surgeon.

38851. Is there any rule ear-marking the revenues of the Board for specific purposes—have they to give so much per cent. for education and so on?—Yes; they are supposed to do so.

38852. Is that a definite instruction?—Yes.

38853. Can you give the percentages?—No; I am afraid I cannot.

38854. As a matter of fact is the amount they can spend at their own discretion comparatively small?—Very small indeed, and quite inadequate for the requirements.

38855. Does the same thing apply to the Peshawar municipality?—No; the Peshawar municipality is rich.

38856. But has it to spend a certain percentage of its revenue on certain services and so on?—No; except as to education, and under the peculiar circumstances of Peshawar we do not attempt to spend anything like that proportion of our income on education.

(*The witness withdrew.*)

MAJOR D. B. BLAKEWAY was called and examined.

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38857. (*Chairman.*) You are Deputy Commissioner at Bannu?—Yes. I have been there since 1903, with the exception of 18 months' furlough at home. I was appointed by the Chief Commissioner.

The real and actual authority exercised by Deputy Commissioners in this province is quite sufficient. It is in fact ample and more than ample. For the purpose of increasing his influence and importance, our system of government requires no modifications, neither in respect of limiting the right of appeal against the Deputy Commissioner's orders, nor in extending his administrative powers, except in the direction of enlarging his powers of reward. The flaw in our administrative system is not the weakening of the Deputy Commissioner's powers and the diminution of the respect in which he is held. The real defect is that our District Officers are overburdened with office work. They are unable to wield their authority to the best advantage. They are unable to make friends with, and thereby cement the loyalty of, the leading men by a patient personal hearing of their grievances and frequent oral intercourse with them. They are unable to know the people in general as they should; neither are the people able to surmount the *chevaux de frise* of documents, ink-pots, and pens with which Deputy Commissioners are surrounded and get to know them. In short, they no longer efficiently fill their former positions of connecting links between the Government and the people. In this is a serious danger which time will accentuate, for the burden of office work and correspondence is continually increasing. Facts and figures can be given showing the considerable extra work thrown on District Officers since the separation of this province from the Punjab in the matter of new Acts, rules, and circulars alone. Locally it may be mentioned that in the Bannu district correspondence has increased though the district has been halved in size. These statistics form a striking commentary on the Government's anticipations regarding "the wider liberty of action and leisure for intercourse with the Pathan peoples" to be enjoyed by officers of this province.

A constant tendency exists on the part of Government towards increasing the complexity of work and an equally constant disposition towards regulating it in its minutest details. There is a tumultuous torrent of new resolutions, Acts, regulations, instructions, circulars and rules, due to our uncontrollable desire to legislate and expound our legislation to a bewildered public. As some check upon this tendency, new legislation should be invariably discouraged while no fresh rules or circulars should be published by any Inspecting Officer unless a Board composed of the Heads of Departments in the province is satisfied of their necessity.

A number of unnecessary references required from the Deputy Commissioner may be done away with in revenue work, a few in general administration, and a number regarding contingent expenditure. The Deputy Commissioner should be relieved absolutely of all responsibility for the Government treasury and its complicated accounts. The treasury business should be managed by officers of the Accounts Branch, instead of by officials provided from the district establishment. A system of peripatetic audit should be substituted for the Deputy Commissioner's supervision.

With respect to the existing very liberal right of appeal, the Deputy Commissioner's influence has not been weakened by it, but it entails a vast amount of entirely superfluous writing. Curtail the right of appeal and you curtail the waste of time by the District Officer and incidentally, though this is of less importance, you curtail the waste of time by the appellate authority. In cases connected with village administration, new hamlets, menial labour, and the appointment of night watchmen, the Deputy Commissioner's order might be made final. All administrative cases involving property or interests affecting property belowa certain fixed value should be finally decided by the Deputy Commissioner, unless he saw fit to grant a certificate of appeal. Various amendments might be introduced into the Frontier Crimes Regulation making the Deputy Commissioner's orders conclusive in cases under sections 40–41 (security cases) and section 8 (civil references to tribal councils). At present any official down to an office sweeper drawing Rs. 5 per mensem can appeal to a Lieutenant-Governor of a province. No official on the district establishment whose pay does not exceed Rs. 25 should have the right to appeal against a Deputy Commissioner's orders. In the same way Rs. 50 should be fixed as the limit in the case of an appeal from the Revenue Commissioner to the Chief Commissioner. *Mutatis mutandis* I would apply these rules generally to other departments.

I am of opinion that the reduction of the size of charges is not generally necessary or advisable. The work of a Deputy Commissioner in a district does not vary according to its extent, but according to the diversity of its problems. Unless there are well-marked differences of races and religions, or of law and of customs obtaining in definite areas in a district, there is not much advantage to be gained from decreasing its area. If the staff be increased, then the Covenanted European staffs should be strengthened. Native Extra-Assistant Commissioners acting as Magistrates are disinclined to exercise responsibility, and their appointment will entail references to the Deputy Commissioner as usual. I strongly recommend the appointment of a personal assistant for the Deputy Commissioner in each district. He would be of assistance in a long list of routine matters, in report writing and correspondence, and save the waste of time by the Deputy Commissioner. He should be a European Covenanted Officer. If financial considerations prevent this, then a Native Extra-Assistant Commissioner of experience must be accepted.

Advisory Councils, for the assistance of the District Officer, are not required. Municipal Committees and the District Boards already exist, and can always be consulted when necessary. In a private interview, however, much more can be elicited of advantage to a District Officer in his relations with the people than in a public meeting. The one fact upon which a Deputy Commissioner relies in his attempts to get at the opinions, wishes, and prejudices of the people, is that the men consulted by him are sure that the candid expression of their opinion will not cause them harm or rouse resentment on the part of others. This would not be the case in a public Council, which would eventually become a purely formal body, and be of no more real use to the Deputy Commissioner than a provincial *darbar* in its ceremonial meeting is to the Head of the province. I am equally opposed to the formation of Administrative Councils in districts. Unreasonable delay would occur in the disposal of district work in its multifarious aspects if orders, other than those of a routine nature, had to await the sanction of the administrative body. The distribution of authority would lessen the sense of responsibility under which a Deputy Commissioner now acts.

The powers of punishment of the Deputy Commissioner are as comprehensive as his personal powers of reward are limited. At present the only method of recompense open to him on his own initiative is the grant of cash from political funds for political service, and this method even is peculiar to this province. It would be of much advantage if the Deputy Commissioner could grant small assignments of revenue during the term of settlement (if not for life) for good and loyal service, as a tangible and recurring sign of the approval and good-will of the ruling power. I would fix the annual number of assignments in a district at two or three, and the limit of the value in each case at Rs. 15 a year for the term of settlement.

As I am not in favour of the grant of more extended powers to Deputy Commissioners, except to bring them into closer touch with the people, whether their appointment in future will depend on seniority or selection, is not a matter of importance from my point of view.

Transfers of officers are objectionably—I cannot say unnecessarily—frequent. In my district in three years (since 1905) there have been seven changes in the office of District Judge; four changes in the office of Commandant, Border Military Police; six changes of Extra-Assistant Commissioners; two changes in the office of tahsildar, Marwat; two changes in the office of tahsildar, Bannu; six changes in the office of naib-tahsildar, Marwat; and four changes in the office of naib-tahsildar, Bannu. The changes are due, no

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doubt, to the smallness of the *cadre* and the limited number of appointments in this province. An increase of staff can only remedy this, but certain appointments (such as those of Deputy Commissioner and District Judge) might be made tenable for a fixed period, as in the case of the higher administrative posts.

On the whole, the knowledge of Executive Officers of the vernaculars is insufficient. It is as a rule a departmental knowledge with departmental vocabulary acquired with effort after their arrival in India. Facilities for acquiring Eastern languages in English schools and colleges are lamentably lacking. In India the most important reform required is the provision of better instructors for junior officers. I suggest the utilization of the services of trained teachers in the schools and colleges of Government and local bodies, who should themselves be instructed at the various institutions for the training of teachers in scientific methods of imparting a knowledge of their own languages.

I do not support the extension of the powers of District Boards and municipalities except in a few not very important particulars. They must first be taught to take an interest in the powers which they possess.

There are certain matters connected with revenue and police, affecting villages as a whole, which I would gladly make over to village communities for disposal. The population, however, in this province at all events, is so unscrupulous and so split up by faction, that there would be no guarantee against the oppression of the weaker by the stronger party. Similarly the backwardness of the people must prevent their investment at present with educational and sanitary powers. As regards the establishment of rural Courts, theoretically the idea is excellent, but I am doubtful whether such Courts would command the confidence of the people. The system of compulsory arbitration in civil cases, and reference to a jury in criminal cases, now practised is only possible owing to the watchful supervision of the District Magistrate. As it is, corruption is prevalent. However, there is no reason why rural Courts should not be tried experimentally for the disposal of civil (not criminal) cases in selected districts. I would make recourse to the rural Courts entirely optional; limit their powers to the disposal of suits not exceeding Rs. 50 in value, which would include a vast amount of the litigation of this province; lay down a few very simple rules for their procedure; have no written record, but merely a register for the record of their decisions; have the decrees executed through the Munsif's Court; allow no appeal, but give the District Judge power of revision: exclude pleaders; and remunerate the members (to be not less than five) of the Courts by revenue free assignments of small value, to enhance their status and give them an inducement to avoid loss of their position through misconduct.

38858. What is the size of your district?—2,000 square miles, with a population of 230,000.

38859. Can you move your subordinates?—Certain of my subordinates I post, but others I do not.

38860. Which of them do you post?—I post patwaris, kanungos, and the clerical staff of the district offices and Courts, with the exception of three officials whose appointment requires the approval of the Revenue Commissioner. In the Education Department I post schoolmasters. I also post Local Fund officials generally and municipal subordinates. Those are the chief appointments made by me.

38861. Have you no power either to post or transfer your tahsildars or naib-tahsildars?—I have no power at all over them; they are appointed for the province without reference to me.

38862. From what class?—They are selected from officials of approved service, landowners of good position, and from members of the educated classes, subject of course to a certain examination.

38863. A witness yesterday desired to see the class of Statutory Civil Servant resuscitated; have you any opinion on that point as far as this province is concerned?—No; I have no opinion; I never had any acquaintance with the Statutory Civil Service.

38864. Would you agree with the last witness when he said that the Deputy Commissioner was quite unable to give an order to anybody which he could get carried out without an appeal?—That is practically the case; there is practically no order of the Deputy Commissioner which is final.

38865. In revenue matters?—In any matter—administrative, revenue, or any other—there is practically no order of his which is final.

38866. Although that may be the case in theory, is it in practice?—In practice it is a matter of individual idiosyncracy; a good Deputy Commissioner should be interfered with very little and get very few of his orders upset. On the other hand, an interfering Commissioner may be constantly altering orders. A man who trusts his officers will not intervene very much. As regards rules and regulations and laws, there is no order of the Deputy Commissioner which is final.

38867. You say in your evidence, "For the purpose of increasing the Deputy Commissioner's influence and importance our system of government requires no modification." Does a system under which the officer who is responsible for 2,000 square miles of country, in which no order of that officer is final, require no modifications?—My reasons for that view are based very considerably on the native character. The native is a great believer in the power of recommendation—in the power of unofficial influence; you see it everywhere. A man will bribe your *chaprassi*, who has no power whatever over your decisions. In the same way the Deputy Commissioner is looked upon as a person of influence and authority, and whatever his orders may be, very frequently they would hesitate to appeal against them simply and solely because he is a big person in their eyes.

38868. So that, practically, although under rules and regulations you may not be able to give a final order, in practice you get what you want?—Practically you get what you want; your influence is quite sufficient in a district.

38869. That is the reason why, at all events in this province, you think your position wants no modification?—Those are the main grounds.

38870. Then you say that the District Officer is overburdened with office work, and apparently that is due to correspondence increasing; correspondence with whom?—Correspondence with all the various departments of Government, that is to say, the general correspondence of the district. In my particular district, Bannu, the district was halved in size when the Frontier Province was inaugurated. In spite of that correspondence has increased, in Local Funds and in political matters; and in the General Branch, though the correspondence has diminished, it is owing to the fact that the district has been under settlement. The settlement is now finished, and there is every probability that the correspondence will be considerably greater than it was at the separation of the province from the Punjab.

38871. Were you Deputy Commissioner here before the province was inaugurated?—I was Deputy Commissioner in Hazara.

38872. Are the Hazara district and the Bannu district comparable in size and population?—No; they are very diverse—in population. in size, in the physical configuration of the district, the character of the people, and everything.

38873. Therefore you could not very well compare your experience in Bannu with your experience in Hazara?—No.

38874. You refer to Acts, rules and regulations; do these emanate from the Local Government or from the Government of India?—The Acts, of course, emanate from the Government of India, but the rules and regulations are issued I believe to a very large extent by the Heads of Departments in the province, following upon and explaining those Acts.

38875. And these circulars?—Those are similarly issued by the Heads of Departments.

38876. Do you refer to the Revenue Commissioner?—The Revenue Commissioner, the Judicial Commissioner, the Administrative Medical Officer, the Inspector-General of Education, the Inspector-General of Police, (I do not think he has been responsible for many)—in fact, all the various Heads of Departments.

38877. Do these people all send you circulars?—They send very frequent circulars.

38878. Have you got any samples of them?—Printed circulars issued by the Judicial Commissioner up to date, since the formation of the province in 1901, number 27. Revised revenue circulars issued by the Financial Commissioner, Punjab (which apply, *mutatis mutandis*, to this province), 50; circulars issued by the Revenue Commissioner, practically innumerable, though the serial number on a recent circular was 6,038; circulars issued by the Administrative Medical Officer, 40 (but only 19 of those have been sent to me); circulars issued by the Accountant-General, 302; agricultural circulars, 7.

38879. Have you to acknowledge the receipt of all these circulars?—It is not the acknowledgment of the receipt which takes time; it is mastering the circulars containing instructions and applying them.

38880. But apart from that, do you have to acknowledge their receipt?—I think it is taken for granted that they arrive. Then there have been an enormous number of rules; rules under the Co-operative Credit Societies Act; rules under the Punjab Court of Wards Act; "Tirni" Rules.

38881. What are they?—They relate to the grazing fees which are recovered from trans-frontier people. To continue, rules for the maintenance of Sheriff's registers; rules for the repayment of advances for agricultural improvements.

38882. Have you many co-operative credit societies in Bannu?—No; we tried one but it is not flourishing. To continue, rules under the Land Alienation Act; rules under the Excise and Opium Acts; and a vast number of excise Resolutions which have recently been published.

38883. Are many of these rules that are sent to you upon subjects which have no connection with your particular district?—A certain number are needlessly sent; for instance, I receive reports on the excise administration of Coorg.

38884. Sent you by whom?—They are distributed by the Local Government. You do not do anything with those, you simply file them; they do not trouble you. Then we have rules under the Poisons Act; rules under the Petroleum Act, which are so complicated that nobody can understand them; rules under the Stage Carriages Act; and finally rules under the Transport Animals Act. Most of these rules are very voluminous, and they require a lot of study if they are to be properly applied.

38885. By whom is this literature compiled?—It is compiled very largely by the Government of India. When I say very largely, I cannot say definitely the relative responsibility of the Local Government and the Government of India.

38886. From your study of these documents, would you say that they take a good deal of time to compile?—I should say an enormous time.

38887. And that might account for any congestion of business which there is at the headquarters of the Local Government?—It might certainly account for some of that congestion.

38888. Are you the Chairman of a municipality?—Yes, of the Bannu municipality.

38889. Is that a large one?—Not very large; its income is about Rs. 50,000; population including cantonments also liable to octroi 14,000, which is increased very largely owing to local circumstances. We hold a weekly fair.

38890. We were told the other day that at a place like Abbottabad it would be tolerably easy to find a non-official Chairman out of a population of 7,000; would you say that the same thing held true with regard to Bannu, with its population of 14,000?—By a non-official Chairman you mean a man who would exercise the same powers as myself. It would be very difficult to find such a man, and it would be a very dangerous experiment indeed to give him such powers. The people are not used as yet to any position of that sort; they are not sufficiently advanced; there is not the same standard of integrity which you would expect in a European officer, and there is not the same ability to resist recommendations on behalf of friends and relations in the district which an outside official possesses.

38891. How is it the municipality of Bannu constituted?—By nomination.

38892. Do they work by committees?—We have sub-committees.

38893. Are you Chairman of them all?—No; I am Chairman of none of them.

38894. Are most of your members officials too?—A certain number of the members are officials; for instance, the tahsildar, the Assistant-Surgeon of the place, and the Police Superintendent will be *ex officio* members, and so on. The principal headquarters officials, generally, are *ex officio* members.

38895. (*Mr. Meyer.*) Did you say that the circulars of the Financial Commissioner of the Punjab are binding on your province?—No; they apply after they have been revised by the Revenue Commissioner.

38896. They have no force *per se*; the Revenue Commissioner must endorse them?—Yes; they must issue through his office, he being the revenue authority for this province.

38897. You say you had about 300 circulars from the Accountant-General; what were they about?—They dealt with procedure—directions and instructions on matters of account.

38898. A great many of them simply communicate amendments to the Civil Service Regulations and the Civil Account Code?—Only a few in the case of important corrections; otherwise corrections are communicated by "correction slips."

38899. You say that you get a certain mass of literature that you do not really require. Is it not more of the nature of a daily paper that tells you what is going on in the official world around you?—That is one way of looking at it. It would no doubt be a convenient way of looking at things, if it were not that there were Inspecting Officers who are supposed to insist, as far as their duties will permit them, upon the carrying out of the rules issued by them, and included in this literature.

38900. You suggest that, to put a stop to this, no rules or circulars should be published by a District Officer unless they are approved by a Board of the Heads of Departments of the province. What would an Administrative Medical Officer know about instructions bearing upon agriculture, or *vice versâ*?—I suppose the same difficulty exists in the Council of the Government of India; each man has his own separate department, but, he has a general acquaintance with the various departments of Government.

38901. But when it comes to technical matters the Member in charge of the department is deferred to by his colleagues; in such a case as I put would not the Administrative Medical Officer let the Agricultural Officer issue as many circulars as he liked, provided that the Agricultural Officer in his turn did not interfere about circulars issued by the Administrative Medical Officer?—That would be a nefarious sort of contract; I trust that it would not occur.

38902. You desire that the Deputy Commissioner should be relieved of all treasury work putting the treasury work into the hands of an officer of the Accountant-General's Department. What would you do with the *tahsil* treasuries?—In the same way I would manage the whole of the treasuries in the province, that is to say as branches of one main bank.

38903. At present the system is that your bills are passed on what they call the post-audit system; that is to say, they are thoroughly audited later on in the Accountant-General's office. If you had the Accountant-General's office permeating the whole place, they might decline to pass your bills until the accounts were thoroughly audited?—The Accountant-General has introduced a system of that sort recently—at all events as regards your pay, as to which he distrusts you more than in anything else. You cannot draw an increase of pay until he has formally sanctioned it, although your name may have been actually published in the Gazette.

38904. That surely was always the custom?—No; we used to draw our pay directly our name appeared in the Gazette. Besides any charge which is over six months old has to be sanctioned by him before being paid.

38905. You say that in cases connected with village administration, and new hamlets, and the appointment of night watchmen, and so forth, the Deputy Commissioner's orders might be made final. Has the Deputy Commissioner no final powers now?—No.

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38906. Who passes these orders originally ; would it be the tahsildars?—No ; the Deputy Commissioner straight away ; on the recommendations of the tahsildars and subordinate revenue officials.

38907. You say the Deputy Commissioner's orders should be more final in regard to civil references to tribal councils ; what do you mean exactly ?—That is rather a technical matter. For this province there is a special Regulation—the Frontier Crimes Regulation. With a view to putting an end to disputes, the Deputy Commissioner is empowered to refer quarrels to a council of elders, which is nominated or supposed to be nominated, theoretically, from the men of the tribe to which the parties belong. This is what is called a civil reference to the *jirga*. The matters referred are usually not important ; they are generally cases connected with women, but sometimes quarrels over the payment of a debt between a trans-frontier man and a man within our border. As they are not important cases, and as they are decided by a council appointed from amongst the people themselves, these orders might very well be made final. At present they are subject to revision. In this province revision has been treated to a certain extent as appeal, as regards the Frontier Crimes Regulation ; that is to say, decisions have been set aside on facts, and not merely on points of law.

38908. Do you share the unfavourable opinion that was expressed by some witnesses yesterday about these *jirgas*? We were told that they were very often corrupt and that their decisions did not give general satisfaction—It is a system which requires to be worked with considerable caution ; but, provided that you have a Deputy Commissioner who knows the people and who has been some time in the place, it can be worked with fair safety.

38909. Would you extend the references to the *jirga* ; would you give them more ordinary cases?—No ; I would not extend the powers of the *jirga* at present.

38910. These *jirgas*, I understand, are not standing bodies ; each *jirga* is nominated for a specific purpose by the Deputy Commissioner?—Yes. And one of your safeguards, of course, is that in nineteen cases out of twenty you nominate your *jirga* with the consent of the parties.

38911. You do not think you could have anything in the nature of a standing *jirga*, which would be a sort of Advisory Council to the local officers, and could at the same time deal with any matters that were referred to it?—No ; that would be undesirable. You would not get a sufficiently honest body of men together, or men who would be able to resist the pressure which would be brought to bear upon them.

38912. Also is it that this is a democratic country, and you do not have sufficient men of light and leading that the others would respect?—No ; I do not think that that reason applies, because you always have a certain number of leading men in a district who have great influence.

38913. Have you any sub-divisions in your district?—We have no sub-divisions.

38914. Have you served in districts where there have been sub-divisions?—I have some six years ago.

38915. In that case is the Sub-Divisional Officer mainly employed in criminal and civil and revenue case work, and the actual administration of the district done directly by the Deputy Commissioner through the tahsildars?—That, again, is a matter which depends very much upon the personal equation, whether or not the Assistant Commissioner is a man who is keen on the work—whether he is anxious to gather all the threads of administration into his own hands, and so on. If he is, he will decide a lot of cases without reference to his Deputy Commissioner, and he will not be interfered with.

38916. You have no system such as is in vogue, for instance, in Madras and Bombay ; there the district is split up into sub-divisions, and each man is practically the Collector in miniature ; he deals with all the original work, and the Collector is a Controlling Officer, who hears appeals, goes about inspecting, and so on?—No ; that is not the case in this province.

38917. You speak of the desirability of giving a personal assistant to the Deputy Commissioner. Might it not be possible, as an alternative, to initiate a system of delegation of that sort, to relieve him of his original work a good deal, and to make him more of a Controlling Officer for the district as a whole?—Yes ; it might be a possibility ; and it would be a most desirable thing if it could be arranged.

38918. It would be decentralization?—It would be decentralization. In my opinion the Deputy Commissioner of the district should not be burdened with any original work of any kind ; he should be merely a Controlling Officer. It is his business to see that all the officers of the district do their duty properly ; if you choke him up with work, he has no time to go about and look into all the various branches of the administration.

38919. Speaking generally, one might say that if a decision of the Sub-Divisional Officer was appealed to the Deputy Commissioner and he confirmed the decision, there should be no further appeal?—Speaking generally, that would work perfectly well.

38920. It has been suggested that there might be one exception to that, in the case of a public servant ; that if you dismiss a public servant, his pay may be small, but it is a very serious matter to him, and in that case you might allow a second appeal ; would you be disposed to endorse that?—Yes ; subject to a limit of the amount of his pay ; you might fix the limit at any reasonable figure ; in the case of a public servant drawing Rs. 25 a month he would not be entitled to appeal beyond the Deputy Commissioner ; in the case of a public servant drawing Rs. 50, he might appeal to the Revenue Commissioner ; then the latter's order should be final.

38921. Still, the position of the Rs. 50 man is just as precious to him as the position of a Rs. 200 man is to that man?—I grant that, but you have to draw the dividing line somewhere, and the only way of drawing it and differentiating between the value of different public servants is by the amount of pay they draw ; there is no other possible way.

38922. As regards District Boards ; do you confirm the statement of the last witness that the revenues are practically all earmarked for specific purposes ; they have to give so much per cent. of their income for education, and so on?—Yes ; generally.

38923. What are the percentages?—The fixed minimum of income of the municipal funds payable is as follows: education, 10 per cent. ; medical relief, 18¾ per cent. The fixed minimum of the income of District Boards is : education 25 per cent., medical relief 12½ per cent., and to Government, on account of share in certain establishments, about 7½ per cent. of the local rate. Then there are certain fixed sums laid down for the upkeep of the veterinary hospital of the District Board by the Revenue Commissioner in consultation with the Head of the Veterinary Department, which is also earmarked. The District Board and municipality also contribute jointly to the veterinary establishment a certain fixed amount.

38924. So that practically they have very little to play with?—They have not very much.

38925. Is that the same in the Bannu municipality?—As far as I know, it is only the expenditure on medical relief, veterinary establishment and education which are earmarked in the case of that municipality.

38926. Would you be in favour of giving the District Boards and municipalities more latitude in that way, taking off these percentage limits and letting them dispose of their money at their own discretion?—No ; I do not think I should at present, because owing to the departmentalism in India, that minimum is a sort of safeguard. You have all the various officers of departments writing to you and saying, "Our department is being very much neglected, we want this and that and the other ;" and you are provided with a sufficient reply if you can say, "We have given the standard minimum." If you had no minimum of that sort their demands would be absolutely uncontrollable.

38927. Would you not be in a stronger position, even, if you could tell them to go to Jericho?—Yes ; if the President were made the supreme local financial authority. I mean, instead of budget allotments being made and being placed at the disposal of Heads of Departments, if allotments were made and the bills

against those allotments were submitted to the President for countersignature, and then placed in front of the Local Board for approval. This would strengthen his position, and would generally lead to the better working of the district.

38928. Does your Board vote certain sums for veterinary work, medical work, and so on and pass them on to the local Head of the Department in the district?—According to an agricultural circular (which deals with veterinary work), the yearly veterinary allotment is placed at the disposal of the Superintendent of the Civil Veterinary Department. An instance recently occurred in my district in which a small, but necessary, sum was paid by the Local Board. The bill was sent to the Superintendent of the Civil Veterinary Department, for approval, and he declined to approve it because he had not sanctioned the charge to begin with. The result was that he claimed, as it were, to be the countersigning authority for expenditure by the Veterinary Department, and that all power was taken out of the hands of the District Board.

38929. To sum up, you desire that the District Board, as it does in some other provinces, should get advice from these departments, but should have the final power of sanctioning and distributing expenditure?—Yes; that is exactly my position.

38930. (*Mr. Hichens.*) What are the rules governing the appeals of Government officers?—Any officer can appeal to the Chief Commissioner or Lieutenant-Governor of a province, no matter how small an official he may be.

38931. That is the effect, roughly, of the rule?—Yes; there is no limitation placed on his power of appeal.

38932. Suppose you did limit his power of appeal, could you prevent him petitioning the Government?—Yes; if I were the Head of a Government I would refuse to entertain his petition unless it was accompanied by a certificate from the officer whose order was appealed against that it was a fit case for appeal. I would also deprive him of the right of appeal to the Head of the province, unless he had a certain minimum of pay.

38933. Has not the humblest raiyat the right to petition his own Government?—Yes.

38934. And it depends on the good sense of the Government what notice they take of his petition?—Yes.

38935. You do not think that Government servants would feel it very strongly if they were deprived of a right which everybody else in the province possesses?—There would be a certain amount of dissatisfaction, as is caused whenever you take away a privilege from the people; but I do not think there would be any serious dissatisfaction.

38936. Not so strong as to nullify the benefits which would arise from restricting the right?—No.

38937. Does the Government give a grant to municipalities for primary education?—No. Recently, having been so fortunate as to have a large surplus, the Government of India have been distributing money with both hands to District Boards for Public Works, education, medical relief, and the veterinary department.

38938. The municipality pays 10 per cent. of the cost of keeping of primary schools, and does the Government find the balance (less the receipts from fees); is that the position?—No. The municipality keeps up the schools, after taking the school fees. As a matter of fact, in my particular district, fees are not levied from agriculturists, because the raiyats are so backward that if they had to pay a pice a month for education, no one would send his children to school.

38939. Then the Government provide nothing?—There is a grant to two indigenous aided schools in the district, but, generally speaking, the local body is responsible for the upkeep of the primary schools.

38940. How many schools are there in Bannu which are kept up at the expense of the municipality?—The municipality merely maintains entirely the high school in the city, which comprises both primary and middle departments. A contribution is also given to the Mission High School and three Indigenous Schools.

38941. Does that eat up the 10 per cent. of its revenue which you were alluding to?—We are paying a little more than our minimum.

38942. You say that the Government does make some grant in the case of the education which is controlled by the District Board?—The grant made by Government is a special grant which they have been giving recently to stimulate the extension of primary education in the district.

38943. By a special grant do you mean a non-recurring grant?—It is a grant which we have reason to expect will recur for the next three years, but we have no definite guarantee that it will go on after that; of course, we assume that probably it will.

38944. For example, in some provinces the Government undertakes to defray certain definite charges, say the salaries of teachers and so forth; that is not the principle here?—No. Those are paid by the District Board and the municipality. The only fixed grant is a trifling one under Rs. 200 to the District Board for education.

38945. The Board, practically speaking, has to provide all the expenditure less the windfall that they may happen to get from the Government?—Yes; that is the situation.

38946. Do the District Boards get any grants from the Government for other purposes?—They have had these special grants to which I have alluded and receive as well a vaccination grant. There is also a contribution by Government of one-twelfth of the land cess, but that is not for any specific object; it is a contribution for the general purposes of the Board.

38947. Is that all the Government assistance that they get?—Yes.

38948. That being so, do you think the Government comes adequately to their assistance?—I see no reason why for purely local matters we should make demands on the Government of India. Education possibly is a matter of more than local importance; you might in education demand a further grant, but not in the case of local Public Works, or medical relief, or veterinary improvement.

38949. Would the criterion be whether they had enough money to carry out the work efficiently; apart from education, which I suppose might be considered to be capable of absorbing almost an inexhaustible sum, have they got enough funds at their disposal to-day to keep their roads in a reasonable state of efficiency, to keep up a reasonable number of dispensaries, and any other Public Works which are necessary for the district and which are defrayed out of these funds?—Speaking as a District Officer, I should like to obtain more money; but, if you look at the matter from a reasonable point of view, we have a fairly sufficient amount of money for roads, having regard to the development of the district, the amount of traffic, and so on. We are a frontier district of course.

38950. The real thing would be to give them some more money for education?—I should like to see more money for education; I could devote it to the opening of a good many schools in my district which at present are not opened for want of funds.

38951. Would it be practical politics to increase the local cess for the purpose of developing education, or is it pitched at such a high figure that it would be undesirable to augment it?—I do not think we should augment it; it would occasion discontent.

38992. So that if anything is to be done you must fall back on the Government?—Yes.

38593. Are there committees of the District Council representing the various *tahsils* on the District Board?—No. The sub-committees of the District Boards are appointed for certain definite departments; there will be a sub-committee for finance, a sub-committee for Public Works, and a sub-committee for education; but, as a matter of fact, the official members are the backbone of the District Boards, and these sub-committees are merely appointed in response to pressure from above.

38954. How often does the District Board meet?—The District Board meets about six or eight times in the year; the municipality has a meeting once every month.

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38955. Do the members attend pretty regularly?—Fairly regularly; there is a certain fixed quorum which has to attend, otherwise the resolutions are not valid.

38956. One of the witnesses told us yesterday that in the past twenty years he had been extremely scanty in his attendance at meetings because he had been too busy; does that apply generally?—No; not generally.

38957. You would not recommend that *tahsil* Boards should be appointed?—No; I would not extend the powers of the District Boards at all at present.

38958. You would not have even local committees of the District Boards?—I think they are superfluous.

38959. From the point of view of efficiency, or from the point of view of developing public interest?—From the point of view of efficiency. As regards the point of view of developing public interest, it is a moot point whether public interest is developed by the fact that a man is called a member of the Sub-Committee on Finance.

38960. Are people ready enough to go on the District Board for the sake of gaining whatever distinction can be gained from the title of member of the District Board?—Yes; in the vast majority of instances that is the sole reason why they wish to be appointed, because it is a distinction, and carries a certain amount of honour with it.

38961. But the work interests them little or not at all?—Exactly.

38962. Is there any remedy for that?—Only the general spread of education; as the people get more educated they will take a greater interest in those matters. If a man is entirely illiterate, he can hardly be expected to take great interest in matters of administration.

38963. Is it a possible remedy to give them more responsibility gradually?—You mean to educate them up to it—that is certainly the attitude of the Government.

38964. To educate them up, not in the abstract, but in the concrete, by giving them definite pieces of work to carry out?—I have tried that system off and on for six or seven years, but I have not found very much result—not in the case of the Pathan community; Hindus are more advanced and better educated; it is possible, no doubt, to stimulate their interest by those means.

38965. You think that in this province, at any rate at present, very little result could be hoped for in that direction?—Exactly so.

38966. With regard to your powers of appointment and so forth as Chairman of the District Board and Chairman of the municipality; can you make fresh appointments without Government sanction, or create new posts?—I cannot create new posts without sanction of the committee or the District Board; and a schedule of establishment in the case of the committee has to be submitted annually for the approval of the Revenue Commissioner. The clerical staff of both local bodies has been decided recently by the Revenue Commissioner.

38967. Not even the post of a peon?—No; that has to be sanctioned in the same way.

38968. Would it be desirable that you should have powers of creating new posts, subject to budget provision, up to a certain small minimum?—I think I might have that power. Then again the question arises in respect of increasing the powers of local bodies with regard to appointments whether or not you are dealing with an amenable local body or whether you are dealing with a local body which is not amenable. By "amenable" I mean a local body which is willing to listen to the directions of the Deputy Commissioner and to do what he proposes. You might have a case in which there was a recalcitrant body, men inclined to make appointments of friends and relations, and appointments for reasons entirely unconnected with the benefit of the district. That would entail the possibility of the President having continually to step in and override the decisions of the body, if you were to give it these powers, and that would be undesirable. I do not know that, on the whole, I would increase the financial powers of the District Board at present.

38969. You think they are adequate as they are?—Yes.

38970. Does the budget go up for sanction?—Yes, to the Revenue Commissioner and on to the Accountant-General for sanction.

38971. Does it go to the Chief Commissioner or the Revenue Commissioner?—To the Revenue Commissioner.

38972. He sanctions it finally?—Yes; subject to objections by the Accountant-General.

38973. It does not have to be sanctioned by the Chief Commissioner?—No.

38974. Do you appoint the members yourself, or are they appointed by Government?—They are appointed by Government.

38975. Is that a sound precaution?—I think it is all right; it tends to dignity, certainly, when a man gets his appointment direct from Government; and in the great majority of instances the recommendations of the Deputy Commissioner would be accepted.

38976. (*Mr. Dutt.*) You have told us that the population of your municipality is about 14,000, and its income about Rs. 50,000?—Yes.

38977. That gives a rate of over Rs. 3 per head?—Yes.

38978. Are you sure of your figures?—I explained that there were certain peculiar local circumstances connected with the district. A Friday fair is held, and people flock in from all parts; we have had many questions on that subject, and much correspondence with Government. It brings in a large income from octroi.

38979. Have you sub-committees of the municipality which work in the different departments?—Yes; we have some.

38980. With regard to education?—Yes; we have a sub-committee on education, consisting of two or three members.

38981. Do they take an interest in inspecting the schools in the town?—As I have said, the Hindu community (and the population of Bannu is three-fourths Hindu) is considerably more advanced than the Muhammadan, and the consequence is that the same apathy which is shown in District Board matters is not shown in my district in municipal matters. The members of the municipality are, generally speaking, more enterprising and more interested in matters of local administration than the members of the District Board.

38982. You said that even the humblest man has the right to send up a petition to the Government of his country if he thinks he is aggrieved; and there have been cases in which action has been taken on such representations sent up by very humble clerks who have been dismissed. The only limit which can be placed upon sending up these memorials or acting upon them will be the good sense of the Government itself; there is no other possible restriction which can be placed upon sending up memorials?—There is always the limit which it is open to Government to impose, of requiring a certificate from the officer appealed against that there is some reasonable ground of appeal.

38983. I am not speaking of appeals, but of petitions sent by post; there cannot be any possible rule to stop people from sending petitions, or to stop Government from taking cognizance of such petitions?—No; you cannot issue rules to that effect, unless you issue orders to the post office to stop all correspondence.

38984. So that practically it comes to this: that so far as sending memorials is concerned, there can be no possible restriction placed, except trusting to the good sense of the officer to whom the memorial is sent?—That is so.

38985. Would not the result be that if you stopped people from appealing they would send memorials?—No. My point is that appeals add uselessly to the work both of local officers and the work of the appellate authorities. In the case of petitions, no extra work would be thrown on Government officers; people might write as many petitions as they chose.

38986. Government officers might or might not take notice of them, is that your point?—Yes; the Government officer who receives a petition might consign it to the waste-paper basket, or he might take action. He is bound to take action, that is to consider and pass orders on an appeal.

38987. You have mentioned certain restrictions; you do not recommend further restrictions beyond those?—No.

38988. The last witness told us that land revenue is collected by the *lambardar* of the village and paid in to the nearest treasury. Is the village collectively responsible for the land revenue due from the village, or is each individual raiyat responsible for the money due from him to the Government?—Each individual raiyat is responsible for what is due from him to the Government.

38989. There is no collective responsibility on the whole village?—It exists, but has never been enforced in any district in which I have served.

38990. Is the *lambardar* responsible for collecting the money from all the individual raiyats?—The *lambardar* or the *lambardars*, as the case may be in each village, have a certain portion of the village assigned to them for collection, and they collect and deposit in the treasury that amount. The *lambardar* himself is responsible, and he deposits it in the sub-treasury or treasury.

38991. Suppose he fails to do that?—Suppose he is unable to do that, the procedure is that he applies to the tahsildar for the issue of a writ or a warrant against the defaulter.

38992. So that practically the system here is the same as in Bombay and Madras—the raiyatwari system; each cultivator is responsible for the revenue due from him to the Government?—Yes.

38993. One witness told us yesterday that so far as the collection of water rates is concerned, some degree of control of the District Officer over the distribution of the water is desirable; what is your opinion upon that subject?—We have already practically absolute control in my district. Recently a certain Act called the Minor Canals Act has been applied to this province; that empowers the Deputy Commissioner to do all things he may consider necessary for the proper control and maintenance and management of the canals which are scheduled in that Act.

38994. Does that include the distribution of water?—It includes the distribution of water, subject to the fact that if you extinguish water rights you pay compensation to the person who loses those water rights.

38995. Does that refer only to minor canals or to all canals?—That refers only to minor canals.

38996. Not to major works?—I have no experience of major works; it refers to minor canals in my district.

38997. I understand that there is a distinction made between what you call A and B forests, one being reserve forest, in which no kind of rights are allowed, and the others being forests in which there are pasture rights and grazing rights and other different kind of rights. Have you sufficient control over the administration of these forests in your district?—I have no forests in my district.

38998. You have some experience of forest administration in other districts in this province?—I had seven years ago experience of forest administration in Hazara, but I do not think my opinion is really of great value.

38999. Besides those primary schools which are maintained or aided by the District Board itself, are there any indigenous schools in the district?—Yes; there are six indigenous and two zamindari schools.

39000. Are they entirely maintained by the people or by the zamindars?—They get a grant-in-aid if they come up to a certain educational standard and have a certain number of pupils.

39001. Do you impose upon them the condition that some sort of secular education must be included in the curriculum?—Yes; they must comply with the demands of the Education Department according to the curriculum.

39002. Are they schools where only the Koran is taught, and before you give any sort of aid do you insist on their giving some sort of secular education?—Yes.

39003. Has that helped to spread primary education?—Yes; I think it is a good system. You grant them a little aid, and you gradually work up the people to liking education, and you break down the hostile influence of the *Mullahs*.

39004. (*Sir Frederic Lely.*) I take it that you attribute the fact that the Deputy Commissioner has sufficient influence in these parts to the deference which is shown to his office by the people in the province?—It is the deference shown to his office, and also that he is the initiator in most cases of recommendations for rewards and honours and so on; he has a great deal of power in that way.

39005. But whatever the feeling is, in these modern days does it not tend to diminish?—It tends to diminish, not to increase.

39006. As it diminishes will not these rules and technicalities that you speak of tend to press more injuriously?—Yes.

39007. You refer to the numerous transfers of officers, to the smallness of the *cadre* and the limited number of appointments; does that not mean, in a nutshell, that they are owing to the province being an *annexe* of the Indian Political Department?—Yes; that is what it amounts to.

39008. Have you anything to suggest on that subject?—I have nothing to suggest except that you might make the appointments of Deputy Commissioner and District Judge tenable for a certain number of years, as in the case of higher appointments. You might make them tenable for four or three years, as the case might be, and only allow the officer holding such an appointment to take privilege leave or leave on urgent private affairs during that time.

39009. You would couple the acceptance of the post with an undertaking not to ask for promotion even if a place with higher pay were vacant in the meantime?—Yes; that would carry with it, no doubt, the provision that the post should be made attractive.

39010. You have lived among the people for some years?—I have been a District Officer for some years.

39011. Do you travel about in your district?—Yes.

39012. And you know the people fairly well?—I know the people, I should think, very well.

39013. When you have a chance of visiting a village you take the opportunity of enquiring into their affairs and taking a kindly interest in them?—So far as opportunity is afforded me; as a rule I am doing office work.

39014. Do you know a good many of them personally?—Yes.

39015. Is there any reason whatever to suppose that the natives resent an English officer conversing with them?—No, not if he is a Deputy Commissioner; it is a dignity to a native of the district to be talked to by a Deputy Commissioner.

39016. But if he is an Englishman of courtesy and sense, would they not equally do so, whether he was a Deputy Commissioner or not?—No; not always. I am only talking generally and according to my own experience, but in many cases we are no doubt unpopular.

39017. Unpopular in what sense?—Unpopular because we are *kafirs*.

39018. Do you mean to say that on account of that unpopularity they do not care to associate with us; I am speaking now of the villager?—Of course, one has to remember that the Pathan is a man who is a bigoted and a fanatical Muhammadan, and we are Christians. He will show deference and politeness to you because you have an official position; the Oriental is naturally a courteous man; but no doubt some of them will let their feelings get beyond them, and they would object to you on account of religious and racial differences.

39019. On the whole, you think that if an Englishman does go into a village, the latent feeling in most of them is that the less they see of him the better?—I should say that that is the feeling in a certain number of them, not in the majority.

39020. Would the general feeling be one of resentment?—No, not in the majority of cases. As I say, that feeling would be confined to those people who were more fanatical and uncouth than the others; the general experience when an Englishman talks to a native is that the native is quite ready to talk to him.

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39021. Would it be better and more conducive to real cordiality for Englishmen to keep away from the villages?—No.

39022. What proportion do you think the bigoted people would represent in an average village?—I could not say. The villagers are in the hands of the *Mullas*, and it depends upon the opinion of the latter. In one case you might have a well-disposed *Mulla*, and in another you might have a man who was not well disposed towards the Government.

39023. What would be the general maxim which you would lay down for the guidance of a District Officer; would you say that it would be better for him to keep away from the villages?—No: because I think the mere fact of an official of the Government talking to a man, whether or not his feelings were hostile, would be considered an honour by him, and to this extent appreciated. It is a sign of interest on the part of the authorities, and in any case it is essential that a District Officer should know his people.

39024. But if he thought an officer was a nuisance would it be not advisable for him to keep away?—I do not think so; the honour which he would consider conferred upon him by holding a conversation with you would outweigh in his mind any hostile feelings which he might have towards you at the time.

39025. In a case like that, when an English officer visits a village would there be any danger of his taking sides?—No.

39026. Or would it lead to his even being suspected of doing so?—No.

39027. May I take it that what you have said refers only to this particular province?—No.

39028. Do you know anything about the rest of India?—Very little.

39029. When you speak of bigoted Muhammadans are you referring to the state of things in this particular province?—I am referring to the state of things which exists with the people here who are under the influence of their priests.

39030. Who have, I suppose, a distinct character of their own?—Yes.

39031. (*Chairman.*) Would it not be very unsafe to infer anything from their attitude, as to the attitude of India generally?—Yes.

39032. You said that if a charge was more than six months old the Auditor could prevent you paying it?—Yes; you have to get what is called a pre-audit sanction, except in three cases.

39033. Does that six months date from the time when you receive the charge or from the time when the charge originally accrues?—When the charge falls due.

39034. Do you mean when the bill is presented to you?—Yes, from the date when the charge falls due to the date when the bill is presented to the treasury.

39035. What is the basis of your revenue here—is it on the growing crop?—Various matters are taken into consideration. There are what are called half-nett assets, then there are crop rates, and soil rates, etc., and all these various factors are considered together, and the amount which the people can pay is decided.

39036. Is that settled for 20 years?—Yes; in my particular district it has been settled for 20 years subject to revision at the end of that time. The period therefore is not definitely fixed.

39037. Have you power to make remissions?—No.

39038. Or to make suspensions of revenue?—No; I have no power.

39039. Would it be a dangerous power for the Deputy Commissioner to exercise?—No; it is a power which he ought to have.

39040. At present you have to send to the Revenue Commissioner for sanction?—Yes.

39041. Has not the Court of Wards Act been applied under the Punjab Act?—Yes, but I have no wards in my district.

39042. If any road or other work has to be undertaken have you, as Deputy Commissioner, power to say to the Engineer of whatever grade he may be, "This is the work which must be first taken in hand" or "That is the work which must be first taken in hand"?—At the commencement of each year a budget of major works necessary in the district is framed and submitted to Government by the Public Works Department, and sent to the Deputy-Commissioner for his approval and concurrence. It is then sent to Government, and Government make their own arrangements for allotting whatever money is available for the district.

39043. When those works have been approved by the Government, who selects the order of priority in which they should be executed?—I should say probably it would be the Secretary to Government in the Public Works Department, but I do not know.

39044. Taking the case of two roads sanctioned in your district, who settles which of them is to be commenced first, the Deputy Commissioner or the Superintending Engineer?—I suppose it would be the Secretary to Government in the Public Works Department.

39045. Would he not consult the local people at all?—Yes; no doubt he would consult them, but his voice would be the final voice in settling the matter.

39046. And not the Superintending or Executive Engineer as the case might be, but the Secretary to the Public Works Department?—In the case of any large work; there is a rule in the Public Works Department, with which I am not well acquainted, in regard to the value to which a Superintending Engineer can go in sanctioning works. There are two separate branches of Public Works, the District Board works, and imperial works, which are undertaken by Government.

39047. Are there no provincial works?—We have no provincial budget in this province.

39048. Have you any power over minor works?—Yes; up to Rs. 2,000, I can carry out minor works as the President of the District Board and Municipal Committee. I can also carry out works of over Rs. 2,000, but must obtain the concurrence of the Garrison Engineer as to the desirability of such work and the sanction of the Revenue Commissioner. With regard to imperial funds, I have no power except in the case of some small allotments for repairs of roads and upkeep of buildings.

39049. They are expended under the Secretary in the Public Works Department?—Yes.

(*The witness withdrew.*)

Mr. M. F. O'Dwyer was called and examined.

Mr. M. F. O'Dwyer.

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39050. (*Chairman.*) You are the Revenue Secretary here?—Yes, since six years with occasional interruptions for leave and transfers—practically ever since the province was created.

39051. In addition to the Revenue work what other work in the province are you responsible for?—Land records, agriculture, excise, stamps, registration, and all the minor departments, veterinary, District Boards, and municipalities, and I exercise the control of a Commissioner of a division. Also, as Secretary to the Chief Commissioner, I take his orders with reference to the working of those departments.

39052. Directly, and not through the Chief Secretary?—No, I act as Secretary in regard to all matters which are in my own departments.

39053. The last witness stated that the Revenue Department was responsible for the issue of something like 6,000 circulars in the course of the last six years; did most of those circulars emanate from your department, or were they passed on to you by the Government of India?—I think I can pride myself on not having issued six original circulars since I took over charge. Most of those circulars were forwarded from the Government of India in various branches of land

revenue, excise, irrigation, and other departments, the working of which has been under the consideration of the Government of India in recent years ; they have revised their policy and issued fresh instructions which have been communicated through me to the various local officers.

39054. Have you passed them on more or less intact?—No ; very often I have to sit down for days in order to see how I can best explain the orders I receive, and make it feasible for the local officers to give effect to them.

39055. Do you mean to say how they can be made intelligible?—No, they are intelligible enough, but very often one has to assist even the Heads of our local machinery by embodying these orders in a form in which they can be given effect to, say, by a patwari on a salary of Rs. 10 a month.

39056. Where do most of these 6,000 circulars issue from?—In late years I think the Agricultural Department have been most active, because they have to deal with questions of land revenue policy and irrigation, which are of primary importance in an agricultural province like this, and to a less extent the Finance Department have issued many circulars in the matter of excise. The Director-General of Statistics has also been very active and his demands are often the most difficult to comply with.

39057. Have they gone into great and unnecessary detail?—No ; the circulars themselves, as an exposition of policy, are excellent and refer chiefly to the main principles, and, so far as I am concerned, I think they are flawless in their reasoning and logic, but very often there is much cry and little wool. They profess to fix the lines upon which the Government of India is going to act, but by the time you get to the end of a long circular you sometimes find there is very little change really.

39058. But you have to take part in the process?—Yes ; in more ways than one. For instance, take the Commissions which come round, so frequently of late years, *e.g.*, the Irrigation Commission ; one has to prepare materials for them in the way of explaining the systems of local irrigation which here are manifold ; you have to collect statistics showing the system of working, the system of annual clearance, the system of collecting revenue by the Canal Department, and you have practically to break the back of every enquiry in the first instance for the Commission. Then the Commission comes and sits down for several days, and one has to place the materials before it ; after that it states its conclusions, which are discussed by the Government of India in a series of very elaborate Resolutions which are sent down to you again. The Government of India says that they propose on the report of the Commission to issue certain orders, and then you have to go over the whole ground again in the light of the general conclusions arrived at, and when a final decision has been arrived at the local work really comes in, and you have to see how you can give effect to those Resolutions.

39059. But that does not account for a thousand circulars a year?—No, and I can recollect some circulars which have had the very best results in clearing the air, for instance, with regard to excise and education, and as regards the Agricultural Department.

39060. But then there are these smaller matters which must be dealt with?—Yes ; there are smaller matters such as the issue of rules under the Poisons Act, and rules as to carbide of calcium, which involve, of course, a certain amount of clerical work, because one has to read them all.

39061. Is the number of circulars to which the last witness referred and of which he gave an actual figure approximately correct?—I should hesitate to say so.

39062. Would you doubt its being correct?—Everything or general application that goes through my office, which is the usual channel of communication for most Deputy Commissioners, is issued in the form of a circular letter or a circular endorsement, and it is quite possible that the figure is correct, but I should say it is put much too high. The number does not come to as many as three every day.

39063. The note of the Local Government suggests that there has been a tendency on the part of the Government of India to limit their discretion in certain matters ; have you found that that applies to your department?—The few specific instances mentioned here are instances which came within the department which I administer and were noted by myself ; one was a matter as to excise, and the others were matters as to land revenue policy and matters in which we had correspondence with the Railway and Telegraph Departments. It is the two latter departments and the minor departments that show most rigidity and least regard for local views and needs.

39064. You have been here six years ; do you find that you have a freer, or a less free, hand than you had when you first came into the province?—We have a freer hand. While we were a young administration on our first legs the Government kept us very much in leading strings, but after a time they gradually enlarged our powers.

39065. Do you feel that you can act more on your responsibility than you could formerly?—Yes ; one feels that the Government of India is always willing to accept one's proposals when they are reasonable and when you can show good cause for them, and will give the funds to carry them out. I have never had any reason to complain with reference to matters with which I deal.

39066. You have no permanent settlement in this province?—No.

39067. Do you live from hand to mouth?—At present, yes ; we send up an annual budget to the Government of India, they put certain funds at our disposal under the usual budget heads of income and expenditure, and we have to carry on the administration of the province during the year with those funds.

39068. You have no power of re-appropriation from one major head to another major head?—No ; only for certain purposes ; we have no reserve, our finances being entirely imperial ; the Government of India say, "We will allow you sufficient allotments under each head of expenditure, and we will not allow you any reserve," the result being that we have to go to the Government of India for any increase, however small. We are allowed to increase our expenditure up to a total of Rs. 3,000 per annum, but directly we exceed that limit we have to go to the Government of India for special sanction unless we can reduce expenditure in some other direction.

39069. As a rule, is the amount you budget for every year exceeded?—No, not as a whole.

39070. How do you have to apply for sanction?—Under certain heads the total is never exceeded. It may happen in one year that some new expenditure is thrust upon us, and we have to revise some part of our budget.

39071. Generally are your estimates within your budget expenditure because of your own exceeding carefulness, or is it because the provision made by the Government of India is really ample for your needs?—In the ordinary civil departments the provision is ample. When we require any increased establishment and make out a good case for it, the Government of India is usually willing to sanction it, on condition that we can provide the funds by reappropriation, and now and again in a big case they would be willing to give an extra grant ; but one has to watch the Government of India very carefully in framing the budget proposals which come up from the Accountant-General. When you get a copy of the Government of India notes, unless one is very careful, one is likely to be misled. The Secretary of the Government of India disposes of the budget with reference to the past actuals. He says, "Under certain departments your average expenditure has been Rs. 30,000, which you propose to raise to Rs. 50,000, but we will only allow you Rs. 35,000 ;" then you have to point out that in consequence of the Government of India having sanctioned certain schemes in other departments your expenditure will be increased, and you must be quick enough to explain these things in time, *i.e.*, while the budget is under consideration ; then you get what you want, otherwise you do not. In the Public Works Department, for instance, the budget is very much cut down, and Public Works run the risk of being starved, but on the whole I have never had to complain of any cutting down in the civil budget, which I could not, at all events, get reversed by explaining the circumstances.

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39072. From your point of view, can you with advantage delegate any of your powers downwards?—Yes, I think so, with great advantage.

39073. We have been told by one of the Deputy Commissioners that in theory they have no final power at all with regard to any revenue matters, although in practice there is no doubt that they do exercise final authority—would you agree with that description of the limitation of their powers?—In regard to revenue matters Deputy Commissioners have a considerable discretion if they care to use it; for instance, in the matter of suspensions of revenue, both the Deputy Commissioners stated that they had no power of suspending or remitting. They have the power of suspending, but they must report for the information of the Commissioner.

39074. What powers have they really got?—Up to any amount that may be required provided they report the thing at once for confirmation of the Commissioner; but the initiative may be taken by the Commissioner. Similarly if it is necessary to remit revenue, the Deputy Commissioner can at once suspend and then report the matter.

39075. Can he suspend up to any extent he thinks necessary?—Yes.

39076. Would you give him powers of absolute remission?—That is a matter which we have had under discussion with the Government of India, and it is one of the points I refer to in the case of the deterioration of holdings which now and again takes place in this province owing to saline irrigation. At present, if the resources of a whole estate are deteriorated, action can be taken to reduce the revenue of that estate even within the term of settlement, but the orders do not go to this extent if only individual holdings have deteriorated; those particular holdings may suffer very much, but they may not be such as to affect the resources of the whole estate, and we suggested that the Deputy Commissioner should be given authority to take the initiative and report on the deterioration of holdings, without reference to the Local Government and send up proposals on which the Local Government or the Revenue Commissioner would take action.

39077. You are not at present prepared to grant to Deputy Commissioners the power of remitting revenues?—No; I would give them power to make proposals, but not to remit.

39078. No matter how small the remission might be?—No, not in the fixed revenue.

39079. We are told that the Local Government cannot utilize the savings of salaries of Gazetted Officers for transfer to other sub-heads, what are the objections to their exercising that power?—I do not know; I think probably it is a head under which there might be considerable savings, and it would be putting a large amount at the disposal of the Local Government.

39080. Would that be a valid objection?—I think not; if a certain sum has been placed at the disposal of a Government, whatever the head under which savings may occur, they should be allowed to utilize them for expenditure under another head.

39081. (*Mr Hichens.*) With regard to Article 278, Civil Account Code, to which you refer, does not that only apply to imperial heads?—Yes; but as our revenue is entirely imperial we are bound by it, but proposals to provincialize our finance are pending.

39082. In the statement as to general administration, it is stated that the province should be given a provincial settlement, or *quasi*-settlement, on somewhat the same lines as Baluchistan, and then it proceeds: "We shall then be on the same financial footing as other Local Governments, and the question then arises how far the present financial powers of Local Governments should be extended." I assume that the recommendations which follow are the recommendations which you would make if you had the ordinary powers of a Local Government?—Yes.

39083. If you had the ordinary powers of a Local Government would you still want to make the recommendations to which you refer under Article 278?—Where the funds are provincialized there are certain heads of expenditure which are kept imperial, and these remarks refer to those items, I fancy, where the charges are imperial.

39084. Do the revenues collected in the province cover the expenditure?—No; the revenue is roughly about 37 lakhs and the expenditure is about 62 lakhs, but excluding political and Public Works expenditure the revenue and expenditure pretty well balance. The political expenditure is heavy owing to the border police, and militia corps, but both that and the Public Works expenditure are largely incurred on imperial objects.

39085. What particular advantage would you derive from a *quasi*-permanent settlement?—We should have these large powers of reappropriation which we have not to-day; we should have a power of creating new appointments, fresh establishments; and all the references which now have to be sent to the Government of India would be done away with, and we should have a freer hand in utilizing savings, making local improvements and making larger grants with regard to minor irrigation works and Public Works generally; also in the departments which have been started during the last three or four years, agricultural, veterinary and so on, we should have more freedom.

39086. With regard to the further powers which you would require, assuming that you had a *quasi*-permanent settlement, are there any of them that are particularly important?—Do you refer to the remarks on "contingent charges"? As a matter of fact, within the last six months the Government of India has sanctioned a very large delegation of powers. Under the Civil Service Regulations at present very few of the powers of the Local Government can be delegated to subordinate officers without reference to the Government of India, and Local Governments for the last year or two have raised the question of delegation, with the result that they have got the sanction of the Government of India to a very large system of delegation of powers to Heads of Departments.

39087. How far are you prepared to delegate downwards from the Local Government; would you delegate more than you do to-day?—Yes, our powers of delegation have been so far hampered by the fact that the authority of the Government of India is required. The Government of India have themselves taken the initiative of delegating powers very largely; for instance, with regard to the pension of a police constable entitled to Rs. 2–8 a month, that goes from the Superintendent to the Inspector-General, then to the Accountant-General, and from the Accountant-General to the Chief Commissioner. The Government of India have amongst other things now sanctioned a delegation of authority by which an officer who can appoint to a vacancy can also sanction a pension, occurring in that vacancy, to Non-Gazetted Officers.

39088. Do you think that substantial delegation could be made under the Public Works Code?—I have not a very accurate knowledge of the Public Works Code.

39089. Taking the Civil Service Regulations and the Civil Account Code, would you be in favour of delegation?—I think one must make definite and accurate provisions for the guidance of subordinate officers who have to work these codes, but I think the Heads of the Accounts Departments should be relied upon to work them in a broader and more elastic spirit. If you have a code of departmental rules on an intricate subject like finance you must more or less provide for all the cases as they arise, and the difficulty about the code at present is that you have no introduction to it giving an explanation of general principles before coming to the rules which would enable one to comprehend them.

39090. Would it act if the Government of India laid down general principles, and left the Local Government to frame its own rules?—The Accounts Department and the Finance Department of the Government of India have to run on the same lines for all India, and I fancy they would not tolerate any local differentiation which would affect their system of finance or accounts.

39091. Are any local circumstances likely to affect the keeping of accounts?—No.

39092. It is rather in other matters, such as regulations governing travelling allowances and matters of that sort, where it would be possible for certain general principles to be laid down and where it would

be possible for a Local Government to frame rules on such general principles—would you be in favour of that?—Very much; I can give you a typical instance. The Deputy Commissioner of the Dera Ismail Khan district goes to a little hill station about 4,000 or 5,000 feet high, where he occasionally spent some of the hot weather. While there some disturbance broke out trans-border about 50 miles away and he was wired to to proceed in hot haste to the place. He went there and got back, and it took him about four or five days altogether; he sent in his claim for travelling allowance which the Accountant-General refused and pointed out that there was a general rule in the Civil Service Regulations (Art. 1112) that if an officer went to a hill station for his own comfort he could not draw any allowance for any journey he might have to make from that place to another and back. The officer in question pointed out that he had not charged anything for going to the hill station, but that being there, he was ordered to go somewhere else, but the Accountant-General replied that he was not entitled to any allowance because he had started from the hill station. That is a typical instance of the rigidity which is exercised in most matters.

39093. Was that not a matter which any Local Government might settle for itself?—If the Local Government had passed the charge the Accountant-General would have been bound to question its action and call for a reference to the Government of India.

39094. Was that matter referred to the Government of India?—No; the officer went away on leave as a matter of fact shortly after, and he probably lost interest in it. He fought the Accountant-General for a long time and had the pleasure of a long wordy discussion with him, and there the matter rested.

39095. Supposing different interpretations were given by different Local Governments in such matters, would it interfere with the stability of the Empire, or affect the efficiency of the administration as a whole in any way?—No; I think not.

39096. With regard to other matters of that sort, for example, in regard to the housing of Government officials, would it be perfectly possible to lay down general principles?—Yes.

39097. And to allow any Local Government to apply them within the spirit of such general principles?—Yes; it would be very desirable, and we have had correspondence with the Government of India in matters of that kind. Some of our Sub-Divisional Officers in this province are in charge of sub-divisions far away from any town where it is impossible to obtain furniture; houses are built by Government and rent is charged for them, but when an officer arrives at a house very often it may have been untenanted for six months and the last man who was there has taken his furniture away. In one case of the kind we applied for permission to furnish a house and after a discussion in Council the proposition was finally agreed to. Of course it was a breach of the Public Works Code, but the matter was carried through by the personal intervention of a Member of the Council who pointed out the hardships involved—Rs. 2,000 was spent in furniture and the particular officer in question agreed to have it added to his rent. We thought that we had created a precedent and endeavoured to do the same thing in the case of another officer, but the Government of India would not agree, and pointed out that no further departures could be allowed, and they were reluctantly compelled to refuse our request.

39098. Is it not incidents of that sort that led to bickering between provincial Governments and the Government of India, and are more likely to lead to bad feeling than the discussion of bigger subjects?—Yes.

39099. And therefore if one could throw a good many of these matters on to the provincial Governments it would be worth while from that point of view and would establish broader and more generous relations between them and the Government of India?—Yes.

39100. Even, therefore, if the absence of uniformity produced certain slight disadvantages might it not be worth while to run that risk?—Yes; I do not think it is a matter in which absolute uniformity is desirable.

39101. Would you say the same thing would apply with regard to the salaries in the Provincial Service, that is to say, that it does not really matter from the point of view of uniformity whether an Assistant Surgeon, for instance, is paid at the same rate throughout the whole of India or not?—I do not think it matters at all.

39102. And within certain limits the provincial Government might have power to pay whatever salary it thought fit?—Yes. Would you have a Local Government fix the scale itself without reference to the Government of India?

39103. What I mean is that they should be allowed to fix the scale and alter it if they liked quite independently provided they paid the salaries out of their own income?—I think that is a matter as to which as regards the Provincial and perhaps also Subordinate Civil Service the fixing of a general scale ought to remain in the hands of the Government of India. They are in the best position to judge of the relative necessities of the various parts of the Empire, and you might get an extravagant Local Government with a large surplus in one place making use of it to raise the pay of Deputy Collectors and so on in a fit of generosity, so that it is necessary in matters of that sort that the control should rest with the Government of India.

39104. (*Mr. Dutt.*) Going back to the case you mentioned just now with regard to an officer (travelling from a hill station), was not the Accountant-General perfectly right in taking the objection, the rule being there?—I think it is a matter in which the Accountant-General ought to have discretion.

39105. The rule said that an officer coming from or going back to a hill station should be entitled to no travelling allowance, and if the Accountant-General has to interpret the rule strictly he would have to say, "This officer coming down from a hill station is entitled to no travelling allowance;" would not the remedy in that case lie in giving the provincial Government a discretion in particular instances, that if sufficient reasons were given they should be empowered to grant travelling allowances in such cases?—Yes, it would be a very good thing, but it is contrary to the policy of the Government of India.

39106. When you frame a rule, especially in the Accounts Department, is it not the principle that whoever the custodian of the accounts may be, he is bound to interpret the rules literally and strictly, and if any exceptions are required, they should be made in the rules and not in interpretation?—Yes, but you cannot have a rule wide enough to cover every particular instance which arises, and there might be an enabling section providing for circumstances which might arise, and allowing the Accountant-General to interpret it.

39107. Would you empower him to depart from the literal interpretation of the rule?—Yes.

39108. Would you not give that power to the provincial Government?—Both are good ways of arriving at the desired result.

39109. You appoint all the tahsildars and naib-tahsildars in the province?—Yes, except those in the trans-border appointments; they are appointed by the Chief Commissioner on my recommendation.

39110. What is the class of men you select for tahsildars?—I should think half of them are men who have risen from subordinate revenue appointments, and about half are men who are recruited direct, having served as naib-tahsildars—men of good family and social position and possessing good educational qualifications. Practically nearly every family of any importance in this province is represented among the tahsildars and naib-tahsildars, and about half, or perhaps a little less than half, are men recruited from the Subordinate Service.

39111. Do you recruit from the Subordinate Service, very low down—are they men who have begun at Rs. 10?—No, we are able to insist on a very much higher standard of qualification than that, because the appointments are much sought after.

39112. On the whole, do you get men of the kind you desire both with regard to ability and education and integrity?—Yes, the standard here is as high as in any province of which I have any knowledge.

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39113. Are they estrusted with civil and criminal and revenue powers?—Tahsildars have civil and criminal and revenue powers, but naib-tahsildars have only revenue and criminal powers, very rarely civil. Tahsildars have a certain amount of civil work as to which a maximum is fixed.

39114. What is the pay of a tahsildar?—From Rs. 150 to Rs. 250.

39115. And that of naib-tahsildars?—From Rs. 60 to Rs. 100.

39116. Have you also the power of transferring them from one district to another?—Yes.

39117. The District Officer has not that power?—No, but if he suggests that a man should be transferred and there is reason for it, I generally act on his suggestion.

39118. Has keeping them on a provincial list a good effect on the Service?—Yes, it would be impossible to work it on any other system.

39119. If you allowed a District Officer to appoint his own tahsildars would you get the same class of men?—No, the wider the field of selection, and the wider the area over which they are employed, the better men you get.

39120. Are the men in the Provincial Service appointed by the Chief Commissioner?—Yes.

39121. Have you power to transfer them?—No, the Chief Commissioner transfers them; the only appointment in the Provincial Service as to which I am consulted is that of the Revenue Assistant. I am generally asked to consider the suitability of such men.

39122. But even then the appointment is made by the Chief Commissioner?—Yes.

39123. Is that a good rule?—Yes.

39124. You do not suggest that the power should be transferred from the Chief Commissioner to you?—No, but I think generally as regards all transfers the Controlling Officer should be more consulted; I am not speaking specially with reference to this province, but with reference to administration generally the system of working transfers of officers direct by the Secretariat without reference to the Heads of Departments is, I think, an evil one.

39125. Provided they are consulted, do you think the power should be left with the Head of the Government?—I think so.

39126. I understood from a previous witness that the main portion of the income of the District Board comes from a local rate?—Yes.

39127. And that that income is supplemented by certain grants made by the Government?—Yes, Government gives a share of what used to be the famine cess. The local rate formerly was roughly 10 per cent. which included 2 per cent for the famine cess. This 2 per cent. went to Government, but the Government, two or three years ago, abolished the famine cess, but gave a sum equal to it to the District Boards which thus received an addition of one-fourth to their income because the famine cess was a fourth of the local rate.

39128. When you speak of $8\frac{1}{3}$ per cent. what is it $8\frac{1}{3}$ per cent. of?—It is a twelfth of the land revenue; it is a fixed proportion.

39129. Is it levied with the land revenue?—Yes.

39130. The land revenue is settled for 20 years?—Yes, we have just completed a settlement for that period.

39131. Who was the Settlement Officer?—We have various Settlement Officers. They are men with about 10 to 12 or 15 years' service.

39132. Is there any officer here of the rank of Settlement Commissioner?—I was in charge myself; after the separation from the Punjab the work was under the Punjab Settlement Commissioner, and as the work progressed it was transferred to the Revenue Commissioner of this province.

39133. Were there any appeals from the order of the Settlement Officer?—There were a certain number in Hazara; out of 900 estates there were about 80 or 90 appeals; in Bannu and Kohat about 5 per cent. of the estates appealed; in Dera Ismail Khan less than 1 per cent.

39134. Were they decided after the rates were proclaimed?—Yes.

39135. Under the rules could you take cognizance of them and dispose of them on their merits?—Yes.

39136. There were no further appeals to the Chief Commissioner?—No, I think a few petitions were sent to the Chief Commissioner which he took no action on.

39137. Is the general policy laid down that the revenue demanded should not be more than one-half the nett produce?—Yes, one-half of the nett assets or nett rental.

39138. Were you careful to observe that in this province?—We calculated the rental as well as we could, and I should think that the Government demand varies from a twelfth to an eighth of the total produce in the recently assessed districts; in most of our recent settlements we took something like 50 to 60 per cent. of the half nett profits.

39139. You make the collections according to crop estimates?—We have cash leases, but we have not many cash rents; where you have cash rents you base your land revenue demand on the statistics of the rents, but we have not those in this province; the landlord generally takes a share of the produce and not a cash rent.

39140. Is the system prevailing the raiyatwari system; is every cultivator responsible for the land revenue to the Government direct?—As a matter of fact, the Deputy Commissioner of Bannu made a mistake; he said that every individual landowner is directly responsible; so he is, but every estate or revenue unit is also responsible; the joint responsibility is rarely enforced, but it is there in case of emergency.

39141. So that it does come practically to what he said, that every man is responsible for his own revenue, but that if he did not pay, then Government could come upon the whole village, which is very rarely the case?—Yes, I do not think I remember an instance of it.

39142. Are there major and minor irrigation works in this province?—Yes.

39143. Are they both imperial?—Yes, and we have another class of work called local works. Most of the irrigation works of this province were made by the people, and most of the canals existed prior to the British rule; in those cases we have not interfered and have allowed the people to manage the canals more or less on their own lines, but their efforts are more or less centralized and directed by the Deputy Commissioner who has a small agency by which he helps the people to settle disputes as regards the distribution of water, arranging for canal clearances and so on. We now and again carry out certain improvements for the benefit of the people.

39144. And when you make those improvements you do not put on any rate?—Not till the following settlement, but most of our canal irrigation is run on those lines. Then we have imperial canals which are worked by the Canal Department.

39145. Are they big canals?—One irrigates about 160,000 acres, another about 50,000 acres—those are only in the Peshawar district, and one we have recently constructed in Dera Ismail Khan district will also irrigate about 60,000 acres.

39146. Besides those, have you provincial canals?—Yes, we have small irrigation works which now and again we carry out with Government funds.

39147. Who fixes the irrigation rates which you have to levy when Government constructs these canals?—The Chief Commissioner after taking the advice of the Irrigation Department.

39148. You do not get any order from the Government of India?—The Chief Commissioner proposes the rates for the sanction of the Government of India.

39149. Are the rates sometimes changed?—Yes, within the last five years we altered the rate on the Swat Canal, which had been fixed when it was constructed about 15 years ago.

39150. Did you enhance the rates?—In some cases, and lowered them in others, but the whole result was in the direction of enhancement.

39151. Had that to be sanctioned by the Government of India?—Yes.

39152. Are the rates realised by the engineer?—They are realized by the headmen of the villages and paid into the treasury to the credit of the Canal Department, and the *lambardar* who realises them receives a percentage for his trouble in doing so.

39153. Is the rate realized with the land revenue?—Yes.

39154. Is there no case in which the canal rates are levied by the Canal Department?—No.

39155. (*Sir Steyning Edgerley.*) What is the actual process of legislation for this province?—By means of Regulation—by the Governor-General in Council.

39156. Under the Statute of 1870?—Under Act 33 of 1870.

39157. With regard to your reference to the considerable system of delegation in the Punjab, does that refer only to contingent expenditure?—No, it extends to everything; I have not examined it very carefully yet, but the Government of India have sanctioned a very large delegation of powers to subordinate authorities, and the Government themselves have also, within the last two months, delegated very large powers to Local Governments, and allowed Local Governments power to delegate to Heads of Departments.

39158. As regards the Government of India codes, where exceptions are necessary and the Audit Officer interprets the rule, would it be sufficient if the Local Government made the exception and reported his action in periodical returns, in order to allow the Government of India to have control?—Yes, that would be a way out of the difficulty.

39159. What is your actual procedure as regards the budget?—The budget is framed locally by the Heads of the Departments, and is then sent to the Accountant-General who consolidates it.

39160. Who is your Accountant-General?—The Accountant-General of the Punjab is the Accountant-General for this province also; he scrutinizes the budget, sends it back with notes for the Chief Commissioner. The Chief Commissioner passes orders on his suggestions, and he (the Accountant-General) compiles the budget and sends it on to the Finance Department of the Government of India.

39161. Is any date fixed?—Yes; I think our budget goes in by the 15th December. It has to be received by the Financial Department of the Government of India by the 20th January, when the Finance Department goes through it.

39162. Then yours is practically the same procedure as takes place with regard to all Local Governments?—Yes, it is practically the same.

39163. You lay some stress on the power to reward; would you give that power any lower down than the Local Government?—Yes, I see no harm in allowing the Deputy Commissioners power to give small grants; at present the rule is that no new grant can be sanctioned by any Local Government, except during the currency of settlement proceedings. When settlement proceedings are not in hand, the Local Government has practically no power to make a new assignment of land revenue without the sanction of the Government of India, but lately some small extension of authority was given to Local Governments by which they are authorized to give individual grants of Rs. 15 per annum, or a total in value of Rs. 500, to persons who had rendered considerable service in regard to criminal or police administration.

39164. And you think that might be enhanced?—Considerably. I think in the case of a Local Government it is ridiculous to say that it cannot give anyone more than Rs. 15 a year.

39165. Would you extend the power to the Deputy Commissioner?—Yes.

39166. And give the Local Government higher powers?—Yes.

39167. Have you sufficient power with regard to printing here?—We have a small Government Press which deals with more or less confidential papers and Government reports, but otherwise we have to depend on a private press.

39168. Do you send out monthly printed proceedings?—No. *Mr. M. F. O'Dwyer.*

39169. Have you any Gazette?—No. 28 *Mar.*, 1908.

39170. Would that be a convenience?—I think it would be rather a nuisance. At present we are very well served by the Gazette of India.

39171. Can you send things direct to the Government of India Gazette, or do you have to send them through the Foreign Department?—The only restriction is in regard to postings of officers in this province which are made by the Foreign Secretary; those have to go through the Government of India. In all other cases notifications from the Chief Commissioner and other heads of Departments are sent direct to the Gazette.

39172. Excepting in Khyber and Chitral, the Chief Commissioner makes all your appointments?—The Foreign Department, as a matter of fact, is the Local Government for purposes of appointments, because all the officers borne on our *cadre* are also on the strength of the Political Department; they are part of a bigger body.

39173. They are lent to you?—Yes, but they are still under the orders of the Foreign Department, and all the postings of those officers are made under the signature of the Secretary to the Government of India.

39174. Is that not rather inconvenient?—Yes, I think it is, and it would be a considerable advantage if the Chief Commissioner were allowed to send his notifications of postings direct.

39175. You are the Revenue Commissioner of the five British districts?—Yes.

39176. But you have an exceptionally strong position as being Secretary also?—Yes; for convenience, I do my own Secretariat work.

39177. (*Mr. Meyer.*) We were told yesterday that a great number of transfers in this district were caused by the fact that every cold weather the Government of India in the Political Department sent you four or five senior officers from outside whom you had to provide for, and every hot weather it took away four or five men for work elsewhere; do you agree that that is generally an accurate description?—I think it is fairly accurate, but the postings of Gazetted Officers is a matter that I am really only indirectly concerned with.

39178. But you follow the fortunes of the officers of your province?—Yes, and certainly that tendency has been more marked of recent years.

39179. Can you suggest any remedy for it?—One remedy would be to officer this province with men who had done their training in the province and who had a knowledge of local circumstances, which would practically mean what it was before its amalgamation, a small self-contained Service. On the other hand, the Political Department of the Government of India considered that the system was subject to some disadvantages, and that it might lead to too much localization; they considered it to the advantage of the Political Department, as a whole, to have freedom of transfer and to send people to this province and take them away on the principle of give and take; the principle may be excellent, but in practice it very often lands us in difficulty.

39180. Do you think the present system ought to be accepted with its drawbacks as being the best on the whole, or that something better might be done?—If the present system was worked a little more rationally, and if the Government of India were more careful in the selection of the men they sent here, and consulted the Chief Commissioner as to the men they proposed to send, I do not see that any great difficulty would arise. Unless that is done, I prefer to see more or less localized Service.

39181. It ought not to present such great difficulties from the fact that until you get to the top the appointments are on a system of personal grading?—Yes.

39182. Would it not be possible therefore, barring the appointments at the very top, to guarantee that a man once sent to the province should stay five or ten years or something of that sort?—Yes, but it is in connection with men going on and returning from

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leave that these difficulties arise; they do not quite know where to put the men, and if they see a post vacant in this province they are sent here.

39183. In short, would you like the province to have a sort of special *cadre* for the Political Department though with occasional interchanges?—Yes.

39184. You spoke of having to revise a number of those general circulars of the Government of India, which, of course, relate to India as a whole, to meet the particular circumstances here, and which you have to communicate to the various Deputy Commissioners. Supposing you had a Gazette, would not it be the best method of communicating in with them by publishing the orders in the Gazette and drawing attention to them?—Yes, it would save a certain amount of manual, or rather clerical, labour.

39185. And it would save postal charges and so on?—Yes.

39186. You may be said to correspond to three authorities in the Punjab—the Divisional Commissioner, the Financial Commissioner, and the Revenue Secretary to the Local Government?—Yes.

39187. The Deputy Commissioner, on the other hand, occupies the same position as the Deputy Commissioner in the Punjab?—Yes, precisely.

39188. Might it not be possible, in view of the absence of a territorial Commissioner here, to give the Deputy Commissioner a certain number of powers which in the Punjab you would give to a territorial Commissioner?—As far as powers with regard to judicial and other matters based on particular Acts and Statutes and Regulations are concerned, that would mean considerable alteration in existing Statutes.

39189. Would it not be possible (although it would involve a certain amount of alteration of law) and expedient to depart from the Land Revenue Code occasionally and give larger power to your local officers?—I do not think so, because in this province, the Revenue Commissioner being also the Revenue Secretary, the Deputy Commissioner is able to obtain orders at once, and instead of having to go through three or four stages there is only one; he is able to get orders on any of his proposals without delay. Another matter is that the Revenue Commissioner is supposed to be always an expert in reference to revenue matters, and your Deputy Commissioner has to be selected for his knowledge of general administration or for some political capacity and may have only a general knowledge of revenue matters.

39190. Then, on the whole, you do not think it desirable to give any larger powers in that direction?—No.

39191. Would you give them the power of creating fresh appointments?—No permanent, but temporary appointments, yes.

39192. Would you give them any powers of remission?—No.

39193. But at the same time you propose to give them powers of making alienations of Government revenue?—Yes.

39194. If you make an alienation of Government revenue, is it not just as much a burden on the State as the creation of a clerkship?—Yes, but in the creation of a clerkship there is no advantage gained, while in the creation of a new revenue-free grant you get an advantage; there is no tangible advantage in one case, it is an unfortunate and stern necessity; while in the other case it is a reward for service and a distinct incitement to good work.

39195. Still, it is a national expense, and if you can trust the Deputy Commissioner with the one power, why refuse him the other?—I was thinking of the political advantage to be gained by enabling the Deputy Commissioner to give speedy reward for good work and good services, which justifies a departure from the general principle that no permanent expense shall be incurred except by order of the Government.

39196. Do you get a great number of appeals?—Probably from 400 to 500 in the year; about half those would be judicial appeals, and half executive appeals.

39197. The judicial appeals being mainly under the Tenancy Act?—Yes.

39198. What is the character of your tenures here generally; are they large estates?—No, it is a peasant proprietary organised on a very democratic basis.

39199. Is the witness who was called yesterday, the Khan of Hoti, a big landlord?—His area is not very large, but it is extremely productive; I suppose his revenue from land would be about a lakh of rupees a year.

39200. Is he an exception?—There are perhaps half-a-dozen big men in each district, but as a rule it is a case of small peasant proprietors.

39201. Then how do these land suits come about?—We have a very large body of tenantry as well. About half the cultivation is in the hands of owners themselves, and the remaining half is in the hands of tenants of different kinds.

39202. Are there certain appeals to the Chief Commissioner in these matters?—No.

39203. You are the final authority?—Yes, in revenue matters.

39204. With regard to tenancy law, would a case first come before the Assistant Commissioner?—Before the Assistant Commissioner in most cases.

39205. Then does it go on appeal to the Deputy Commissioner?—Yes.

39206. And then it comes up to you?—Yes.

39207. Is there any class of case where an appeal stops at the Deputy Commissioner?—When the Deputy Commissioner affirms the decision of the first Court, then only an application for revision lies to the Revenue Commissioner, but if he modifies the order, an appeal lies.

39208. Do you get frequent applications for revision?—Probably about a fourth of the 250 revenue appeals which I deal with are petitions for revision.

39209. It has been alleged in other cases, that where a high authority has revisionary powers, it tends to exercise them as if they were appellate powers and constantly to upset the orders of the Court below, instead of merely intervening when some gross irregularity or injustice has been committed; which is the line you adopt in regard to revisionary petitions?—If I saw a revisionary application in which perhaps no material irregularity had been committed, but differed on the interpretation of the facts from the Court below, then I would stretch the law and admit it to hearing.

39210. Practically you treat yourself as a regular Court of Appeal then?—Yes, in certain cases; I think that one is expected to work the revisional jurisdiction in a more or less elastic fashion.

39211. Would you ever get finality if every revisionary authority interfered unduly?—I do not look upon that as undue interference; it is a question of the interpretation you have to give to the expression "materially irregular"; by law you can always interfere if the irregularity is material.

39212. You might make a general distinction; you differ from another officer, but you admit that it may be a question on which he may be right and you wrong; or, you think that he is absolutely and incorrigibly wrong, that he has, as one might say, made a thorough mess of the whole thing; you would revise in the latter case, but would you in the former?—No, unless I saw very clear grounds.

39213. Could anything more be done in the way of giving powers to District Boards and municipalities?—Yes, there are certain restrictions which might be removed, especially in the case of municipalities. At present if they propose to expend over Rs. 2,000 on any particular work, they have to get the sanction of the Revenue Commissioner; if they propose to expend over Rs. 10,000 on a work they have to get the sanction of the Local Government; those restrictions might well be removed.

39214. You see their budget in any case?—Yes; if there is budget provision existing they are the best judges how to utilize it.

39215. The budget would contain a schedule showing the important works, and you think that is quite enough?—Yes.

39216. Do they have to submit re-appropriations to you after the passing of the budget?—Yes, that is a

matter in which there might very well be improvement. At present, if they want to re-appropriate from their balance they have to get the sanction of the Local Government; if they want to re-appropriate from one head to another they have to get the sanction of the Revenue Commissioner. As long as they maintain their 10 per cent. balance, I do not see why they should have to go up to the Local Government for power to spend their own money.

39217. Does the same thing apply to District Boards?—Practically, *mutatis mutandis*, the same thing applies to District Boards.

39218. Is it feasible to relieve Deputy Commissioners of the Chairmanship of municipalities?—No, not in this province.

39219. Would you give them a non-official Vice-Chairman if they could procure good men?—Yes, I think that is very desirable, and in many cases it does exist.

39220. In a city like Peshawar you might occasionally find a good non-official Vice-Chairman?—Peshawar is one of the cases in which there would be some difficulty in having a non-official Vice-Chairman, because the Deputy Commissioner is very often away for months at a time; meetings have to be convened by the Vice-Chairman; it is absolutely necessary in a case like Peshawar where faction is so rife and where you are dealing with a turbulent population, that the Vice-Chairman should be official. In many other towns it would be a step in the right direction to have non-officials.

39221. Are there Vice-Chairmen of District Boards?—No.

39222. Would you have a system of non-official Vice-Chairmen there if they could find suitable people?—The District Boards meet very infrequently, only on an average every two months, and a Vice-Chairman is unnecessary; municipal meetings are much more frequently held.

39223. We have been told that practically the resources of the District Board are all ear-marked except a small balance; they have to put aside so much of their income for education, so much for roads, and so on; is that the case?—The District Board in the case of education has to provide 25 per cent. of its income, and 12½ per cent for medical relief.

39224. Then there is something for veterinary work?—Yes, but it gets considerable grants-in-aid from Government for veterinary and medical relief. The resources of the District Board are very largely ear-marked.

39225. We were told also, that when the District Board merely pays over the money to a Government Department, it has to be spent there; the District Board does not pass its own bills; do you accept that as an accurate statement of the case?—I think the witness was referring to the Veterinary Department; he was referring to all the Departments which receive fixed contributions, but in that particular case he was referring specially to the Veterinary Department.

39226. Let us suppose that under this percentage system a District Board has to pay Rs. 20,000 for education; obviously there are two ways of doing that; they can make the Rs. 20,000 over to the Education Department to be spent, or they can control the spending of it themselves, with the advice no doubt of the departmental officials; which is the course adopted here?—The latter course.

39227. Have the District Boards adequate powers?—Yes, if not deterred by departmental pressure from exercising them. I can mention a case which has just arisen in Kohat; the District Board opened some primary schools; they were going ahead very quickly, and they opened more schools than they were able to provide teachers or pupils for; at the end of a year it was found necessary to close those schools, or to debit the charges to the special Government grant for primary education. The district inspector, as representing the department, pointed out that this was very retrograde and very reactionary, and he tried to make out that the District Board were not doing their duty. There is no doubt that the action of the District Board was quite correct, and it was not challenged really in the result.

39228. If there had been a squabble about it it would have gone up to you?—Yes, the question would have been raised whether the District Board was doing its duty; the District Board was already spending its proper percentage on primary education.

39229. As regards the settlement. Do your settlement reports go through the Deputy Commissioner?—No.

39230. Ought they not to do so?—All the subsidiary matters connected with settlement are dealt with in communication with the Deputy Commissioner; all assignments of land revenue and questions of new establishment; otherwise the Settlement Officer is quite independent; of course he consults the Deputy Commissioner, but he generally knows a great deal more about the circumstances of the district and the people than the Deputy Commissioner.

39231. But the main fact that will affect people is the settlement rates; surely the Deputy Commissioner, who is responsible for the government and peace of the district, ought to have his say as to that?—The Settlement Officer is made responsible for making the settlement a just and workable one, and he is not likely to err on the side of excess.

39232. You think it is a case in which the expert should be trusted rather than the administrator?—It is a good thing now and again. Very often as Revenue Commissioner, in dealing with settlements, I have sent proposals back for the views of the Deputy Commissioner to be ascertained.

39233. Might it not be an expedient general rule to lay down that it should go through the Deputy Commissioner?—If the Deputy Commissioner was an experienced officer and had been long in charge of the district, it would be an excellent rule.

39234. In the Government memorandum it is mentioned that the interference by the Revenue and Agriculture Department has on the whole been a desirable one and has done much good; in other provinces we have been told that the Revenue and Agriculture Department has been specially complained of as thrusting Punjab ideas upon Government and officials that did not want them. Both the Chief Commissioner and yourself are Punjab Officers?—That is so.

39235. What are your powers at present in regard to appointments?—I can appoint naib-tahsildars and tahsildars.

39236. The Local Government has the power of creating fresh appointments up to what limit?—Up to Rs. 50.

39237. And in the case of such appointments you can go up, subject to budget provision, to a total of Rs. 3,000 in one year?—Yes.

39238. You can also alter an existing appointment up to Rs. 250, if you make a corresponding saving in another direction?—Yes, but a saving is generally found impossible in a permanent establishment.

39239. Suppose you got a provincial settlement, and had the same powers as a Local Government in regard to the creation of appointments, you would save an enormous number of references that are now made to the Government of India?—Yes.

39240. (*Chairman.*) You refer here to the previous sanction of the Local Government being requisite "for the payment of municipal taxes"; is that a general rule?—In the Government memorandum it is put rather elliptically; no recurring charge can be incurred without the sanction of the Local Government, and that is a recurring charge.

39241. It is an automatic charge?—Yes; that is one of the things that has just been delegated.

39242. What has the Accountant-General to say to the delegation of greater powers to Heads of Departments?—All these finance and account matters are rather intricate, and one hesitates to take any step without being absolutely sure of one's ground, and asking the Accountant-General to verify the exact position as regards financial authority, and preparing statement showing what powers are exercised by each authority. Before you can create a new appointment, you have to get a proposition statement; similarly where you propose to extend financial powers you get the Accountant-General to certify the financial position, so as to get a reliable basis to work upon.

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39243. We were told in Baluchistan that the Government of India had forced on the people there the consumption of a certain kind of salt where they much preferred to use the local salt; you seem to have a somewhat similar case under the head of opium here; is that so?—Yes; opium is very largely grown in Afghanistan, where it is the monopoly of the Amir; it was bought up by some Indian contractors and brought down as far as Jalalabad, and they began to make arrangements for selling it here; the only market for this opium is in certain parts of British India. As we have had many complaints in recent years that opium is imported here without paying the Rs. 2, a seer duty, I got hold of the contractors and said "The best thing for you would be to store all this opium here in a bonded warehouse and pay duty on issue." We referred to the Government of India about it, because a bonded warehouse could not be established in Peshawar without reference to the Government of India. They refused permission; they said it was essential to discourage the import of Afghan opium.

39244. Meanwhile it does come in here?—Yes. What we want to do is to get the whole supply here and have it under proper control; at present it comes in in small samples.

39245. Then the action of the Government of India has not led to any increase in the smuggling of opium?—Except that if we had the whole lot where we could keep it under proper control, instead of being split up into small quantities which we cannot look after, it would be an advantage.

39246. Have you any reason to believe that opium is being smuggled?—Yes, now and again we catch the smugglers; in the last two or three years we have had about 20 cases of opium being smuggled into this district.

39247. You have urged that the Deputy Commissioner should have increased powers of giving rewards; has the Deputy Commissioner any power of making punishments by deductions from the *jagirs*?—Yes, he has very large powers.

39248. Is there any limit to his powers in that particular?—He can only suspend the *jagir*, and he has to report his action to the Government for confirmation.

39249. Can he suspend that up to any amount?—Yes, but he would have to report his action; it is a course very rarely adopted, but it is occasionally. There is another matter in which the Deputy Commissioner has considerable power; nearly all our frontier villages along the border have remissions from four to eight annas in the rupee of land revenue for frontier service. The revenue of village is, say, Rs. 2,000; if it does its frontier service properly the Government will exact Rs. 1,000 and remit the other half; if a village makes default and does not exert itself in repelling raids, etc., the Deputy Commissioner can impose that amount which is now remitted on condition of border service. That system is general all down the frontier.

39250. You think the power of allowing the Deputy Commissioner to make deduction from *jagirs* and this other power that you mention, are proper powers for the Deputy Commissioner to have?—Yes; they strengthen his hands, and give him greater power to deal with sudden emergencies.

(*The witness withdrew.*)

Adjourned.

PUNJAB.

SIXTY-SEVENTH DAY.

LAHORE, *Monday, the 13th April*, 1908.

PRESENT :

Sir FREDERIC LELY, K.C.I.E., C.S.I., *Presiding*.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

The Hon. MR. E. D. MACLAGAN, I.C.S., was called and examined.

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39251. (*Sir Frederic Lely.*) You are Chief Secretary to the Government in the Punjab?—Yes. I am in charge of the following Departments of the Government Secretariat, viz.: Gazette (Appointments, &c.), Political, Special Branch, Financial, Famine, General (Home and Judicial) and Excise. I was till recently in charge of the Revenue and Forests, and have only recently taken over the General (Home and Judicial) and the Excise.

I have no knowledge of general financial questions, and would therefore hesitate to recommend any radical change in the existing system. Provincial independence might, however, be increased (*i*) by giving Local Governments the same control over all heads of provincial expenditure, whether provincial or shared; (*ii*) by allowing Local Governments to exceed, if they wish, the budgets sanctioned by the Government of India, subject to the maintenance of the prescribed balance; (*iii*) by removing restrictions on the expenditure of special grants made by the Government of India.

I would not give borrowing powers to Local Governments. Small loans can be obtained through the Government of India, and large loans would upset the market. Economy will best be served by having only one borrowing agency, and in any case the Local Governments have not the financial advice and experience that the Government of India have.

I would allow the provincial Government to delegate to its subordinates, subject to such checks as it thinks fit, any financial powers it possesses under the Civil Account Code and Civil Service Regulations.

I would suggest that fees to doctors for attending on Native Chiefs and others should be decided by the Local Government.

In revenue matters I would propose :—

(*a*) that details regarding the suspension and remission of revenue should be left to the Local Government, subject to the general principles laid down by the Government of India;

(*b*) that Local Governments be allowed to make new assignments of land revenue up to a fairly high limit, and that the formal reports to the Government of India of new and renewed arrangements under Government of India letter No. 2594, dated the 21st November, 1892, and No. 2939, dated the 10th October, 1894, be abolished;

(*c*) that the 15 per cent. rule prescribed in (iii) of the Government of India assessment rules (appendix I of the Punjab Settlement Manual) should be abolished, and that the provincial Government should have power to sanction assessments up to 30 years (rule x) instead of 20;

(*d*) I would remove the restrictions on the provincial Government regarding the sales and grants of land (Government of India Resolution No. 1, dated the 6th February, 1872) except in the case of large grants to private individuals for their private benefit;

(*iii*) in commercial matters I would relax the rules for prospecting licenses and mining leases, so as to give the Local Government more scope in granting these, the Local Government consulting, if necessary, the Director of the Geological Survey direct.

The removal of existing restrictions can best be effected by notifications published by the Government of India under a general Act of delegation similar to Act V of 1868. It is often advisable that for the first two or three years after the passing of an Act the Government of India's approval should be required for certain rules, and often their approval is required by law for this reason. It would suffice to require by executive order that references should be made to the Government of India for such time as is necessary.

The influence of the departments of the Government of India in this province has in some cases been in the direction of excessive rigidity or uniformity, in the matter of agricultural returns and statistics for instance, and generally in the matter of financial allowances and the like, and in requiring that the Financial Commissioner should be the Court of Wards in this province because a similar arrangement prevailed elsewhere. In some matters, such as the issue of orders or the principles of collecting revenue, we were called on to send up drafts of the detailed orders we proposed to issue in accordance with the general orders of the Government of India. This was unnecessary, but I cannot say that it led to undesirable uniformity. The behaviour of the Government of India departments in such matters depends largely on the member in charge, and as a rule they treat Local Governments fairly considerately in such matters.

I do not recollect cases in which the Imperial Secretariat took a too departmental standpoint, nor is it, as a rule, too impersonal. At one time it was inclined to disregard personal considerations in matters like the continuance of assignments of land revenue and pensions, but of late years we have had nothing to complain of on this score. Up to some ten years ago the Government of India was much dominated by considerations of revenue. This was due to the tightness of finances, but was, I think, overdone. The same considerations are not so powerful now. I was in the Government of India Secretariat in 1892–1895, and again in 1906, and the change in this respect struck me very forcibly. We still, however, suffer somewhat from the results of the previous policy in matters like the assessment of revenue, the grant of assignments, and so forth.

Directors and Inspectors-General under the Government of India should be consultative and advisory officers only in dealing with departments primarily administered by Local Governments.

It is difficult to fix in all cases on the true originator of a reform in this country, and reforms officially promulgated by the Government of India may have been due to suggestions made by a Local Government or an individual. The bulk of the large recent reforms have, however, been pushed by the Government of India either directly or through the medium of Commissions. In the former class I would put the reforms connected with University education, co-operative credit (though the original initiative in this case was from an individual officer), ancient monuments, the Patwari Cess, and Famine Cess; in the latter the reform of police, irrigation and famine administration.

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Several valuable local reforms in this province have, however, originated locally, such as those connected with riverain boundaries, the descent of *jagirs*, transport animals, and minor canals.

I would not leave provinces entirely to their own discretion in these matters, but more might be done in the way of suggestion and reference to other provinces than at present. In the Punjab we lately delegated a number of powers to Heads of Departments and others, on the basis of similar delegations in Bengal which were brought to our notice by the Government of India. In this connection I would advocate greater inter-communication between the Heads of Technical Departments in the various provinces by means of special visits and conferences.

The powers given to Local Governments to withhold appeals are adequate. There are cases, however, in which the law, or rules having the force of law, lay down that an order of the Local Government or other authority is final, and I understand that the Government of India have in some instances interfered in such cases: this should not be allowed. I would not advocate insistence upon a certificate as to the admissibility of the appeal from the officer whose decision was appealed against.

The present memorial rules allow any officer drawing over Rs. 100 per mensem to appeal to the Government of India against an order of the Local Government upholding his dismissal, removal, reduction or other punishment. Such appeals are rare, and the rule does not appear unnecessarily liberal. I should, however, see no objection to raising the limit to Rs. 250, if this was found advisable to meet the circumstances of other provinces.

The chief appeals to the Local Government on administrative matters are in regard to vaccination proposals, municipal and cantonment taxation, income-tax, &c., and do not give much trouble. Appeals against decisions of boundaries between Native Hill States give considerable trouble, and I think that if both States are petty, the Superintendent's orders should be final unless accompanied by a certificate of the admissibility of the appeal.

The Local Government is not much troubled with appeals from Government officers on personal grounds. A rule such as that recommended by the Government of India in 1898, prohibiting second appeals to Government where the salary does not exceed Rs. 50, would, however, be suitable.

The general principle of section 13 of the Punjab Land Revenue Act is sound, *viz.*, that an appeal should be allowed from an executive order, and that a second appeal should be allowed only if the first appeal does not substantially confirm the original order. The original orders should, however, begin lower down, especially in cases where a Deputy Commissioner now gives orders on a report from a tahsildar, *e.g.*, I would allow a tahsildar or Extra Assistant Commissioner to issue orders appointing, &c,, patwaris, *lambardars* and (after consulting the inspector) chaukidars, and these orders should be appealable to Deputy Commissioners. As regards the transfers and appointments of officials drawing Rs. 20 and less, I would allow no appeal beyond the Deputy Commissioner: but I would permit appeals regarding punishments and dismissals of such officials on condition that there was no further appeal. I would allow no appeal against a refusal to enter a man in the register of candidates.

The amount of periodical reporting to the Government of India has not materially increased in the last 20 years, but there has been an increase in the number of periodical returns, and information is more often called for. Primarily this is for the Government of India, though possibly some of it is ultimately for the Secretary of State. Occasionally information is asked for on behalf of Members of Parliament which gives a good deal of trouble.

I have no personal acquaintance with the working of the Court of Wards since the existing Act (II, Punjab, of 1903) came into force: but I am under the impression that a good deal of work under it could be delegated to Commissioners and Deputy Commissioners.

I think we could prepare under certain heads (say, land revenue, stamps, excise, assessed taxes, registration, general administration, Courts of Law, scientific and minor departments, stationery and printing, and civil works) a combined budget of expenditure for each district, and allow the Commissioner to make re-appropriations from one head, or one district, to another.

There is a tendency to rigidity and uniformity in the provincial Government, but I doubt if it can be called excessive. A certain amount of uniformity is necessary for all good Governments. A delegation of certain powers to Commissioners would be sufficient to give such relief as is necessary. Further relief in the same direction would be given by confining certain Departments (such as Excise, Land Records, Agriculture, &c.) to purely advisory duties in their connection with Deputy Commissioners.

Some of the provincial Secretariats are at times too departmental, but less so than the subordinate officers of the departments, and less so, as a rule, than they used to be. The provincial Government is not, I think, too impersonal as a rule, though cases occur in which consideration to personal feelings might be more than it is. I do not think revenue enters into consideration now to any undue extent, except perhaps in irrigation matters.

Things are done by the departments and sometimes by the Civil Secretariat without consulting the Commissioner on which his views should be obtained. This can be remedied largely by increased vigilance on the part of the Secretariats, but it would be possible to give Commissioner certain powers as regards the distribution of funds for Public Works which would improve his position in this respect, *e.g.*, estimates for new works might be prepared as at present, but a Commissioner might in the case of all but very large provincial works re-appropriate from one department to another within his division after consulting, if necessary, the Heads of the Departments concerned.

Intercourse between Executive Officers and the people is insufficient, mainly because these officers have too much office work. In the case of Deputy Commissioners, I would abolish unnecessary pen work (countersignatures to many bills, proposition statements, suspension statements, returns to advisory departments which are wanted for check and not for statistics, some reports which require remarks, &c.). I would also relieve the Deputy Commissioner of work which is not necessary for him to do, (*e.g.*, by abolishing his responsibility for treasury balances, by letting the tahsildar exercise more powers in petty matters, by not insisting on his trying all session cases, by putting in some other persons as Chairmen of the larger municipalities in certain cases, &c.). And I would strengthen his powers of meeting current routine work by improving the position of his head clerk, and by giving him an Extra-Assistant Commissioner or Assistant Commissioner as a personal assistant who should exercise all the powers, other than judicial, of a Deputy Commissioner.

The average Executive Officer, though he has a fair working knowledge of the language, is not a good linguist. He has to pass an Examination in Urdu, and is expected to pass one in Punjabi. No penalty is attached to not passing the latter, and this is a mistake; but I would advocate no further change in the direction of compelling officers to spend time over languages.

No general increase in the administrative staff seems called for, nor would I advocate any general reduction in the size of districts.

Care is already taken in selecting Commissioners and this should be continued. Greater care will be required in selecting Deputy Commissioners, especially if officers have (as before long they may have) to choose at an early age between the judicial and the executive line. Government should have power to require that officers who have no right to promotion should retire on a reasonable pension. The average age of Deputy Commissioners should also be raised by allowing longer time of service in the country.

Transfers of Assistant Commissioners are pretty frequent, but do no great harm and in some respects do good. Transfers of Deputy Commissioners are more frequent than they should be* on account chiefly

* But fewer than they used to be. In 12 of the chief districts of the province there were, in 1898–1907, 139 changes of Deputy Commissioners against 158 in 1865—1875. I may note also that on 1st January, 1908, 13 District Officers had held their districts for over two years each.

(*a*) of officers being called away suddenly on leave or on other duties, and (*b*) of efforts made by Government to keep officers contented by transferring them from stations which they find uncongenial. I know of no way to reduce transfers except a disregard of (*b*), and they can only be carried out to a limited extent.

Transfers of the Provincial Service are due to the same causes as above, and also to the increasing specialization of duties. I doubt if they can be much reduced at present, but when we are able to separate off the Extra-Assistant Commissioners who do civil work only, I would abolish the system of having a Revenue Assistant, and would entrust a sub-division of the district to each Extra-Assistant Commissioner for all purposes, revenue and judicial.

The legal powers of local bodies are fairly large, but in some points I would extend them in practice, *e.g.*, (*a*) I would increase their powers to sanction works; (*b*) I would recast their fixed obligation for educational and medical expenditure; (*c*) I would give more powers to pass rewards, increase salaries and sanction permanent advances; (*d*) I would authorize the devolution of powers to sub-committees; (*e*) I would require Government departments to be advisory and inspecting bodies only, without control. I am not able to suggest any extension of the functions of local bodies, except that they should be gradually entrusted more than at present with the upkeep of provincial works.

For District Officers the District Boards and Municipal Committees form suitable Advisory Councils as regards matters lying within their knowledge, and they are already used by some officers for this purpose. Every reasonable Commissioner and Deputy Commissioner takes advice moreover on important matters from the more prominent landowners and others concerned either separately or in bodies, and this practice might be further encouraged by Government, but I do not think anything would be gained by formally constituting any of these bodies into Advisory Councils.

Administrative Councils would, I think, be a mistake.

I would not advocate the extension of the control of District Boards over existing small municipalities, but I would allow District Boards to impose local taxation and control local administration in some of the larger villages which are not municipalities. An experiment of this kind has been commenced in one of our districts.

I do not think any power can be given to village communities as such, but petty civil works might as an experiment be entrusted to local panchayats, and selected headmen might be given petty criminal and police powers.

39252. From the statement of the organization of the Punjab Government it appears that the Inspector-General of Police and the Director of Public Instruction are Under-Secretaries?—Yes.

39253. And that the Head of the Public Works Department, the Chief Engineer, is a Secretary to Government?—Yes.

39254. It is not specifically mentioned that the Inspector-General of Hospitals is either a Secretary or an Under-Secretary. Has he also direct access to the Lieutenant-Governor?—Yes; he is not either a Secretary or an Under-Secretary.

39255. In the case of each of these four officers, have they the right of taking cases direct to the Lieutenant-Governor?—Yes.

39256. Does not the Chief Secretary note on such cases?—Not unless he is asked to do so by the Lieutenant-Governor.

39257. That is to say, cases from each of those four departments, until they reach the Lieutenant-Governor, run along strictly departmental grooves?—Yes. I should make an exception in the case of the Inspector-General of Hospitals, who only reports to the Lieutenant-Governor on paper through the office, although he sees the Lieutenant-Governor and talks to him.

39258. In the case of the other three departments no one has an opportunity of expressing a view outside the department?—Not in the case of the Public Works; in the case of the police, most cases come up through the Secretary.

39259. But if the Inspector-General of Police has direct access to the Lieutenant-Governor, how does the Secretary come in?—I am not sure on what principle that is worked, but I understand that all questions other than personal matters come through the Secretary.

39260. But, as a general rule, in ordinary cases connected with those three departments, do they go up to the Lieutenant-Governor without having been treated from, what I may call, the point of view of general administration?—Certainly as regards education and Public Works, but not with regard to police.

39261. Is a police case or a Public Works case or an education case dealt with by the Head of the Department, who can take it up direct to the Lieutenant-Governor?—Yes.

39262. In regard to land revenue and excise cases the course is different. That is to say, the Commissioner has to send it up to the Financial Commissioner, the Financial Commissioner sends it to the Secretary, and then it is laid before Government?—Yes.

39263. Is there any reason for so much greater scrutiny in the case of land revenue and excise?—I do not know that there is any reason for the procedure except, perhaps, that the Financial Commissioner has been given very extended powers. The number of cases that come up to Government are not very numerous.

39264. Is there any reason for bestowing more attention on land revenue cases than on police cases?—No; I know of no reason. I imagine the real reason probably for giving direct access to the police, and so forth, is that the Lieutenant-Governor is already acquainted with revenue matters.

39265. Would that not be a reason for diminishing the scrutiny and dispensing with assistance?—Yes, it would; I was rather explaining why the Financial Commissioner was not given direct access.

39266. Does not the very large amount of circumlocution in the case of land revenue and excise add largely to the work?—Yes.

39267. The Chief Administrative Officer in the province is the Financial Commissioner, but he is completely shut out of these four great departments?—Yes.

39268. Practically those four departments are self-contained and do not come into touch with the general administration of the country?—Yes, except the police.

39269. Is not the Commissioner still more narrowed in his sphere, since he is shut out from excise?—Yes, to a large extent.

39270. Then is the general result that in the Punjab he is merely an intermediate and subordinate officer of land revenue?—To a large extent, yes.

39271. The Financial Commissioner controls the Land Revenue Department and also hears appeals. Is he in any sense an inspecting officer?—Yes; he goes on tour.

39272. Is his travelling exceedingly limited?—No, I think most Financial Commissioners travel a good deal.

39273. But he cannot possibly get even a bowing acquaintance with 29 districts in a year or two, or even three years?—No; but he is generally already acquainted with a certain number, and he visits those in which there are pending questions.

39274. When he visits a district, does he only concern himself with his own particular subject?—Yes.

39275. You say that a Financial Commissioner visits the whole province in five years?—I think as a rule he has visited every district in five years.

39276. When he travels about like that, does not his work very much overlap with the work of the Commissioner?—Yes; such inspection work as he does.

39277. What would be the average period of service of a Financial Commissioner—30 years?—Something like that.

39278. And that of an average Commissioner?—The average would be something like 25 years.

39279. So that when a Financial Commissioner goes round a province to see what is being done, it really

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amounts to a man with 30 years' service being paid to inspect the work of a man with 25 years' service?—Yes, and also to gain a certain amount of first-hand information.

39280. Does the administration gain by that duplication of work; might not what the picked man with 25 years service can do be well left without the supervision of another man who is only five years his senior?—I do not think any harm is done by the present system.

39281. Do you not think the inspection of the division might be safely left to the Commissioner himself?—I do not think the Financial Commissioner's inspection is a very serious part of his work.

39282. But so far as it goes it is rather superfluous?—It is superfluous so far as checking the Commissioner is concerned, but it is not superfluous so far as giving the Financial Commissioner himself a knowledge of the province is concerned.

39283. Given his superior jurisdiction, you think it is a help to him in avoiding mistakes?—I think so.

39284. Is there any reason beyond what you have already mentioned why the Inspector-General of Hospitals, and the other Heads of Departments mentioned, should go straight up to Government, while the Commissioner needs to be controlled by special officials like the Financial Commissioner and Secretary?—The Financial Commissioner intercepts a great deal of work which would have to come direct to Government, and is able to dispose of it and so relieve Government.

39285. It is rather to assist Government to get rid of its work, than because the average Commissioner needs additional control?—Quite so.

39286. Would not that object be better achieved by associating the Financial Commissioner more closely with the Lieutenant-Governor, and making him more or less a part of the Government?—Yes; I have often thought that he might suitably be given some such position as the Public Works Secretary has.

39287. It would very much enhance the prestige of the Commissioner, which you would admit to be a desirable object?—I do not know that it would make much difference.

39288. But it would make the Commissioner Head of his Department, which he is not at present?—Yes.

39289. And put him on an official equality with those other gentlemen, whereas he is now in an inferior position?—I do not think he is looked on as being in an inferior position.

39290. Does the Commissioner deal with municipalities and District Boards, which matters do not go to the Financial Commissioner?—Yes.

39291. Is there any reason why the Commissioner should be considered to be fitted to deal with them and not with land revenue matters?—No.

39292. Then what is the reason for the exclusion of municipalities and District Boards from the sphere of the Financial Commissioner?—It is mainly that the Financial Commissioner is supposed to confine himself to revenue matters.

39293. I suppose the ground is chiefly historical?—Yes; I think he is meant more to take off the work from Government than as a controller of Commissioners in their work.

39294. Would that not equally apply to District Board and municipal work? They equally need the oversight of Government?—Yes, except that there is a limit to the amount of work which the Financial Commissioner can do.

39295. Then I take it that the division of labour is not upon any fixed principle?—No; I fancy not.

39296. Do you think that there should be one Police Act for the whole of India?—I have not had much to do with the question of police.

39297. Is it possible to make some link between the Commissioner and the police?—We had it for some years, and the Commissioner was treated very much as being in the position of a Deputy Inspector-General of Police but that has been abandoned.

39298. Is it not desirable to associate the Commissioner, if possible, in a general way with police administration?—I think so.

39299. Does not the police administration lie very close to the life of the people, and it is very undesirable that it should be entirely departmentalized?—Yes; I think so.

39300. Can you suggest any means of associating the Commissioner with the police without interfering too much with the ordinary work of that department?—The Commissioner is already associated with them in certain matters; for instance, suppose there is a punitive police force which is to be raised, the Commissioner's advice is taken, and he also sees all special reports of offences, and knows to an extent the conditions with regard to the state of crime.

39301. Are there any recognised means of keeping him *au fait* with the state of crime and order generally in his division?—I am not sure to what extent he sees the statistics as to crime.

39302. Would you approve of giving him a veto on everything, that is to say, make a rule that if the Commissioner objected to any particular action by the Inspector-General, it should be *ipso facto* suspended until the orders of Government were obtained?—Something on that line might be useful, except with regard to merely routine matters.

39303. Would you give the Commissioner a personal connection with the Superintendents and Assistant Superintendents in the way of having confidential reports sent to him?—I do not know that I would.

39304. Might not his opinion, as more or less an outsider, or looking at things from an administrative point of view, be valuable with reference to Superintendents and Assistant Superintendents?—Yes.

39305. And he might be expected to give his opinion every year?—Yes; I think so.

39306. Is he in direct connection with education, both primary and secondary?—I think the only connection he has is in passing the District Board budgets.

39307. Has he no responsibility in connection with secondary education?—Not that I know of.

39308. Do you not think he might have that with good effect, either in the way of being made President of a Board of Visitors to every college, or in other ways being made to feel that he has a definite responsibility in regard to the general management and tone of these important institutions?—I think he should be considered as having a right of access to them, and be allowed to make himself acquainted with their wants.

39309. But if they got altogether out of hand, would you not give him a certain amount of responsibility in the way of finding out what had happened and taking measures to bring things to notice?—I should be quite prepared to give him that.

39310. It has been suggested that a divisional budget of Public Works should be instituted for roads and buildings generally, to be framed by the Commissioner against an allotment to be made to the division by the Central Government. Would you approve of that?—Yes, and I have made a suggestion to that effect.

39311. Is the Commissioner's office strong enough in the Punjab?—No; it is not at present.

39312. Has he a Commissioned Officer as his head assistant?—No; he has merely a head clerk, who has the same qualifications as a district head clerk.

39313. He is not borne on the list of Extra Assistant Commissioners?—No, I think the Commissioner ought to have some assistant of that kind if he is going to be entrusted with extra work.

39314. Have you read Mr. Maynard's evidence?—Yes.

39315. He mentions several important subjects which were decided without any reference at all to the Commissioner. Is that generally overstated?—There is a certain amount of overstatement as regards one thing which he mentions, as to an Act passed without any Commissioner seeing it, because the Act was in the Gazette for many months beforehand.

39316. But is not a Commissioner entitled to some more special reference than that?—Yes; there were special reasons, because the Act only applied to particular parts of the country, and it had been framed by a Committee appointed practically of all the men who knew about it.

39317. Would you say as a rule that a Commissioner is not taken enough into counsel on large matters?—No; but I think cases have occurred in which the Secretariat has overlooked the fact that the Commissioner's advice would be desirable, but that is not done on purpose.

39318. Would you give the Commissioner a discretionary allowance for miscellaneous objects, such as rewards, and so on?— Yes, I would.

39319. What should be his position with regard to remissions and suspensions of land revenue; would you give him full power, or limited power, or any power at all?—I should give him very much what he has now; he can now suspend to any extent, and he can remit up to a certain figure.

39320. Is there any conference of Commissioners with the view of securing unison of action and view, such as there is in some parts of India?—No.

39321. Might not the Commissioner be entrusted with complete powers with regard to remission?—It would be safer to leave things to the Financial Commissioner, because the sums involved are very large sometimes.

39322. You would recognise that one great want in the present day is some means of informing the people as to the objects and intentions of Government?—Yes.

39323. In Madras, Government publishes a simple village Gazette containing appointments and interesting information translated into the simple vernacular; would you advocate an experiment of that kind?—I have often thought that something of that kind might be done, but I have never definitely worked out how it could be done.

39324. Would it be very desirable to take some steps in that direction, if possible?—I think so certainly; we have no means at present of bringing Government measures to the people's knowledge.

39325. (*Mr. Dutt.*) Does the Financial Commissioner occupy very much the same position here as the Board of Revenue in other provinces?—Yes, I understand so.

39326. He has the final power with regard to most revenue questions and the power to pass final orders?—Yes.

39327. And he also is the final authority with regard to many of the revenue appeals which come up to him?—Yes.

39328. What exactly are his relations with the Revenue Department of the Government?—He sends up questions which he is bound by law or practice to send up.

39329. You say that you would allow a provincial Government to delegate to its subordinates any financial powers it possesses under the Civil Account Code and the Civil Service Regulations. Do the Civil Account Code and the Civil Service Regulations define exactly what authority should pass orders in particular matters?—Yes.

39330. If you allow the provincial Government to delegate those powers to subordinate authorities, would that not defeat the objects of the Civil Service Regulations and the Civil Account Code?—I may have put that a little too widely, and there might be some cases in which it would not be advisable, but in most cases you can trust the Government.

39331. But in these cases have they not to receive the sanction of the Government of India, so that the Government of India may decide which power shall be exercised by the Local Government and which power shall be exercised by the Commissioner, and so forth?—Yes.

39332. If you were to allow the Local Government to delegate those powers, would that not defeat the objects of the Government of India?—I was looking at it more in the way that the Government of India would settle what powers it would keep to itself and the rest would be left to the provincial Government, and as regards those which it leaves to the provincial Government, the provincial Government would have a certain amount of discretion.

39333. At any rate the Local Government could not modify the orders of the Government of India without getting the sanction of the Government of India?—No.

39334. So that it would really lead to a general revision of the Civil Account Code and the Civil Service Regulations?—Yes.

39335. You recommend that the rules for prospecting licenses and mining leases should be relaxed; are they too rigid as compared with the same rules in other parts of the world?—I have not studied them for the past two or three years, but that is my impression.

39336. Some evidence has been given, and especially by the Head of the Geological Department, that these rules as compared with the rules in other parts of the world, are very liberal?—That was not the way in which it struck me from the few comparisons I have been able to make.

39337. Mr. Holland, who is Head of the Geological Department, distinctly said that the rules were very much more liberal than in any other part of the world of which he knows?—He has, of course, better information than I have; I am giving the impression I had of some three or four years ago.

39338. You suggest a General Act of Delegation similar to Act V of 1868: Act V of 1868 relates to Sind; do you recommend a General Act of Delegation for all parts of India, for all parts of this province?—Yes, as far as I know.

39339. That is to say, that the Government should have power to delegate its own powers to any of its subordinates throughout the province?—Yes; there may be cases of which I am not aware which should be reserved, but as a general rule that seems the right course to take.

39340. And that delegation should take place by Gazette notifications rather than by amending Acts?—I should prefer notification.

39341. When power has been vested in Government by an Act, is it quite fair to delegate it by an executive order?—What I was taking you to refer to was delegation by the Local Government.

39342. Delegation by the Local Government of a power vested in the Local Government by a particular section of a law?—That power of a delegation would have been given to the Local Government by an Act, and that in itself would be sufficient justification.

39343. The Act gives the Local Government a certain power; is it fair that the Local Government should have power to transfer that power to the Commissioner or Collector simply by a Gazette notification?—Yes, I think so.

39344. We had some evidence before us given in Madras by a Member of the Madras Council that such a general Act of delegation violates the principles of legislation; is there anything in that objection?—No, I do not see that the objection is a valid one.

39345. You speak of the recent transfer of the power of Court of Wards from the Divisional Commissioner to the Financial Commissioner. Do you recommend that the Divisional Commissioner should be the Court of Wards within his own division?—I should prefer that, and also that the Deputy Commissioner should be as regards all but the largest cases. That is what he had with us until quite recently.

39346. Was not this change made on the advice of some of the most expert Punjab officers who were dissatisfied with the working of the old rules?—I daresay some of them were in favour of it. It is not a subject with which I have had much to do in a district or elsewhere; I am only stating that the general impression at the time the change was being introduced was that it was being more or less brought in from outside.

39347. You would not be satisfied if the power of the Court of Wards was left to the Financial Commissioner, and the real working of the Act was delegated to the Commissioner and Deputy Commissioner?—You could do it in that way, but the other would be simpler.

39348. In Bengal and other provinces, the highest revenue authority is the Court of Wards, but the Act is worked by the Commissioner and the Collector; would you be satisfied with that?—I think so, if the delegation is sufficient for them to work it out.

39349. With regard to appeals, you say "The Local Government is not much troubled with appeals from

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Government officers on personal grounds." Are there not very many appeals in this province?—No, there are not very many.

39350. Is that due to the fact that the people are less given to appealing, or that the result of appeals is generally unsuccessful?—We have almost impossible cases appealed to us—cases in which the man can have no possible hope.

39351. I am speaking of appeals on personal grounds? I cannot say what the reason is.

39352. Anyhow, you would leave the rules as they are?—Subject to what I have said that I see no objection to prohibiting second appeals in cases where the salary does not exceed Rs. 50. I do not look upon it as a very essential point.

39353. Have you got sub-divisions in each district? No, only in a certain number of districts. We have never more than one in each district. There are about 13 or 14 districts in which we have sub-divisions; the rest have none at all.

32354. Then there are *tahsils* within each sub-division?—Yes.

39355. How are the Deputy Collectors—the officers in the Provincial Service—appointed in this province? —They are appointed partly by competition, partly by nomination of the Lieutenant-Governor from the outside public, and partly by the promotion of Executive Officers and Judicial Officers.

39356. What proportion of them are appointed direct as Deputy Collectors and what proportion are taken from the Ministerial Service or other lower Services?—Roughly there are about 9 or 10 vacancies every year: 2 are filled by competition, 2 direct from outside, and the rest by promotion.

39357. By promotion from the Ministerial Service? —From the tahsildars and munsifs, and so on.

39358. Do you think that direct appointments are better than promotions from lower Services, or do you give preference to the other system?—I think we want a little of all kinds.

39359. What is the pay of a Deputy Collector?—He begins at Rs. 250 and goes up to Rs. 800.

39360. Is it free competition, or competition among men who have been nominated?—Competition among men who have been nominated.

39361. Who nominates them?—Some are nominated by the Financial Commissioner or Chief Court, and some by the University.

39362. Has the Government the power of posting these officers and transferring them from place to place?—Yes.

39363. Has the Deputy Commissioner no power of transferring a Deputy Collector from one place to another?—The Deputy Commissioner can not do it.

39364. What is the pay of tahsildars?—From Rs. 150 to Rs. 250.

39365. What is the method of appointing them?—They are in almost all cases appointed from naib-tahsildars; are appointed by nomination, but they have to possess certain certain educational qualifications.

39366. Have you got a large number of graduates among these tahsildars?—Not a large number.

39367. Would it not be desirable to have well qualified men in the rank of tahsildars, graduates and other well educated men?—We are getting them now.

39368. You do not make it a condition yet?—No; they have to have passed the Entrance Examination before they become naib-tahsildars.

39369. What is the pay of the naib-tahsildar?—He begins at Rs. 60.

39370. So that a man beginning at Rs. 60, can work his way up to be a Deputy Collector at Rs. 700 or Rs. 800 later on?—Yes.

39371. Are the tahsildars kept on a provincial list or on a divisional or district list?—On a provincial list.

39372. They can be transferred from one district to another or from one division to another by Government?—By the Financial Commissioner; they are usually kept within their division, but they are not bound to be kept.

39373. Within the division has the Divisional Commissioner the power of transferring them from one *tahsil* to another?—Yes.

39374. In irrigation districts, which is the authority which makes the assessment and collection, and distributes the water and does everything else concerned with irrigation?—The distribution of water is done everywhere by the Irrigation Department; the assessment of the occupiers' rates is done in most districts by the Irrigation Department; the collection is always done by the Revenue Department.

39375. Is the rate consolidated with the land revenue and collected with the land revenue, or is the rate fixed without reference to other calculations?—It is consolidated with the land revenue on the Jhelum Canal. The Canal Officers in most of the older districts only assess the occupiers' rates; in the canal colonies they assess the land revenue as well, because the two go on the same principle.

39376. Is that satisfactory?—It has not given satisfaction.

39377. Would you transfer the work of assessment to the Revenue Officers?—That is a very difficult question. If we were starting from the beginning, I should entrust it to the Revenue Officers, but whether, having got so far, I should do it or not, I do not know. We are waiting for the opinions of the Committee that has been sitting on the question of the canal colonies; they have taken up this subject, and we are waiting for their report.

39378. Should the Deputy Commissioner have some control over the Canal Engineer in the matter of distribution?—I think he should have, and he has to a certain extent a power of putting in a protest against the extension of canals which would lead to a readjustment of the previous distribution.

39379. Is the Deputy Commissioner always the Chairman of the District Board in this province? —Yes.

39380. Have you got Sub-Divisional Boards or *tahsil* Boards under the District Board?—We had a great number of Local Boards—*tahsil* Boards mostly, but they have nearly all disappeared now; we have a few left, but not many.

39381. Is the Vice-Chairman generally an official or a non-official?—I cannot say; I have seen both, and I do not quite know which is the more common.

39382. Is the Chairman of the municipality always the Deputy Commissioner?—No, only in the case of the larger municipalities.

39383. And in the smaller municipalities?—There we have either a non-official or sometimes a tahsildar as President.

39384. Are there many municipalities which have non-official Chairmen?—I could not tell you the exact number. I do not deal with municipalities in the Secretariat; I am only speaking of my district knowledge of them.

39385. (*Mr. Hichens.*) In the Government note it is suggested that the provincial Governments might have power to pass their own budget; would you explain in a little more detail what is meant by that? —We meant that we should be allowed to settle the amount of provincial expenditure we should have in the year, subject of course to having the required balance.

39386. Obviously the Government of India would have to sanction the imperial expenditure. You would not claim to do that without consulting them?—No, except so far as concerns cases which occasionally arise of re-appropriation.

39387. I am speaking of the original budget; you would not pass the budget in relation to imperial objects, the money for which is found by the Government of India, without consulting them?—No.

39388. With regard to divided heads, would the same thing happen under your proposal?—I think we would have to leave that to the Government of India; it would be possible to do it otherwise, but I do not think it would work.

39389. What you really mean is that the provincial Government should have power to sanction its own budget with regard to matters which it paid for

entirely?—Yes. I am not certain whether we could not also go so far as to say that the provincial Government might sanction the shared heads.

39390. Without the approval of the Government of India?—Exactly, going on the principle that as they would be economical in their own share of the shared heads, they might be trusted to be economical in the Government of India shares.

39391. The budget would be passed by the Government of the Punjab, for instance, and it would be subject to no control at all?—Subject to no control except that we must always leave our balance.

39392. Can you point to any parallel to that anywhere else in the world?—I do not know that I can.

39393. In every colony or country is there not always some outside control?—I presume there is.

39394. Would you be prepared to advocate that unless, and until, your Legislative Council had some power, not necessarily of passing the budget, but of fully discussing it?—I see no great harm in it.

39395. You do not think it would matter giving the Government power to pass their own budget without any control whatever?—I think not.

39396. Is it desirable that the Collector should have power, say, over the Executive Engineer?—No, I do not think he ought to have power over the Executive Engineer in any way as a superior.

39397. For example, if it were a question of what piece of land was to be irrigated or how much water was to be put upon it, the best judge would be the Irrigation Officer?—All the detail work should be left to him; the Deputy Commissioner cannot possiby control that.

39398. Has not the Deputy Commissioner a right to write to the Executive Engineer and suggest that this, that, or the other should be done?—Yes.

39399. His status is such that the Executive Engineer would be obliged to give the suggestion reasonable consideration?—Yes.

39400. If he refused to do what was required, the Deputy Commissioner might write to the Commissioner, and the Commissioner could refer the matter to the Government?—Yes.

39401. So that in the last resort the Deputy Commissioner can always make his voice heard?—He can. The difficulty that has occurred in our recent canals is that the number of cases is very large indeed in which the Deputy Commissioner may have reason to object, not so much to distribution as to assessment. The Executive Engineer himself cannot look into the matter, and they are left to his subordinates, who report them to the Deputy Commissioner.

39402. I take it that assessment is a matter that anybody could do if he knew the rules?—Yes, assessment is not what you would call a technical matter.

39403. But the actual distribution of the water is a very technical matter?—Yes, the system of distribution is technical.

39404. And it is one in which the last word has not yet been said?—No; what the Deputy Commissioner can bring to notice is that people who have had water for a long period are suddenly deprived of it for the purpose of improving the system of distribution, that is to say, from a technical point of view it is perfectly right to deprive them of their water, but the District Officer sees the matter from another point of view, that is to say, depriving them of what is something like a prescriptive right. If he wishes to bring that to notice he is entitled to do so, and he does it.

39405. But in your opinion it would be better if he merely brought the matter to notice without having any power of command?—I would rather reserve my opinion until we see what the Colonies Committee report.

39406. What is your opinion with regard to the relations between the other technical departments and the Deputy Commissioner?—My general view is that as regards purely technical matters they should be left to the department concerned; most Deputy Commissioners are quite ready to do that; but where they impinge on the general administration in any way the Deputy Commissioner's views should be heard, and he should be given the last word in the matter.

39407. You are in favour of giving the Commissioner a budget?—I think so.

39408. Would that include practically all the works and functions of his division?—No; I have specified some which I thought might be done, but it is a matter running to great detail. As to Public Works, for instance, it might be more convenient to leave repairs in the hands of the Public Works Department, but new works might well be left to the Commissioner to decide.

39409. Would that involve an increased establishment for the Commissioner in order to give the necessary financial control?—There would be a slight increase; nothing very much.

39410. What advantage would you expect to gain from that?—That the local needs would be understood.

39411. You mean that the Superintendent Engineer does not understand the local needs for example?—The Commissioner very often has a better idea of the local needs than the Superintending Engineer.

39412. A typical way of submitting the Public Works budget was given us as follows the other day; the Executive Engineer first of all consulted with the Collector; then the budget was sent on to the Commissioner, who went over it with the Superintending Engineer; the Commissioner had the last word, and sent the budget on to the Government. Is that the procedure here?—No, but I cannot recollect exactly what the procedure is.

39413. If that were so, would that give the Commissioner a reasonable control over the objects on which the money was to be spent?—It would give him a fairly reasonable control; my suggestion was more because I thought that in other departments also the Commissioner might be given a divisional budget, and that being so, Public Works might be usefully thrown in.

39414. In revenue assessments are the towns assessed as well as the country districts; do they both pay land revenue?—Only the agricultural land round the town, not land inside the town.

39415. That is to say, land that is built upon pays no land revenue?—That is so.

39416. And it pays no cess to the District Board?—No. It is exempt from both.

39417. Have you any general view with regard to the financial relations which exist between the provincial Government and the District Boards; in the first place, would it be a desirable principle to lay down that they should be provided with independent sources of revenue which are adequate to their needs without Government subventions?—We are trying all we can to do away with subventions on the one hand and contributions on the other.

39418. Is that a sound principle?—I think so, so far as we can do it; we cannot always do it, for financial reasons.

39419. But as a principle it would be sound that they should have certain sources of revenue which they could tap, quite independently, or as independently as possible, from the sources which the Government tap?—I do not say that; it depends in what sense it is meant; the local rate, for instance, is a source which is dependent on the land revenue, it is a percentage of it; that I think they must have; but the other sources that they have should be by direct revenue and not in the way of subventions from Government.

39420. You agree to that as a principle?—Yes.

39421. Would you also agree that it is a sound thing that they should only pay for the works for which they are executively responsible?—Yes, that is a sound general principle.

39422. For example, with regard to police, whether it was a municipality or a District Board, suppose all they did was to pay, that you think would be an unsound principle?—Yes, that was the principle in the case of the police until recently.

39423. It would apply to-day to a very large extent in regard to the relations between the local bodies and the Government?—Yes.

39424. That would require a certain amount of alteration, but you would be in favour of making the alteration as far as possible?—Yes.

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39425. (*Mr. Meyer.*) You deal with Local Boards and municipalities from the financial point of view?—Yes.

39426. The report by Mr. Hamilton on financial relations has been put before us; are you acquainted with that?—Yes.

39427. May we take it that the facts stated in that report are generally correct?—I fancy the facts are generally correct.

39428. To summarise them, we find in the first place that the District Boards do not enjoy their own Land Cess altogether; they have to make over to the provincial Government some 15 or 20 per cent. of it?—Yes.

39429. The Municipalities are burdened with police charges in respect of which they have nothing to say?—That is going to be put right, but it has been the case hitherto.

39430. The local bodies are desired to spend specific portions of their revenue on education, medical, and so forth, and Mr. Hamilton says that though these were originally intended as mere guides, the departments have rather rigidly stereotyped them?—Orders are going to be issued to put that right as regards education; the medical matter is still under consideration.

39431. That is to say, as to education, instead of the Board being required to pay 15 per cent. or whatever it is, of its revenue, it will be able to pay what it likes?—Subject to the general control of the Commissioner over the budget.

39432. Mr. Hamilton also says that owing to this system of percentage, the roads have got starved?—That has been a complaint, and in some districts it is certainly the case.

39433. The secondary schools for which the Boards pay are largely managed for them by the department?—Yes.

39434. Even in respect of primary schools they have not got their own inspecting agency?—Upon that also we propose to issue orders very shortly, putting the primary schools more directly under the District Boards.

39435. Are you going to give them their own agency of inspectors?—We propose that the assistant inspectors should be their own agency, and that the district inspectors should be lent them by the Government.

39436. Is it the fact that the Boards cannot abolish a school without the sanction of the Director of Public Instruction?—My own opinion is that they ought to be in a position to abolish a school. I think orders are issuing to the effect that they may do so with the sanction of the Commissioner.

39437. Are they still made to pay for clerks who are employed on Local Fund work in the Commissioner's offices?—They are still made to pay; we are ready to take it off their hands as soon as we can afford it.

39438. At the time Mr. Hamilton wrote, the vaccinators were under the Sanitary Commissioner; are you going to alter that?—The vaccinators have been made subordinate to the District Boards now.

39439. The dispensaries were managed by the Civil Surgeons. Have you done anything as to them?—We have issued no orders about that yet.

39440. The roads were largely managed by the Public Works—by the Executive Engineers?—To a certain extent they were: the bulk of the ordinary unmetalled roads in the district were managed by the District Boards; some of the better roads were managed by the Public Works.

39441. Would a metalled road be paid for by a District Board or by provincial revenues?—You very seldom find a road that is not a metalled road that is paid by provincial. As regards metalled roads, the District Boards keep up a certain number and the provincial Government either maintain the rest from provincial funds or maintain them at the expense of district funds.

39442. Speaking generally, can you say which is done most—that the provincial Government maintains and pays, or that the provincial Government maintains and the Local Boards pay?—I cannot say what the proportion is.

39443. Is there going to be any change in respect of that?—We made some general arrangements when the Government of India gave us a large grant two or three years ago; we arranged that a certain programme of metalled roads should be carried out, and carried out by the Public Works Department, the contribution being made half from provincial funds and half from the District Boards; it was also arranged that, as soon as each District Board was able to show that it has a good District Engineer and a good district establishment, all the works now looked after by the Public Works should by degrees be handed over to them.

39444. You talk of a good District Engineer; you are going to encourage them to maintain their own staff apart from the Public Works Department?—Yes, we have given them grants for that purpose.

39445. Were these orders issued upon Mr. Hamilton's report?—Some of the orders that I have mentioned were.

39446. Were they embodied in one resolution?—No, they have not all been acted upon; in fact some of these orders which I have referred to are not yet issued.

39447. Will you let us have such as have been issued which you think are of importance?—I will.

39448. So that in the past, at any rate, your principle that the authority that pays should be the authority that should administer, was absolutely departed from in this province?—Very largely.

39449. Your financial relations with the District Boards seem to have been complicated by an enormous lot of petty cross-entries; are you going to simplify that?—We propose to abolish several of them; we have sent round to the Commissioners suggesting the abolition of two or three classes of entries.

39450. You spoke of having employed the 25 per cent. extra on the Land Cess which the Government of India gave in the improvement of these roads; but what will happen when the roads have been put into decent order? Are you going to distribute the grant equally among the District Boards?—We have made arrangements for five years. I forget what we said should happen after that.

39451. As regards the 20 per cent. which you take from the Land Cess, are you in favour of getting rid of that as soon as funds will admit?—Certainly.

39452. Does the District Board budget come up to the Commissioner?—Yes.

39453. Does it go on to the Local Government?—Yes, but now that the District Fund is an Excluded Local Fund we shall merely get from the Accountant-General a memo. of the budget accepted by the Commissioner.

39454. As regards the District Boards and municipalities generally, you would like the Heads of Government Departments to be advisory and inspecting officers without control?—Yes.

39455. You would give a reasonable latitude to the District Board to reject the advice of the Director of Public Instruction if they thought it was not good advice so far as they were concerned?—Yes.

39456. Would that not be rather difficult while the Director of Public Instruction remains Under-Secretary to Government; there would be an appeal from himself to himself, largely?—It would, no doubt, have that appearance.

39457. Will it not be necessary, if you want to make that principle a reality, to concentrate the final decision of all differences with the Commissioner?—Certainly, with the Commissioner or else with the general Secretariat of Government.

39458. But if the Commissioner can pass the Local Board budget, is he not a big enough man to say in regard to education whether upon a particular matter he would over-rule the Board with the advice of the educational authorities?—I think in most cases he is.

39459. As regards your budgets, are not your figures generally corrected by the Government of India in the direction of greater accuracy?—Yes.

39460. As a matter of fact, have not the figures, as worked out by the Government of India, been more accurate than yours, as decided by actuals?—Yes.

39461. So that so far that has not hurt you, and it has done good.

39462. Why do you propose to get rid of that check? Is not the Government of India's Financial Secretariat a much stronger body than yours?—Of course; it is not with a view of getting rid of the assistance we get from the Government of India: it is rather from the point of view of our having independence.

39463. Does not a great deal of revenue come from divided heads?—Yes; the bulk of the revenue.

39464. In those divided heads the Government of India is materially concerned?—Yes.

39465. Therefore, the amount of the imperial surplus depends very considerably on estimating the —receipts of those divided heads as closely as may be? Yes; I would have no objection as regards receipts to accepting any figures the Government of India might think accurate.

39466. Then you would admit the correction of your figures by the Government of India in regard to receipts?—Yes, as a technical correction.

39467. About expenditure, with one exception—the land revenue—the Government of India shares the expenditure under the heads the receipts of which are divided?—I was under the impression that there were more heads than the land revenue which were purely provincial.

39468. The Government of India sharing the divided heads, the expenditure under those heads affect imperial expenditure, and consequently the imperial surplus?—Yes.

39469. The extent to which the province draws on its balance, or has a surplus and does not draw on its full current resources, affects the Government of India surplus or deficit?—Yes.

39470. So that in all these matters, so long as you have connection between provincial and Imperial finance, you must have Government of India control over the figures?—I admit that there are difficulties in the way; the general idea was that we should get control as far as possible.

34971. With regard to specific control as to the creation of appointments, additions to salaries, and so on, you have just as much control over the divided heads to-day as you have over the provincial heads?—Yes.

39472. Do you share Mr. Russell Stracey's idea that you should get rid of all divided heads and make everything provincial subject to a lump contribution to the Government of India?—No, I should not recommend that.

39473. Mr. Russell Stracey states that local funds must "spend their last pie" (he is talking of financing famine measures) before the Imperial Government comes in. Is that the system which is applied in the Punjab?—No; we insist on their spending a reasonable amount on famine.

39474. If famine broke out, say, in the Jullundar district, would you make the Local Board pay every rupee it could before the provincial Government would intervene?—No, that is not a correct statement.

39475. Your idea is that you would make the Board contribute to some extent?—Yes.

39476. As a matter of fact, do they have to pay largely?—I do not know how far they contribute.

39477. Do you make the Boards contribute largely to plague?—They contribute a certain amount to plague; we have recently given them orders as regards the system on which that is to be worked.

39478. Can you mention in general terms what the new system is to be?—I think they are called on to state how much they think they can afford; that is scrutinized and they spend up to that; any balance that has to be spent over that is paid by the provincial Government. The amount the Boards are liable to spend is settled beforehand, so that their own budget may be more or less on a settled basis.

39479. (*Mr. Hichens.*) Do the Boards have any administrative responsibility for the plague expenditure, or is it a dole to the provincial Government?—I cannot tell you accurately how far they have any responsibility.

39480. (*Mr. Meyer.*) There is no recognised percentage? For instance, you know the new arrangement that has been made with the Imperial Government in the matter of famine relief; you have nothing of that sort with the District Boards; you do not undertake to pay a larger proportion of the plague charges and only to make the Boards pay a proportion?—No.

39481. You say that there has been a tendency in some of the Imperial Departments to follow up general orders with demands for drafts of the detailed orders proposed to be issued to carry out those orders. What particular departments have you in your mind?—I was thinking chiefly there of the Revenue and Agricultural Department and the suspensions and remissions Resolution.

39482. Does that continue still?—The resolutions we have had from them since have not done that.

39483. You were in the Revenue and Agricultural Department of the Government of India for some time?—Yes.

39484. It was put to us in some provinces that there was a tendency to force Punjab methods on Bengal and other provinces who rather objected to them; would you say that there was anything in that?—I cannot say that there was much of that when I was in the office; what you might call general, North of India methods were brought to the notice of the other Governments once or twice.

39485. You mean the Punjab and United Provinces?—Yes; for some years you might call them all United Provinces methods.

39486. You say that details of recurring suspensions and remissions should be left to the Local Government. Are they not left to Local Governments at present?—Yes, the details of the working; I refer there to the issue of detailed orders.

39487. But surely the Government of India merely laid down general principles as to the extent to which a loss of crops should justify a certain amount of suspension?—I think the circular itself was quite right in that way; what I was objecting to was their not trusting the Local Governments to carry out the orders, but insisting on seeing the rules before they were issued.

39488. You would admit that they might ask to see the rules for their information?—Yes, after issue by the Local Government.

39489. As a matter of fact has there been any interference with what you desire to do in the Punjab in the way of remission?—No, there has been nothing of any importance.

39490. What happens when there is a trifling loss of crop affecting quite a small area; have Deputy Commissioners any power?—Yes, a Deputy Commissioner can suspend there in the same way.

39491. Can he remit?—As far as I recollect, he cannot remit on the spot.

39492. Might he have any powers of remission?—I think he might suitably have small powers.

39493. Referring again to the Calamity Rules, are not the conditions under which suspensions pass into remissions more or less automatic? If the suspended revenue amounts to more than a year of the normal demand, or it cannot be recovered in three good harvests, is it not remitted under the general orders?—That is our general principle.

39494. Might not the Deputy Commissioner be trusted to work that automatic scale?—There have been occasions on which it has not been absolutely carried out; there is a certain amount of latitude allowed in its application.

39495. Do you think the Commissioner should still see it, even though under the rules it is quite clear that a remission should be made?—The rules do not absolutely say you are to remit, but that should be the guide.

39496. And you exercise discretion?—Yes.

39497. So that there is no case in which the Deputy Commissioner can say: "Clearly it is the intention of Government that this suspended revenue should now be wiped off, and so I remit it"?—No, I should see no objection to his being able to do that up to a certain point, but the sums are so very large sometimes.

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39498. What point, roughly, would you take?—I think he might remit up to say Rs. 5,000 or Rs. 10,000 even for a district.

39499. Is that not about the limit of the Commissioner's power—Rs. 10,000 for a harvest?—Yes.

39500. If you gave the Collector power up to Rs. 10,000, might you not extend the Commissioner's powers?—Yes.

39501. Would you give him power up to a lakh of rupees?—Up to half a lakh for a district.

39502. You have introduced what is called a fluctuating assessment into a number of your districts, under which the assessment varies according to the character of the crop year by year; who fixes the assessment finally, the Deputy Commissioner or the Irrigation Officer?—It would depend on the system in force in the district. In some districts the Irrigation Department do it, and in some the Deputy Commissioner does it.

39503. Whoever decides, it is a large responsibility, and it must be done very largely on the reports of subordinates?—Yes.

39504. Does that not put an undesirable power into the hands of the patwari in the way of bribery and so forth?—It does, but we have to calculate whether it is worth while running that amount of risk in order to save people from being harassed for revenue in parts of the country where they have fluctuating crops.

39505. We were told by an eminent official from the United Provinces that they had had that system at work there, but the people disliked it very much and preferred the permanent acreage assessment, and that they had done away with it; have you had any complaints as to that in the Punjab?—I think it is a system which should be extended with care, and almost everywhere, when it is first introduced, the people dislike the idea, but when it has once been introduced and put into working order, they have accepted it—that is to say, in districts where the fluctuations in cropping are very great.

39506. In Multan, for instance, where the fluctuations are great?—Yes.

39507. Apart from that, where the crop is fairly steady, but the character of the season varies, do the people like the fluctuating assessment system?—I do not know that we have any tract where you can exactly say that; the two things generally go together, where the area is variable the character of the crop is variable.

39508. Speaking generally, does it extend over a large part of the province?—Speaking merely from a guess, I should say about a fifth or a sixth.

39509. How long has it been in force?—Along the rivers it has been in force in many places 30 or 40 years; but, as a general system, I should say for the last 10 years.

39510. Is it your personal opinion that, in spite of the dangers you admit, it is worth while going on with it and possibly extending it with great caution?—Yes; but I think we have nearly reached our limit now as to the area within which it should be tried.

39511. (*Sir Steyning Edgerley.*) As regards these remissions, have you many landlords or others who pay an assessment of Rs. 50,000 a year?—No, very few.

39512. Or over Rs. 10,000?—I should think a very small number over Rs. 10,000.

39513. So that the limit of Rs. 10,000 which you suggest would really cover the case of any individual occupant?—Yes, I meant Rs. 10,000 for a district.

39514. Quite so, but if you allow an officer to remit up to a limit of Rs. 10,000 he can practically remit in full to any particular cultivator?—Yes.

39515. However big the total of remissions for a district is, if it goes up to five or ten lakhs, it is made up of small sums to various cultivators?—Yes.

39516. And each of those men have to be dealt with in a manner which seems just and fair to the cultivator concerned?—Yes.

39517. On what principle then do you prevent the Collector or the Commissioner dealing with each individual cultivator because the gross total may exceed some maximum limit for his district? Can any one else know the individual circumstances of the crop of each cultivator?—We generally work on a village as a unit, and as regards the village we have notes sent up to the Commissioner as to the character of the crop there, as to the character of the cultivators, and generally as to the power of the village to resist anything of the kind, and then the percentage of the revenue which it is proposed to remit or suspend is fixed.

39518. Just so, but remissions is rather a case, to use an old phrase, "where many a mickle makes a muckle," and you have to settle each "mickle" independently and justly to the individual, and nobody can do that except the officers who know the actual circumstances on the ground. You gain nothing therefore by taking the decision away and giving it to a higher authority which cannot know the circumstances?—We only gain in this way,—that an officer who makes the first remissions will suggest a certain percentage being remitted, and if he is an officer of comparatively small experience it is possible he may go too far, or not far enough, and the Commissioner can correct him.

39519. Of course the Commissioner is near enough to go and see for himself the circumstances?—Yes.

39520. But you limit him too?—Till lately we have limited the Financial Commissioner even.

39521. Of course the Commissioners must report the amount of revenue that cannot be recovered for financial purposes, but why take the decision out of their hands?—I see no objection to giving the Commissioner fairly complete powers.

39522. There has been a certain amount of evidence to show that a Collector should have complete power of suspension and the Commissioner the ultimate power of remission?—With us that is not so. I suppose the idea guiding us in limiting the Commissioner's power has been the very large amount of money concerned.

39523. All made up of small items?—Yes.

39524. Which the higher authority really cannot discriminate?—Yes.

39525. Colonel Parsons suggests that it would be a great relief to appoint Magistrates *ex-officio*; are you aware that we have done that in Bombay for some years?—We have recently done it at my suggestion here, and that difficulty has been obviated now.

39526. What is your idea with reference to the powers of Imperial Inspectors-General in regard to correspondence with officers in the province?—It is very difficult to draw a distinct line, but I should not object to their corresponding on personal matters with the local corresponding officers.

39527. Officially, or informally, or how?—Even officially, I should not object.

39528. It has been suggested that as decentralization goes forward the Government of India must have these officers, because they will get less and less information from the provinces and therefore must have the aid of such officers to enable them to maintain control and discharge their responsibilities to the Secretary of State; what would you say with regard to that?—I think the officers fulfil a very useful function.

39529. But what would you say—on the point that they should be purveyors of information to the Government of India to enable them to exercise those powers?—That is not the object with which I should retain them; it would be to supply the Government of India with technical advice.

93530. If the Government of India want such information, ought they to get it through these Inspectors-General, or ought they to go to Local Governments for it?—I think they ought to go to the Local Governments.

39531. When general orders are followed up by a request for copies of your more particular orders, do you find correspondence ensue?—No, there is no great harm done, but it is an unnecessary procedure.

39532. It was suggested to us that it would be very much more convenient to the Government of India to get the information in that way rather then having to look for it in proceedings?—I see no objection to their asking, when orders have issued, that a copy should be sent to them.

39533. But in the past have you not had to send up drafts of proposed orders?—Certainly, in the one instance I have mentioned.

39534. With regard to your remarks as to the delegation Act, are those entirely your own views, or have you discussed the matter with Sir Denzil Ibbetson?—Sir Denzil Ibbetson spoke to me about it, and said that was his view also, and if one had to put forward the views of the provincial Government, he would like that to be noted.

39535. With regard to the Court of Wards Act, have you any idea what Sir Denzil Ibbetson's view about it was after he came back as Lieutenant-Governor?—No.

39536. Is the passage in paragraph 7 of the Government memorandum which I point out to you really an expression of his views?—Yes, it expresses his views.

39537. So that he was inclined to think in 1907 that the change was not working as well as has been expected?—Yes.

39538. Is there any opinion that the agricultural statistics and returns required by the Government of India are unduly onerous?—Yes, there is an opinion to that effect.

39539. Do you share it?—Yes.

39540. Do you see any remedy?—In most cases certain information is wanted, but it should be reduced to the smallest possible dimensions.

39541. As regards memorials to the Government of India it has been suggested in different parts of the country that a memorial should be withheld if it comes from officers receiving less than Rs. 250 a month, and another suggestion has been made that with regard to the whole of the Subordinate Services the Local Government order should be final, and that the Provincial Services alone should have an appeal to the Government of India because the appointments are made by the Provincial Governments; would a suitable rule be that men in the Provincial Service, or on pay of not less than Rs. 250 a month, might have access by memorial to the Government of India?—The only reason why I should prefer to mention the money limit is that I believe, in some departments, the Provincial Service is not very definitely marked off. I see no objection to that, but at the same time there is no urgent need in this province to alter the present rule which is Rs. 100.

39542. It has also been suggested that the points of contact for all departments in the different administrative hierarchy should be the Collector, the Commissioner, and the Local Government, and that all the outside departments should, in their grades, be brought into close touch with the Collector, the Commissioner and so on. Am I right in understanding that you rather agree with that, and you would make the outside departments rather consultative and advisory than administrative?—Yes, I would not subject the other departments to their control.

39543. You suggest that more control should be given to the Commissioner "by requiring that in cases where the sanction of the Heads of certain Departments (Excise, Agriculture, Land Records, and Co-operative Credit Societies) may now be required" for expenditure, the sanction should be given by the Commissioner of the division?—Yes.

39544. Is not that in pursuance of that principle?—That was in regard to certain departments in which the Commissioner has quite as much technical knowledge, probably as the Head of the Department.

39545. You would not extend that to other departments?—No, I would not extend it further.

39546. Would you apply the rule, which is generally acknowledged in theory, as regards the Forest Department, that the district forest officer in administrative matters is the assistant of the Collector, but in technical matters is under his Conservator, to such Departments as Police and Public Works?—It already holds good to a large extent as regards the police.

39547. Is there any specific order to that effect?—I have an idea that the Act itself puts the Superintendent more or less under the Collector.

39548. Would it be a good basis as regards the Executive Engineer?—I do not think it would work as regards Public Works.

39549. As to the use of powers belonging to the Local Government under the Civil Service Regulations, your position is that the Local Government would always be responsible to the Government of India?—Yes.

39550. But having that responsibility they should be free to say, how, or through what subordinate officers, they will use the powers they may have?—Yes.

39551. That it would in no sense diminish their responsibility to the Government of India?—No, in a general way.

39552. Are you in favour of the extension of the sub-divisional system; of breaking up a district entirely into sub-divisions?—I think we should have to make some changes in our present system of sub-dividing Provincial Service officers into various classes as to which there is at present a difficulty, but if, for instance, we did away with what is called the revenue assistant in each district, and if we had the officers to do judicial work entirely separate, then the remaining officers of the district might be made available as Sub-Divisional Officers.

39553. Would you like to work to that system?—Yes, not necessarily with the Sub-Divisional Officer living in the sub-division.

39554. But making him really a step in gradation between the tahsildar and the Collector?—Yes.

39555. If that were done would you be prepared to give him powers of control and punishment over officials receiving up to, say, Rs. 20 or Rs. 25 a month?—Up to a certain limit; I would not say exactly what.

39556. And the final appeal should be to the Deputy Commissioner?—Yes.

39557. You tell us that the Commissioner's office is too weak; would you say the same as to the Deputy Commissioner's office?—It is weak as a rule on its English correspondence side.

39558. Ought the Deputy Commissioner's office to be strengthened?—Yes, it would be a help if it was strengthened.

39559. Assuming that a Deputy Commissioner gets more final powers, would more careful selection be necessary?—To a certain extent. We should occasionally wish to have power to prevent a man from any promotion to Deputy Commissioner.

39560. Would that lead to a system of proportionate pensions?—I think so.

39561. Do you see any reason to think that that would affect recruitment?—When I say it would lead to a system of proportionate pensions, I mean to say that such a pension would be necessary when Government wished to get rid of a man. I do not think it would affect recruitment.

39562. If it did, would there be an adequate counterpoise secured by improving pensions of successful officers?—If it did, we should have to do something of the kind.

39563. Are you satisfied with the training of young Civilian Officers after they come to this country?—They get now a good revenue training with us, but not as good a judicial training as they should.

39564. And with regard to languages?—I think they should be required to do a little more in the way of languages; they should pass the Punjabi examination.

39565. It has been suggested that we might use the new police schools for putting young Civilians through a course of languages and codes; would you be in favour of anything of that sort?—The difficulty is that they have already got to go through a revenue course and a judicial course, and it is somewhat hard to make them go through them.

39566. But could you not teach the judicial work and the book-work more effectively in a school?—The judicial training they are supposed to get now is a practical one in the Courts, and not a book training.

39567. It is suggested that if Local Governments have a good deal more power under the Civil Service Regulations and other financial codes, that they would probably sanction a larger number of cases than they at present get through; would you agree with that possibility?—I think there would be a slight tendency in that direction.

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39568. It has been also suggested that that would be somewhat of a political advantage as perhaps tending to make the Government seem less hard?—Possibly, but I should not say anything very much to that extent.

39569. Under the former relations between Commissioners and the police, you put the Commissioner in the position of a Deputy Inspector-General?—Yes, very much.

39570. That is to say, you made the Commissioner, who is in other respects a very much more senior officer, subordinate to the Inspector-General?—He was in that sense subordinate, but we did not look upon the Inspector-General before as either senior or junior. Differences of opinion could be referred to Government.

39571. Was that not a position which was not likely to work well?—I have had no personal experience of it.

39572. If there was any idea of bringing the Commissioner more into touch with the police, would it not be better to give him the same powers in his division as the District Magistrate has in his district?—Yes, it would be on the same lines.

39573. Might you let appeals from the local police in districts go to the District Magistrate, and appeals against punishments from Inspectors go to Commissioners?—I should not like to say without thinking a little more about it.

39574. As regards the gradual working up of a Public Works staff for District Boards, it has been suggested that one disadvantage is that it means that you spend more money on establishments in the area than is absolutely necessary and it is not therefore economical; do you agree with that?—That is true, there is a chance of establishments over-lapping, but at the same time in some ways it is economical, and work can very often be done cheaper.

39575. Does it really advance local self-government greatly if you give the technical execution of any project they desire to laymen? When a District Board wants to build a school, for instance, does it matter whether the man who does the work is their own servant or whether they go to a contractor or the Government Department; do you think it makes any difference as to local self-government?—No, not as regards that particular work, but when a department gets a footing in that way it is apt to extend its sphere of influence.

39576. (*Sir Frederic Lely.*) Referring to the statement of Mr. Craddock, the Chief Commissioner of the Central Provinces, and his remarks as to Public Works, do you agree with them?—I would recognise the main principles of that statement as correct.

(*The witness withdrew.*)

Lieutenant-Colonel C. G. Parsons was called and examined.

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39577. (*Sir Frederic Lely.*) You are Deputy Commissioner of Lahore?—Yes, I have had 20 odd years' district experience in the Punjab.

Imperial Acts and rules too often make reference to the Government of India necessary, and similarly provincial Acts and rules make reference to the provincial Government or to the principal revenue authority too often necessary, this being, in the latter case, particularly noticeable in rules made by the principal revenue authority.

The reasons for this would be professed to be precautionary, for fear blunders should be made below or for fear that there should be disregard of uniformity. The latter consideration is of doubtful merit, and the former often too solicitous. But there are other reasons, not so easily detectable or admissible, arising out of the desire to retain control from above. Whether such control facilitates or hinders the due despatch of public business should be the criterion; but it is not always so, the control being insisted on often merely because a superior office exists. When the control does not facilitate due despatch it is unnecessary, and when it hinders it is mischievous. It also indicates that the superior appointment is *pro tanto* superfluous.

A general Act of delegation to correct the restrictions discussed would be better than specific amendments of specific Acts and rules, which latter would be tedious, although probably favoured by some on some legal ground borrowed from England, or "for the sake of uniformity."

Similarly, the Codes are too rigid in requiring Local Governments to gazette powers to officers *by name*. An impossible treatment of the necessities of different positions is pre-supposed by such rigidity. For example, a tahsildar goes on a short leave, and his naib acts. By the time the Local Government has been able to gazette the proper magisterial powers to the naib, the tahsildar is almost due back again. This is an instance constantly recurring, *mutatis mutandis*. The Local Government should have power to provide for these necessities by empowerment of *tahsil* and District Officers *ex-officio*.

The influence of the departments of Government of India is certainly in the direction of excessive uniformity, if not rigidity also. It seems impossible that this should not be the case. Take an energetic Viceroy or an energetic Member of Council, who knows his tenure of office lasts only five years or so. He is perplexed and inconvenienced, in trying to get grip of his work "as a whole," to find divergencies and apparent incompatibilities existing in the systems of different provinces. He is afraid that if these perplexities and inconveniences or obstacles to his getting grip are not removed, he may have to leave office without having improved administration even in any one province. He therefore to help himself and his successors in office aims at an uniformity which will present none of the perplexities, &c. It should be recognized that the Imperial Department is only useful in so far as it works in concert with and does not hinder or hamper each provincial Administration, just as a provincial Department should recognize its own limitations in comparison with each district's administration. The limitations of function of the Imperial Department should have regard to its *personnel* just as those of a provincial Department should have.

The Heads of Departments realise the blindness and want of intelligence their position entails, and they strive to correct this by working the body. They want to see and know, and they strive for this by elaborating a correspondence with provinces and districts, which, while it prevents them from being blind and unintelligent, hampers the provincial Governments and almost paralyses the District Officer, because the latter feels the combined effect of the Imperial and provincial Departments both engaged in writing at him. This is the phenomenon which is clogging the prime administration of the country with cumulative effect year by year, as the elaboration of and creation of Heads of Departments goes on up above. It is responsible for the "loss of touch" which the Secretary of State's schemes for Advisory Councils purport to supply or restore. The more the elaboration and creation goes on, the less will the prime administration of the country remain possible. It has got almost impossible already.

Just as limitations are imposed upon the provincial Head of a Department (though these limitations require fortifying) to make him work in concert with and, as far as may be, not to the hampering and hindrance of the District Officer, so I would impose limitations upon the Head of an Imperial Department by making him *ex-officio* a member of the Councils of Governors and of Lieutenant-Governors. He should, I consider, be that first, and member of the Viceroy's Council afterwards, or, at any rate, the Viceroy's adviser afterwards. For, after all, what does the Viceroy want to get as an adviser—an officer who is practically acquainted with the administration of the different provinces, or one who is scraping an acquaintance by dint of laborious correspondence? The Viceroy needs to be at one with his provincial Governments, and to work in concert with them, not to command a number of interpositionary officers, Heads of Departments without bodies, out of touch or of concert with the Local Governments, and laboriously compiling office records and files; each

one of which almost, from its necessarily inquisitorial and its interpositionary nature, is a hampering and a hindrance to the Local Government. If in the cold weather each Head of an Imperial Department took his seat, along with his fellows, at the table of each provincial Council in turn, according to a roster, which by the Viceroy and by the Local Governments *inter se* could be arranged, the necessity for half the correspondence which arises would disappear, the reasons, in individual provinces, for departure from uniformity would be better understood, and the Viceroy would, through advisers themselves in touch, himself be far better able, and at the instant of his assuming office, to work in touch and in concert with the Local Governments than he is at present.

That the Imperial Secretariat is apt to consider matters from too purely a departmental standpoint is inevitable under present circumstances. The plain reason is that they (even more than the Heads of Imperial Departments) are out of touch with the people and with direct administration more so than any Government servants of any kind in the country. Their surroundings may be said, at Simla and at Calcutta, to be, except for touch with domestic servants and Indian visitors (when they receive them), almost entirely European, except, perhaps, when they go on tour now and then with Members of Council. While their perennial surroundings are such, their daily society is, for the purposes of this discussion, that of officialdom, and of European officialdom to boot. Thus they naturally become departmentalized, specialized, and often almost academic from loss of touch with practical administration. In their surroundings departmental impossibilities recorded on paper assume a reality scoffed at by the practical workers below. They forget, or are apt to forget, that they generally are working for Heads of Departments without bodies. They are apt to forget that there is only one body which almost every department is crucifying in its turn, and each, if he is energetic, is by his energy unfortunately in many ways doing more harm than good. In this I speak, not as one who might be accounted jealous of European surroundings he cannot, as an European in India, enjoy. I have enjoyed them; and I do not want to enjoy them again on the same terms. I had six summers of departmental life as Excise Commissioner at Simla. The period is sufficient to departmentalize any man. From being a more or less rough and ready District Officer, I became an expert at rule-drafting and compiled the Excise Pamphlet, still current in the province, the *minutial* of which gives me food for reflection every time I see it. I enhanced revenue largely it is true, but my work was impersonal and dominated by these considerations, and all this happened in spite of the fact that I toured extensively every cold weather. Had I remained on in office, I would have done harm, as I had exhausted the immediate possibilites which lay to hand when I took office. I should have begun to unduly elaborate as a man cannot sit idle. In the German Army I believe they hold that two years' continuous staff employ is sufficient for which to second a regimental officer. He is useful for that period they think, but thereafter liable to become a spoiled practical officer, as well as, because it follows, a degenerated staff officer. The same principle applies to seconding for departmental work, although in civil administration the limit may be longer, say five years. The reputedly "indispensable" Secretary, however convenient to his employer he may be, is apt to be one much better got rid of from the point of view of public business.

Directors and Inspectors-General should be subordinated to Local Governments. I contemplate that Members of the Viceroy's Council should be *ex-officio* Members of the Councils of the Local Governments. In the case of Directors and Inspectors-General they can learn from no one but the Local Governments, to whose Councils, if they are not admitted or subordinated, they will always be plying the offices thereof for information elicited by inquisitorial correspondence. If the Directors and Inspectors have any important matter to ventilate, it would be simpler for them to ask for it to be put on the agenda of the meetings of the provincial Councils, or when there is not an Executive Council, then of the meetings of the Revenue Boards, of which they similarly might be *ex-officio* members. Such subordination to provincial Governments would not impair their status as Imperial Directors or Inspectors-General, while it would very much improve their ability (without immense paper work beforehand) as imperial advisers. They would thus be provincial advisers and imperial advisers in one; and this is what they ought to be, no more and no less: the Viceroy's delegate at the provincial Councils or Boards and the provincial delegate at the Viceroy's Council or Advisory Table.

The initiative in administrative reforms or elaborations has in recent years been almost entirely due to the Government of India, as represented by a particularly energetic Viceroy, backed by the Members of his Council or the Heads of Imperial Departments.

If my suggestions were approved, provincial Governments would develop their administration on lines in harmony with those perceived by the Government of India, and the Government of India would develop its administration in harmony with those perceived by Local Governments.

The demand for returns and information from Local Governments has enormously increased of recent years, and also, as a necessary consequence, a proportionate enormous increase of burden has fallen upon District Officers. The whole efficacy of the prime administration of the country is at stake in this connection. The points all hang together. It is the same point re-appearing under another aspect in each case. The spectre responsible is the Imperial or Provincial Department, all head and no body. Where is the body? It is not found in the Local Government, which is composed of a Lieutenant-Governor and some Secretaries, or of a Governor with a Council and a Revenue Board. These feel and pass on the stress no doubt. But the body is the *personnel* of the district unit. The body is the *personnel* consisting of the District Officer, with his weak, almost pitiful, English office and vernacular office, his revenue assistant, his tahsildars with offices quite illiterate very often as far as English is concerned, the kanungos and the patwaris. This is the body by which the country is, or hopes to be, administered. And this is the body which the bodiless departments all necessarily, under existing circumstances, try to appropriate, disputing for possession of it, simultaneously or each in turn. This is the body which is strangled by lassoes flung out from all these departments, each trying to pull its particular way. This is the body which perceives with anxiety the growth of the bodiless heads (each insatiable in its demands for returns and information), and the diminution of the time left for the exercise of the prime functions, *viz.*, proper intercourse with, and government of, the people. Matters are fast approaching a climax. A District Officer is so overwrought as to be driven nearly crazy in the heavier districts, and given undue continuous strain in the smaller. The remedy some say is to split up the districts. This would not cure things. It would, I sincerely believe, make matters worse. We suffer from over-administration already. Were there Deputy Commissioners or Collectors in each *tahsil*, with departmentalism proceeding on the present lines, I fairly believe that the people would show impatience. As it is, owing to the weakness of that body which every *bureau* uses, *zaildars* and notables are being impressed into being demi-official auxiliaries to the body. Their duties, originally confined to aiding the District Officer and police officer in a few defined ways, are being extended to registering continuously in the most tedious manner hundreds of bullocks likely to be required for transport on mobilisation, and to other extraneous activities, and the more District Officers find their legitimate staff overworked, the more are they likely to utilise these notables. A District Officer, working inside an area no bigger than a *tahsil* or two (without a large municipal city to occupy him) and with all the departments promptly grasping at these many fresh bodies to utilize, would under the pressure so over-elaborate the administration of his district, I think, if he were a man of energy, as he often is, that the people would have no rest. And what is it, or what would it be, all for? Is it to show to the world how we can elaborate the administration of a country? We may do this, and simultaneously omit the prime aim, namely, of keeping the people contented.

Besides, the question of expense is predominant. The initial expenses of maintaining the first *sine quâ non*, viz., the foreign domination, demand that the

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further Government be *pro tanto* unelaborate and inexpensive. Can we then reduplicate district administrations, or create departments like the Forest, Public Works Department, Military, Post Office and Telegraph Departments with (bodies) *personnel* of their own? And is it requisite, when personal rule and simple rule is admittedly the best? The District, Provincial, and Imperial Governments must be unified by the withdrawal or amendment of the isolated interpositionary departments which try to, or tend to, monopolise the bodies on which the prime administration depends. In other words, there should be no Imperial Departments other than can be officered by provincial-*cum*-imperial incumbents. I am primarily alluding, but not altogether by any means, to non-paying departments, for the paying departments generally constitute bodies of their own, viz., the Public Works Department in both Branches, the Forest, Post Office and Telegraph Departments. The non-paying departments, always of course excepting the Military Department, are the ones which constitute no bodies, or have none constituted for them, out of a natural fear of expense. But the departments with bodies can burden the *personnel* of the district unit a great deal and the people also like the Canal and Forest Departments. The Post Office and Telegraph Departments seem model departments, in that they have bodies of their own and worry no other body, official or non-official.

The Commissioner has become "the fifth wheel to the coach." This is not my own assertion, but that of the senior Commissioner in the province some years ago. I have long considered why this is the case, and whether individual idiosyncrasy could account for it, when apparent in the *cadre*. It is the natural result of redundancy somewhere, and a Board of Revenue (or Financial Commissioner) side by side with Commissioners means redundancy. If you extend the Commissioners' powers in revenue and administrative matters to their reasonable extent, the *locus standi* of the Financial Commissioner (or Board of Revenue) would disappear (since there is a Settlement Commissioner already); or if you took away the limited revenue powers the Commissioner has now, the Financial Commissioner (except in the matter of appeals) would not be greatly inconvenienced. In fact, it may be questioned whether if there is Board of Revenue (or Financial Commissioner and Settlement Commissioner) Commissioners are needed, or whether, if there are Commissioners and a Settlement Commissioner, a Financial Commissioner (or Board of Revenue) is needed. Looking to the administrative aspect of the question, I would, if it were by any conceded that one or the other set of offices was redundant, prefer to argue that the Commissioners should remain, as the Board of Revenue is apt to get unduly swollen, if, as in Madras, it treats direct with a multitude of districts, whereas it is possible for the Government to treat direct with five Commissioners, as it does in many lines of correspondence already. Besides, the Board of Revenue could not so well discipline or curb a multitude of Deputy Commissioners as a Commissioner could his five or six, when, as is often the case, the Deputy Commissioners are young or require discipline and control owing to personal idiosyncrasies.

The Commissioner should be absolute Director of the affairs of wards in his division. He can become acquainted well with the affairs of each ward. Yet the Financial Commissioner, who cannot become so acquainted, appears as the Head of the Court of Wards. It was presumably a question of who should have the power, and the Commissioner went to the wall.

It is possible and desirable to allow Commissioners and Collectors to control expenditure more than they do at present; it is, in fact, ridiculous that their power is at present either so petty, or even in important ways non-existent. The Civil Account Code is based on an attitude which trusts no discretion. It seems to pre-suppose that to trust an officer to order a payment even in urgent cases is dangerous, owing to probable irresponsibility. Experience shows that men more often (or as often) shrink from taking responsibility rather than take it. If the code provided that a District Officer or Commissioner could pass an order for a payment to meet an emergency, provided he immediately reported the fact with explanation, the charge to be accepted only if that explanation were satisfactory, I do not think many men would risk irresponsible orders. Yet no such option is allowed. The pre-sanction of Government is required, and at provincial head-quarters pre-audit by the Accountant-General (who can even refuse to pass the Government order). I have several times in my service paid out of my own pocket money required to meet a State emergency, and thereafter waited until the Government re-imbursed upon my report. In one case re-imbursement occurred after six months, and during all that period I was owner (and so recorded in the patwari's papers) of a plot of land which I had bought on the spot on behalf of Government to meet an emergency. I have paid crop compensation, plague expenses, and transport hire out of my own pocket, and once for the cost of a bullock threatening rabies which I had destroyed. All these sums were re-imbursed eventually, but consider the ridiculous position. The Civil Account Code is just that class of volume which would never have been compiled, in its most restrictive aspects at any rate, had the Head of the Department compiling it been in touch with, and working in concert with, the provincial Governments.

Appeals in executive practice are much affected by the idiosyncrasies of the Lieutenant-Governor. If he shows no undue credulity, appeals drop off. If he does, they mount up. It would be hard to regulate or curtail the rights of appeal in the face of these considerations. To make appeal conditional on a certificate from the officer whose decision is appealed against would be illogical. The influence of the departments of the Local Governments is incomparably less in the direction of excessive uniformity (without much towards rigidity) than is the case with the departments of the Government of India. The provincial Departmental Officers are heads in touch with the body they utilise, rubbing shoulders with the District Officers who represent that body, and this the Heads of the Imperial Departments and their Secretaries never can be (although they utilize the same body) unless the reforms advocated are countenanced, or some reforms similar to them. At the same time these provincial Heads of Departments impose so much work on District Officers that they might well have itinerant "conveyers" of information, whose duty it would be to visit District Offices, and extract and convey from these offices information required on given subjects to their own chiefs. The weak, ill-qualified district offices (English) are being submerged by calls from outside, and such "conveyers" could have the files and statistics placed at their disposal, make up their information, and be *themselves* responsible for its correctness in submitting it to their chiefs. The Deputy Commissioners are being dragged down by being universal information providers, responsible that all provided is correct. The Heads of certain Departments should also create correspondents among the public to inform them, write their "monographs" and "essays," do them little services in arranging agricultural experiments, and so on, and they should do this without utilizing the time-worn machinery of the district office; each avoidable reference causing extra work to which should be avoided.

Our Government is too impersonal from the Viceroy down to the Assistant Commissioner, but it becomes less and less so as the lower ranks are approached. Considerations of revenue are a dominating factor in the Government of some provinces. It was largely a predominating factor in this province, I think, some years back, but there has been a change for some time past.

Executive Officers have not sufficient opportunities for personal contact with the people, and the now restricted opportunities will become less and less unless there is reform on some such lines as I have indicated.

I have served in 10 districts. My Urdu does not enable me to speak properly or understand easily the different *patois*. (But similarly I could not easily understand "Norfolk" when living in that county recently.) I regret I was not taught and made to pass in Punjabi however. Urdu and the general or "common tongue" of a province are all that an officer can reasonably be compelled to learn. But the knowledge of Urdu script should be enhanced by all possible means. Inability to read it accounts for much interior mal-administration in districts. This is a most important disability at present.

The administrative staff is adequate (and as large as the District Officer can control) were it not for the

burdens imposed. It is no use increasing the staff, or except in special cases splitting up the districts, while the causes remain, since, as previously explained, even greater evils would thereby be courted.

If Commissioners by any chance become the only intermediates between the Deputy Commissioners and the Local Government, greater care on selection would have to be applied. At present regarded as "the fifth wheel on the coach," even mediocre men, or supine men, can be regarded as unobjectionable as Commissioners, while for the Financial Commissionership men of marked ability are in request.

All authorities are aware of the objection to frequent transfers and, within limits, make them as seldom as possible. It is these limits which require attention. If there were a rule that no man outside a district (or the division, failing a fit man in the district) should be brought in to fill a vacancy not lasting longer than three months, a number of transfers would be avoided. At present "not longer than six weeks" is the condition observed. It is so considered, I believe, in order not to stop appreciable enhanced pay and promotion of acting kind, but the disadvantages of bringing in a man from outside, if it can be avoided, are so great that I think "three months" should stand for "six weeks."

Regarding the question how far the powers of local bodies could be enhanced, answer would be differently influenced if after "how far" in the question either the words "for the public good" or the words "for ethical education" were inserted. If the former, I am afraid I would not answer in the affirmative, except with restricted meaning. If the latter, I would answer that potential eventual gain would have to be set off against certain risk of waste of rates paid by ratepayers. Local bodies might have their functions suitably extended when they, in any individual case, show that they intelligently and energetically exercise the functions which they have already.

The District Officer in order to feel the pulse of his district consults first a council of his officials and then, if need be, the people as represented by deputations, and I have suggested that the same methods should be followed by Lieutenant-Governors, Governors, and Governors-General to the exclusion of the idea of permanent Councils of irresponsible non-officials. It follows that I do not consider that District Officers need permanent Advisory Councils of irresponsible non-officials. That District Officers are being more and more precluded from feeling the pulse of their districts in the way already indicated, but the remedy lies, not in such confession of inaptitude and weakness as the establishment of permanent Advisory Councils of irresponsible non-officials implies (however politically desirable this may seem to some from certain points of view), but in the adoption of some such reforms as are indicated in the said answers, an adoption which would restore touch between officials *inter se*, and between officials and the people all along the line, from bottom to top and from top to bottom.

Until District Boards intelligently and energetically manage their own affairs, to invest them with powers of supervision over other bodies would be illogical. At present they do not so manage their own affairs. This may be the fault of the Presidents (the Deputy Commissioners) or of the members, as the case may be. I do not believe the members would say or think it was the fault of the Presidents: if they answered unprompted. However, it may be that the President's very energy paralyses the members' energy which might otherwise exhibit itself. There is a strong feeling in some quarters of letting the experiment be tried of the President doing nothing, or of his removal. All that can be said is that the Deputy Commissioner should not be held responsible for the results of such experiment. Let it be tried for one year, two years, or three years, in any district; and then have an inspection of the roads, &c., and an audit of the accounts. This would be a fair experiment.

The village community which has from the force of circumstances become coupled with the word "desuetude" would first have to be re-habilitated before increased administrative functions could be given to it.

39578. Would you subscribe to the statement that it should not be in the power of any one, without the special orders of the Government, to take any action in a district against the judgment of the Commissioner or the Deputy Commissioner?—Distinctly.

39579. Is that recognized in the Punjab at present?—It is in most cases; there are one or two exceptions.

39580. For instance, in the matter of excise, what are the powers of the Deputy Commissioner?—His powers are very considerable under the Act and rules under the Act, but they have been curtailed lately by correspondence outside the scope of the Act and rules.

39581. Who has the immediate management of the excise in the district?—The Deputy Commissioner. He appoints one of his Extra-Assistants as a rule as his agent, but he directly deals with excise.

39582. Then are all local details as to excise regulated by the orders of the Deputy Commissioner?—Yes. I personally regulate excise, because I know a good deal about it as I was Excise Commissioner once, and I attend to it very closely myself.

39583. Has every Deputy Commissioner power to regulate matters?—Yes, but of course there is an Excise Commissioner under whose advice he has to act in a great many ways as to things of general application to the province

39584. You spoke just now of a curtailment of the Deputy Commissioner's powers; to what did you refer?—I think the correspondence arising out of the Excise Committee and occurring between the Government of India and the Punjab Government has been the cause of a lot of indirect instructions, as they may be called, or rulings or decisions, to which an officer is expected to refer, outside the scope of the Act and the rules. For instance, the other day I had some correspondence with the Financial Commissioner about some things which I proposed to do, which I thought were covered by the rules, but I was told there was something in correspondence, which I had not had time to refer to, which was against my doing it, although the rules themselves gave me absolute power.

39585. You are scarcely in a position to say what the effect of the Excise Committee will be?—At the present time I have seen huge volumes of correspondence which have been called for since it sent in its report, and they were all sent to me for my opinion on the different points raised, but it was a very difficult position to put me in, as I was a member, and I could not go into details as to what my individual opinion was.

39586. I understand the Deputy Commissioner at present has practically sufficient power in excise matters in the district, but what the result of the Excise Committee will be, you are not prepared to say?—The Deputy Commissioner has sufficient powers, if he is let alone, under the Act and rules, that is, if he is allowed to interpret the Act and rules as they stand, without being told that there is some correspondence behind them.

39587. But is he told so?—Yes; he is. I have quoted a specific case.

39588. Then is it the case that the existing rules are satisfactory, but that the tendency is to interfere in the direction of limiting the Deputy Commissioner's control?—That is so. The rules themselves give him very wide discretion, but the correspondence limits it.

39589. It has been stated that Deputy Commissioners have to try all Sessions cases; what is the meaning of that?—That refers to section 30 cases, I fancy, homicide cases, and so on, and not Sessions cases.

39590. Do Deputy Commissioners appoint their own kanungos?—They have a list, and they actually appoint them inside the district from the list.

39591. Do they appoint their own excise subordinates?—Yes; they have the power and they do; but they very often consult the Excise Commissioner about it.

39592. Is that at their own discretion?—I think it is laid down.

39593. But the final power of appointment lies with them?—Subject to the Excise Commissioner's approval.

39594. Is the Excise Commissioner equal in rank and pay to the Divisional Commissioner?—No. He gets the pay of his grade as a Deputy Commissioner.

39595. Does the Deputy Commissioner appoint his own staff, his head clerk, and other officers?—Yes,

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subject to the approval of the Commissioner of the division in the case of the head clerk and the superintendent of his vernacular office.

39596. Does the Deputy Commissioner appoint patwaris?—Yes.

39597. Mention is made in one statement of a recent order as to the appointment to staff offices; is that a new step?—That is the case in the offices I have mentioned of head clerk, and so on. It occurred after there was a gradation list formed for divisions. They wished to make the list so that men would be more readily transferable and interchangeable between different districts, and at that time this order was brought in.

39598. Is that to make sure that there are no aberrations from the list?—It is, because the Commissioner may have a man on his list whom he wants to put in as superintendent of the vernacular office, say, and he can look at that man's claim.

39599. Do you think that tahsildars are efficient and honest as a class?—I think, as a class, they are a very capable lot of men and do extraordinarily well in their *tahsils*.

39600. Is it desirable that they should have more power? For instance, I understand that they cannot give casual leave to a man in their office?—That would be a small matter which I dare say the Deputy Commissioner would even grant on his own initiative if they suggested it.

39601. Is it desirable that tahsildars should have rather more power than they have in order that their authority may be strengthened?—Tahsildars have enormous authority as it is. You ofter hear it said that a Deputy Commissioner has not the authority that they have. They have the people under their immediate charge, and a strong tahsildar has enormous authority.

39602. Are you the Chairman of the District Board in your district?—Yes.

39603. Do you preside over the Local Boards as well?—No, only over the District Board.

39604. Is there a tendency in these days to impose too many responsibilities on District Boards, and, on the other hand, not to give them enough funds?—Yes, the Boards are always poor.

39605. Are they called upon to do more than they fairly should be expected to do, and is a greater share of the burden of the State cast upon them than ought to be. For instance, till lately has not the cost of the police been imposed upon municipalities?—Yes, but that has been taken away now.

39606. Are all the roads in a district under the care of the District Board?—No; there has been a good deal of change of policy with regard to that. At one time in the province the idea was to put the roads under the Boards, but not without adjusting the finance question.

39607. At present have they more to do in the way of maintaining roads than they can afford to do?—Taking this district, the District Board has nothing to do with the roads, except such as are unmetalled and there is nothing much which can be done with them. The metalled roads are in charge of the Public Works Department.

39608. Do they not make any attempt to keep up the unmetalled roads?—It is almost an impossible thing to do; you cannot do anything. It is friable soil, and I do not see how you can do anything with them.

39609. You can fill up holes?—Yes, but you cannot do much to an unmetalled road; you have generally to depend on the natural surface.

39610. Are there not a good many village wants in this district, such as water-supply, for instance?—They have their wells.

39611. Who keeps them up?—The village people themselves.

39612. Is there not a legal obligation on the District Board to keep them up as far as they can?—I have made wells in districts in which there are very long stretches of roads without any drinking place on the way, but my experience of a District Board is that the margin for Public Works is so small that, as I am very strong on metalled roads, I find always that I have exhausted my Public Works margin, whatever it was, on the surface repairs. I refer to districts in which the metalled roads are in the charge of the District Board.

39613. Is there not a certain demand in villages to supply which is an obligation on the District Board, but it cannot be supplied owing to want of funds?—I do not know that there is any implied obligation on the District Board to provide for the wants of villages.

39614. Is not that one of the cardinal points of local self-government?—Not as to the interior economy of a village, because they have a constitution of their own and a fund.

39615. Do you mean to say the object of the Local Board or the Local Fund is not primarily to supply water and look after roads, and so on?—I thought you referred to the villages themselves and the wells; those are minor points, and the keeping of them in repair would primarily rest on the village.

39616. The District Board does not recognise any obligation?—Not in the case of keeping up a village well; I do not know that that has ever been considered a first responsibility on a District Board. It would assist a village in difficulty to obtain water certainly; I have done that in districts, and, of course, I accept the theory that roads and all Public Works, which would help and benefit villages, are the first responsibility of a District Board.

39617. Is it not the fact that the Boards cannot discharge that responsibility to the full on account of want of funds?—Yes, that is so.

39618. Have they to provide for lunatics?—Yes.

39619. Have they to provide rest-houses?—As a rule, the rest-houses are built by the Public Works Department of Government, and handed over to the District Boards for maintenance, with a grant.

39620. The Building grant comes from Government, but the maintenance has to be paid by the District Board?—A grant is given to the District Board when it is handed over.

39621. Then there is no burden falling on the District Board?—No, not by the contract system.

39622. Would you give power to village panchayats to spend money upon Public Works; for instance, supposing they wanted a well, would you make them a grant and allow them to spend the money at their own discretion without any other supervision; are things ripe enough for that in the Punjab?—I have done that myself; in cases where a well was required I have advanced money to the headmen on their responsibility, and they have executed the work.

39623. Then you think it is possible?—Yes, certainly with regard to small works like the construction of a well.

39624. How far do you give them control over village schools?—They very often supply the school house from some building available in the village, but they do not interfere, except in a few cases where there are intelligent men who take an interest in the subject, with regard to the management.

39625. Do you appoint village committees on behalf of the villagers?—I have only been in this district five months, and I have not yet come in contact with any such appointments here, but in Delhi School Committees were advocated in the Educational Department, and we did appoint a certain number about the district.

39626. Would it be possible to give more control over schools to the villagers than they have at present?—It would be possible.

39627. Would you begin to do this in villages generally, or would you select certain villages to begin with?—I would decide the principle first as to how far the Educational Department is to run the education system on its own unaided intelligence, merely getting the funds provided by local bodies, before I would go into the question of villages.

39628. Are not the two things quite distinct; I am suggesting that a good deal of the power which is now in the hands of the Educational Department should be handed over to the villages?—My meaning was that the major question arises in connection with

the municipalities, and while it is not decided with reference to municipalities (as I do not think it is quite), I do not know what to say.

39629. Would it be safe and advisable generally to hand over more powers in regard to local matters to representatives of villages; are things sufficiently advanced for that in the Punjab?—I really do not know what you could hand over to the headman of a village.

39630. For instance, power to keep the village clean, to run the school, to manage small Public Works, such as wells, and so on?—The conservancy of the village, such as it is, if it ever occurs, only occurs when the Deputy Commissioner works it through a tahsildar. They do not want power to keep a village clean given them; the difficulty is to make them clean it, and they generally neglect the conservancy and trust to a hot sun, and perhaps they are not so very far wrong. Certainly, in regard to little matters like the sinking of a well, I think they would be the best people to utilise.

39631. (*Sir Steyning Edgerley.*) Am I correct in understanding that the views you place before us is that the real administration of India rests in the districts, and that the present danger is that the superior officers are more or less out of touch with the people?—Yes.

39632. I do not quite understand how your suggested remedy would work. Suppose an Inspector-General or a Member of the Viceroy's Council was made a Member of the Local Government; he might come to the Punjab and spend part of the cold weather here, but in the meantime what would the rest of the provinces be doing? Would it not take a long time for Imperial Officers to get round India on that basis, unless you increased the head-quarter offices greatly?—The present Member of Council has to attempt to go round the country in the cold weather.

39633. Yes, but he does not sit at the Council Boards and help to decide actual questions in the province?—I realise that difficulty, but I meant by the suggestion the subordination of Departmental Officers to the provincial Governments.

39634. What you really mean, I take it, is that officers of the Inspector-General class should be advisory and not have any powers of administration?—Yes, and also that some expedient should be devised to get rid of the tremendous amount of correspondence which arises under the present system, through the Members of the Government of India not being in close enough touch with the provincial Governments.

39635. That is to say, taking it from another point of view, that the Government of India try to go into many matters of detail which they should leave alone?—They are always trying to inform themselves from a distance as to detail, and trying to master details on paper which would be more conveniently dealt with orally or by personal contact.

39636. Then you say that your own office is very weak and inefficient; what do you suppose it would cost to make your office what you would consider to be efficient?—I have just put in an application for an increase of staff, and Sir Denzil Ibbetson agreed to favourably consider it. When I came here I took over an office which was practically at the point of breaking down, so I overhauled the whole thing and sent in certain proposals which will not involve very much cost—I should think only a matter of Rs. 200 a month extra.

39637. In most of the districts you know, would an extra Rs. 200 or Rs. 250 spent in the offices of Deputy Commissioners render them efficient?—I should think certainly it would not be more than that.

39638. That would be about Rs. 75,000 a year in the Punjab?—Yes, say, for 30 districts.

39639. Was your scale prepared on what you thought you would get, or was it prepared on a free estimate of what you thought you ought to get?—It was prepared on what I thought I should get—the least we could do with.

39640. It was a minimum?—Yes. If I had wanted to raise a general question and take up a much larger question, and you ask me now whether I think district offices should be made stronger, I think our class of head clerks should be improved, because at present such a tremendous amount of ministerial work devolves upon a Deputy Commissioner owing to the indifferent clerical establishment he has. He has to compete with very well equipped offices which send references to him, and he has to be practically his own clerk and secretary so far as any high-class work is concerned.

39641. Then you really want rather more?—Yes, I do. If I could get one, I should like a shorthand-writer, for instance; at present I am using a vernacular writer as a shorthand man.

39642. Then I gather that you think that either the Commissioner or the Financial Commissioner is rather a redundancy in the administration?—Yes; the two appointments overlap.

39643. Would the Commissioner be sufficient, and could the Financial Commissioner be dispensed with?—Yes.

39644. You suggest that the Deputy Commissioner and, I suppose, the Commissioner should have some power of drawing on the treasury in emergencies; can you suggest any limit for each occasion?—Yes; the amount a Deputy Commissioner might draw on each occasion could be fixed, and also a limit might be fixed within the year to keep him in bounds.

39645. What would you suggest as a limit for each occasion—Rs. 1,000?—A limit of Rs. 1,000 would be a great relief; if he could draw it on his own personal order, and make his Treasury Officer cash an order for Rs. 1,000, he would be very grateful.

39646. Would that suffice?—I should think so, because in cases of big emergencies he would write for sanction.

39647. What is your opinion as to the present Court of Wards Act?—I think that it is a centralizing Act.

39648. You, of course, are well acquainted with the old system. Would you prefer to go back to the old system, or would you like a modification of the present?—I should prefer a modification of the present Act. The Financial Commissioner has just sent down a schedule of proposals for delegating powers under the Act which I have not been able yet to look through. I mean that all the authority should not be drawn up, but that it should be decentralized.

39649. Do you think it well that the Financial Commissioner should have been made the Court of Wards, or would it have sufficed if either the Deputy Commissioner or the Commissioner acted?—The actual Court of Wards is the Deputy Commissioner, but the Financial Commissioner certainly ought to be introduced as an authority in the Act, so that he might be able to dispose of cases in which the property of wards extend to various districts, and even to different provinces.

39650. Then you do not object to the principle that the Financial Commissioner should be the Court of Wards, but you want wider delegation?—Yes; it would not matter much who was called the Court, so long as the powers were delegated, and constant references to two officers avoided.

39651. It would matter to this extent, that you are advocating the necessity for some power of reference outside a province in some cases?—Yes; that would be so when the land is scattered, but those are only occasional instances.

39652. In many of your districts in the province is not the administration concentrated at head-quarters. By the sub-divisional system, is it meant that you would break up the district into sub-divisions as in Madras?—I have had two districts with sub-divisions in them, and I think they are a relief, but I am rather in favour of having one Head to the district.

39653. What is the average size of your district?—I have four *tahsils* here, and I have a sub-division in this district with a Sub-Divisional Officer having two of the *tahsils*.

39654. What would be the size of the district—three or four thousand square miles?—Roughly that.

39655. Is that not too much to run in all details from one centre?—No. If a Sub-Divisional Officer is an experienced man, he helps you very greatly, but if he is a young boy, he does not help you very much.

39656. It has been suggested that it might be possible to improve the village chaukidar by taking

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pensioned soldiers for appointments of that sort and at the same time it might possibly help the Army Reserve; is there anything in that suggestion?—There are a great many considerations which would come in, and it would require very close attention. For instance, the chaukidar is generally a resident of the village, and it is best that he should be, and a man transplanted from somewhere else and sent there might not work.

39657. You think that really it is hardly feasible?—I should doubt it, and I do not think the villagers would like it.

39658. (*Mr. Meyer.*) Who appoints the chaukidars?—They are appointed in consultation with the *lambardars* by the Deputy Commissioner.

39659. Is it necessary that the Deputy Commissioner should appoint chaukidars; could not the tahsildar appoint them?—I do not know why he should not, except that the reports as to the fitness or unfitness of chaukidars come generally to the Deputy Commissioner from the Superintendent of Police, and he then refers them to the tahsildar, but he almost always takes the tahsildar's opinion.

39660. Who appoints *lambardars*?—The Deputy Commissioner.

39661. With an appeal to the Commissioner?—Yes.

39662. What is the *zaildar* exactly?—A *zaildar* is the headman of a *zail* which consists of so many villages, and he, as such, is superior to all the *lambardars*, and is the head non-official helper of the Deputy Commissioner in that *zail*, getting in return an honorarium from Government.

39663. Has he anything to do with revenue collections?—Yes, a good deal. It depends on the idiosyncrasies of the Heads of different districts, but in this district he is used a good deal in that way.

39664. How many would there be in a *tahsil*?—About 20 perhaps.

39665. Are they hereditary?—No, absolutely not—that is expressly against the rule.

39666. I saw a statement in one witness's evidence as to minor *zaildars*; would you put in a minor?—I should never do it personally; it is allowed for as to *lambardars* by the revenue rules and regulations, but I have not heard of a minor *zaildar*.

39667. Do they clash with the kanungo?—No.

39668. Has the kanungo nothing to do with collections?—No. He reports on land measurement, crop returns and inspection; he is an official absolutely, and not a non-official like the *zaildar*. Of course, it is absurd to liken the *zaildar* to a lieutenant of a county, but in insignificant way he is such a representative of a *zail* and is a local notable.

39669. And a person of real influence?—I find them very useful.

39670. Do you make them Honorary Magistrates?—Yes, occasionally they might be made Honorary Magistrates, but Honorary Magistrates are very often taken from even a higher class than a *zaildar*.

39671. Then you also occasionally have an Honorary Extra-Assistant Commissioner; what does he do?—That is more of a compliment than anything else.

39672. You do not assign to him revenue functions?—I have never had an Honorary Extra-Assistant Commissioner in my district, but I know of one or two cases in which Government has appointed them in the province.

39673. Do your revenue staff deal with civil work; do the tahsildars have civil suits to deal with?—They are Munsifs *ex officio*, but I do not think they do much civil work.

39674. And your Assistant and Extra-Assistant Commissioners?—They are given Munsif's powers when they are appointed to the district.

39675. Are they much exercised, or is the bulk of the civil work done by a separate full-time Munsif's staff?—The bulk of the work is done by the special men appointed in the Judicial Department, although they may form part of the district staff; for instance, I have an Extra-Assistant Commissioner who does civil work solely.

39676. You have not a separation; you have not the Munsifs in an entirely separate list, but you may have a man as a Munsif one year and as a Revenue Assistant in another?—We have a Munsifs' list in the province, men who are Munsifs and nothing else.

39677. Are the Munsifs of two categories, the professional Munsif and the Extra-Assistant Commissioner who disposes of Munsif's work?—Yes.

39678. In the absence of a sub-divisional system, what does the ordinary Assistant Commissioner do?—I have two Assistant Commissioners at present.

39679. I would rather not take Lahore, but some other district?—In the course of my experience I have had a tremendous lot of Assistant Commissioners to put through training, and that is one object of their being attached, especially in the early part of their career; but how they are to be employed lies entirely at the discretion and intelligence of the Deputy Commissioner, who can make much or little of them just as he wishes. The Assistant does criminal work according to the extent of his powers and civil work, and he is often put in charge of the treasury; he does revenue work in the cold weather, and tours, but the amount of special work that is given him is in the discretion of the Deputy Commissioner. Personally, I work my Assistant Commissioners a good deal, make them boil down files, put up notes, and whenever I get a case of some difficulty I send them out to act as my agents and do the preliminary work, and to do preliminary work for land acquisition, and in every way I use them as lieutenants in aid.

39680. Is it possible for an Assistant Commissioner to get his appointment as an acting Deputy when he has only done magisterial work, or is acquainted with excise and treasury work, but not with the regular work of a district?—He would have acquaintance with revenue work, because it has always been the object in this province to send a man out and put him through a revenue course almost as soon as he arrives.

39681. Would he have done all the work of a Deputy Commissioner then on a small scale before he became a Deputy Commissioner, or might he be quite ignorant on some of the subjects?—He would be still educating himself when he took over charge, undoubtedly.

39682. The sub-divisional system in Madras, for instance, ensures that a man at the time he begins to act as Collector knows a Collector's work pretty well. He only does it on a bigger scale than he has already done it: is there not some advantage in that?—Yes.

39683. Most Deputy Commissioners complain that they are overburdened, and if you could decentralize by sub-divisional charge, would not you relieve them materially?—Yes, if properly worked. It makes another officer to communicate with, and I should say that sometimes a Deputy Commissioner would prefer to deal direct with the tahsildars without any Sub-Divisional Officer. There is simplicity in the one way, and in the other way a smaller office is created in which there has to be English correspondence, and so on. But in a troublesome part of a district a good strong Sub-Divisioner Officer would be of very great use.

39684. If you have the sub-divisional system, should the Sub-Divisional Officer live in his own sub-division or at the district headquarters, and tour a good deal in the sub-division in his charge?—I have never considered that. In some ways it would be convenient, because if he were at headquarters one would be able to deal verbally with things which would have to be referred to his office if he were outside. On the whole, I am not sure that I should not prefer to have him at headquarters.

39685. On the other hand, from the people's point of view, it is rather an advantage that he should be at hand in his sub-division always?—Yes, but I have often wanted to talk to my Sub-Divisional Officers, and have had to postpone doing so because they were away.

39686. In one place it might be convenient to have them at headquarters, and in another place to have them in their sub-divisions?—Yes; if the tract was troublesome, certainly it would be better that he should reside in the centre of it.

39687. Suppose, while you were an Excise Commissioner, it had been ruled that you were to be subordinate to each of the Divisional Commissioners and also to the Financial Commissioner, could you have done your work successfully; would you not have found you were serving many masters with different views?—Yes; it would have got one into a pretty good tangle.

39688. Would not the same thing happen to your Imperial Inspector-General when you propose that he should serve eight Local Governments and the Government of India, in addition?—I am not sure that the case is at all parallel; in my correspondence as Excise Commissioner I should have had to refer to all the Commissioners and send everything concerning their divisions through them.

39689. If the Director-General of Education is to be subordinate to the Government of Madras and the Government of Bombay, and so on, and at the same time subordinate to the Government of India, would he not find it rather difficult to serve several masters with divergent views?—As a Member of Council you would not be able to call the Government his master.

39690. But I understood you to say that the Imperial Inspector-General was to be quite a subordinate?—Yes, in the way that he was to sit on the Council of the Local Government.

39691. You say, "Directors and Inspectors-General should be subordinated to Local Governments; I contemplate that Members of the Viceroy's Council should be *ex-officio* Members of the Councils of the Local Governments"?—That is what I meant.

39692. Now you say that the Inspectors-General should also be on the Councils?—Yes; for instance, the Inspector-General of Excise, when going round, would attend.

39693. Then there is another difficulty, in the Punjab, that you have no Council?—We have not, I admit, but he could still sit in committee with the revenue authorities which represent the Board of Revenue.

39694. You do not mean that the Lieutenant-Governor might threaten an Inspector-General with suspension if he did not carry out his views?—When I say subordinate, I do not mean subordinate any more than the Members of Council are subordinate to the Viceroy at present.

39695. Is the Deputy Commissioner the President of each municipality in his district?—No, but of the headquarters one. I am President of the headquarters, Lahore, municipality, the tahsildars are Presidents of minor municipalities within their *tahsils*, and the Sub-Divisional Officer is President of his headquarters municipality at his sub-division, that is to say, where there is a Sub-Divisional Officer.

39696. So that there is no non-official Chairman at all?—No.

39697. Do you have non-official Vice-Chairmen?—On both the District Board and the municipality in Lahore there is a Vice-President who is non-official. In the municipality there is a Muhammadan gentleman belonging to the Nawab's family who is a non-official, and the other Vice-President is an officer of the Railway department who has no connection with me officially except as my Vice-President.

39698. Would Amritsar have two Vice-Presidents?—Yes; at Delhi they have two, and probably they would have two at Amritsar.

39699. Is one generally an official and the other a non-official?—No; at Delhi they were both non-officials.

39700. Is the District Board Vice-President usually a non-official?—Yes.

39701. Have you Secretaries to municipalities and District Boards?—We have a Secretary to District Boards and to all big municipalities, while lately they have been appointed even in most small ones.

39702. Is he paid or is he an honorary official?—He is paid in the big municipalities.

39703. Are the District Board Secretaries paid?—Yes, often, but he is often, or sometimes, one of the Assistant Commissioners or Extra-Assistant Commissioners.

39704. Are the Assistant Commissioners, who act as Secretaries of District Boards, paid by the District Boards?—No; they are not paid; they act *ex-officio*.

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39705. What is the method of selecting members for a municipality here?—We are going to have 20 elections next June, and it will be rather an upheaval for the town. There is a proportion of nominated members, but there are 20 who are elected.

39706. Roughly speaking, what is the proportion—would it be one-third nominated and two-thirds elected?—Yes, something like that I should say roughly.

39707. Does that system obtain throughout all the municipalities?—I think so, except that there are some municipalities where all the members are nominated.

39708. Would they be the smaller municipalities?—Yes, in some cases when there are factions and you cannot get things done, you have sometimes to nominate.

39709. Are the members elected by wards?—Yes.

39710. Speaking generally, do the electors take some interest in what is going on?—The elected persons take a greater interest.

39711. Is there anything to indicate that there is any popular interest taken in elections?—There is in the elections for municipalities, but with regard to the District Boards there are very seldom polls.

39712. Is there more public interest taken as a rule in municipal work than there is in District Board work?—I do not know whether that would be the proper way to put it; whether there is any greater interest or not amongst the electors I do not know, but certainly there are more pushing men in the towns, and they stand for election on the Boards and stir up the electors, and so on, and there is greater public interest to that extent. It is probably the same all over the world.

39713. Do those people who stand for election become good workers and take a keen interest in the work, or are they satisfied with the prestige which the position gives them and rest on their laurels?—No municipality is what people would wish it to be, but both at Delhi and Lahore I have a fairly good opinion of the members and the way they attend the meetings.

39714. Do they take a keen interest in their work?—I think a good many of them do.

39715. Might municipalities have wider powers in regard to appointments, for example? What are their powers to-day—can they make fresh appointments?—Yes, they can within their own sphere, but there is a limit as to the maximum amount of pay. I was President at Delhi for two years just as I am now President here in Lahore and I never remember any difficulty through the reins being drawn tight in that direction. Of course we have appointed, both here and at Delhi, a highly-paid Engineer from England, and in those cases we took the Government into consultation.

39716. But, apart from that, the powers of the municipality are fairly free in the way of appointments?—I think so.

39717. Have you a fairly free hand with regard to expenditure?—I think so.

39718. Up to what limit can you spend money on Public Works without Government sanction?—We have to refer any work that will cost over a certain amount; Rs. 10,000, I think, one would have to refer, and I do not object to referring in big cases, because a second opinion is a good thing.

39719. Is it desirable that municipal schemes should be referred both to the Public Works Department, the Sanitary Department and the Sanitary Board, or would you try and cut down the procedure at all?—The present system is laborious. The plans and estimates have to go to the Superintending Engineer for his approval; then they have to go to the Sanitary Engineer as well, and before the Sanitary Board; then eventually they have to go to Government for sanction in the Public Works Department, and as we have a great many projects now in hand and are taking out a loan of 14 lakhs, I look with some apprehension at all this machinery which has to be gone through.

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39720. What would be a reasonable way of curtailing the present procedure?—The Sanitary Board is a body which is most difficult to deal with, because it is composed of men who have their own duties distinct, and as they only occasionally meet as a Board, there is nothing fixed about the Board's identity.

39721. Who do the members consist of?—The Sanitary Engineer, the Deputy Sanitary Engineer, the Commissioner, and the Financial Commissioner and one or two more perhaps, and as they only meet every now and then at considerable intervals, schemes must be kept waiting, and it is difficult to get through a loose body like that. A scheme is generally considered sufficiently beforehand for it to be passed right off.

39722. Would it be enough to refer these schemes simply to the Sanitary Engineer?—If the Sanitary Engineer passes them, and they are passed by the Superintending Engineer, or Chief Engineer, I really cannot see why that should not be sufficient.

39723. Is that what you would recommend?—I think so; anything that would simplify the present somewhat laborious method.

39724. Would it be practicable to have an unpaid non-official Chairman in Lahore?—I do not know whether the experiment has been tried elsewhere; it certainly has not been tried in this province, and I do not know whether it has been anywhere else.

39725. Take the case of Bombay, where they have a non-official Chairman?—They have a non-official Chairman, but with a Municipal Commissioner appointed by Government. I should be very sorry to see the municipality left to the management of a non-official Chairman either at Delhi or Lahore, or Amritsar, or in fact at any of these big places, if he was to be expected to do all that the Deputy Commissioner does now.

39726. But suppose he was not, and that the executive work was taken out of his hands and given over to a Commissioner?—I do not do any routine executive work in connection with the municipality; there is a paid Secretary who does that; I do not do any clerical work except draft important letters now and then; I control the members in the way of making them pull together; and with regard to all big schemes and affairs I give attention to them as far as I can; and I try to get all the affairs of the municipality in good order. It is a very large body of men to manage; there are Europeans on it as officials, and you have a large body of subordinates, Eurasians and Europeans and Indians, and a large body of members. What enables the Deputy Commissioner to manage it is that he has got his official position behind him.

39727. You think it would not be wise, at the present stage as any rate, to have a non-official Chairman, with a well paid and responsible Municipal Commissioner or Secretary? The Municipal Commissioner would have more power, of course, than the Secretary has to-day; he would be in the position of the Commissioner in Bombay?—I should not like to see that happen, and I do not believe the municipality itself, or the town, would prefer it.

39728. How often do District Boards meet?—There is a limited number of meetings; I think it is about once every two months, or six weeks perhaps.

39729. Do a fair proportion of the members attend?—There is no difficulty in getting a quorum.

39730. Many of them probably live a good long way off. Do they come fairly readily?—Yes; I think they like to come in to headquarters, and to come and see the authorities and attend the meeting; it is an outing for them.

39731. Are there any *tahsil* Boards below the District Boards?—No.

39732. Are there no committees of the District Boards, even in respect of each *tahsil*?—No. We do appoint sub-committees now and then, but there is nothing below the District Board; there are no Local Boards.

39733. Have you a sub-committee for Finance, a sub-committee for Public Works, and so on, or are there sub-committees for this or that *tahsil*?—No; we have no standing committees really.

39734. Would it be a sound thing to have a committee for each *tahsil*?—No. I have prepared a note on the whole subject of District Boards, which I should like to hand in. It is a note showing how and why District Board administration becomes closely centralized, and how and why decentralization, however desirable, appears estopped more by circumstances than by design; the first memorandum shows the aspirations of the sanguine decentralizer; the second shows how those aspirations are repressed from realization by circumstances. I wrote the first memorandum first of all to show how certain roads which were hung up in the sub-division might still be proceeded with. The Secretary sent the proposals to me, and said, "I am afraid we must leave these roads until the District Engineer comes." I have since appointed a District Engineer. I said, "No; I do not see why we should wait; let us send them to the Sub-Divisional Officer, and let him shove the thing along with the overseers in the *tahsils*." Then it occurred to me that the trouble was in connection with language and with clerical establishment, because there is no establishment: there is only a *muharrir* in the *tahsils*. Then I wrote the second memorandum, which shows, I think, how it is impossible to decentralize at the present time.

39735. Is it a sound position to take up that, wherever District Boards have got to pay, they should also have responsibility for carrying out the work?—I would not have a rigid rule of that sort. The principle is tenable, but I do not see why it should be rigidly followed.

39736. It might well be the case that in regard to a particular road, for example, the District Board might ask the Government to make it, and pay for it; but take education, is it sound that the District Board should make a large contribution and have no say whatever in the management of education?—I have been discussing with the Education Department whether it is possible to expect that municipalites, if they are pushed on one side by the Education Department, will take interest in the schools towards which they pay. Speaking as a Municipal Commissioner myself, I had often had that feeling; it is only human nature; if you ignore the wishes of an individual and simply want to tap his pocket, he will show resentment. Possibly the Education Department will find it hard to get any convenience or indulgence for a school in such a case, when it comes to the scratch. I think that does happen; I have seen cases of that sort; a playground has been wanted, or some little enlargement of the school-house, and the local body, out of the hurt and injured feeling that they have, have felt not inclined to come to the rescue.

39737. You think that, as a general rule, where they pay, as a matter of policy they should be given full administrative responsibility?—I think it is a good principle. I was talking to an officer in the Education Department the other day, and he mentioned the question of police; he said, "When the municipality pay for the police they do not expect to have any part in handling the affairs of the police." I said "No," because that was an administrative matter on which the peace and order of the place depended, and naturally the Government would not forego any part of their control there; but in the matter of training up the children of the municipality the parents naturally have a very lively interest. It is a great thing to get a municipality to take a pride in its school, and that you will not see if the Education Department absorb all the power and simply say that the municipality must pay. And, if that feeling gets into the heads of the subordinates of the department, they will certainly give offence to the people. I had a case the other day in which a school-master spoke of the municipality as if it were only a "milch-cow." Of course I dropped on him for it.

39738. All the same, was there not something in it?—But it was the position he took up; he said, "*I* am in charge here; the municipality has nothing to say at all." That is not an attitude that I like.

39739. (*Mr. Dutt.*) Is there a new Municipal Bill before the Government now?—Yes. I think it has gone up to the Government of India.

39740. Is that a nearer approach to the principle of which you spoke just now, that the authority that pays ought to have some control over the work?—I had no hand in the preparation of the Bill, except to

suggest on some minor points ; whether the financial aspect of it is like that, or whether it is incorporated in the Bill, I do not know.

39741. At present have the municipalities sub-committees for doing different departments of the work, such as education, or the realization of taxes or assessment ?—Yes ; in all big municipalities there are standing sub-committees, varying in number. We have here sub-committees on Finance and on the Civil Lines, a City Sub-Committee, and one or two others ; in Delhi they have a larger number.

39742. Who are the Chairmen of these sub-committees ?—They have their own Chairmen, but if the President summons them to sit with him, he becomes *ipso facto* Chairman.

39743. Does the arrangement answer well ?—I think these sub-committees are very useful.

39744. You have not got similar sub-committees in the District Board ?—No ; we have not. I appointed a sub-committee for Plague, but that was simply a special case ; we have not got any standing sub-committees.

39745. If you had such standing sub-committees, would it improve the work and induce the members to take a little more interest in their own work ?—I do not know that it would.

39746. If you gave primary education to one sub-committee, roads to another sub-committee, and so on, would you not get a little more work out of them in that way ?—I am not sure.

39747. Is the man who collects the land revenue in each village the *lambardar* ?—Yes.

39748. He is appointed by the Deputy Commissioner in consultation with the tahsildar ?—Yes ; the tahsildar sends up his proposals.

39749. Is each individual *raiyat* responsible for the land revenue to the Government, or is the village collectively responsible for the land revenue due from the village ?—The village is collectively responsible.

39750. At the same time, the *lambardar* gets it from each individual *raiyat* ?—He is able to ask for process against each individual *raiyat*.

39751. If he fails to collect the whole amount from individual *raiyats*, then you have a right to come down on the village ?—Yes.

39752. As a matter of fact, you seldom have occasion to come down on the village collectively ?—Very seldom.

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39753. Have you got any irrigation in the Lahore district ?—Yes.

39754. Who is in charge of the irrigation works ?—The Canal Engineer.

39755. Does he make the assessment and the collection also ?—He makes the assessment, not the collection. The revenue authorities make the collection.

39756. Ought the revenue authorities to have some voice in the matter of assessment ?—I have thought over that subject continually since I took over the work here, and I wrote an opinion on it to the Canal Colonies Committee. I certainly think they should have some voice. Also, the Deputy Commissioner should certainly have an opportunity of expression his views. For instance, we both prepare crop returns ; we show so much as "failed," and they do the same ; but no comparison is ever made between the two sets of returns.

39757. Do these assessments vary from year to year according to the crops, or is the assessment made for a certain number of years ?—They are made according to acreage rates gazetted from time to time.

39758. Is the realization according to the number of acres under cultivation ?—Yes ; they make out their demand statement, and send it to us properly drawn up, showing the demand against each man, and that is calculated according to their own measurements.

39759. Suppose a cultivator objects and says, "The demand against me is not correct," would you look into it ?—What I generally do is to make a reference to the Canal Officer, and ask whether the case of that village has been considered with reference to the extent of failure of the crops, and so on ; I am not able to do more than that.

39760. Do you accept his report ?—I am bound to, really, unless I made a reference on new lines ; the thing lies in their hands entirely. I do it simply in the hope that I may draw attention to the thing. The *silladar* on the particular canal is the man who really does the assessment, and drawing the attention of the higher authority to the thing may be of some use.

(*The witness withdrew.*)

SARDAR PARTAP SINGH was called and examined.

39761. (*Sir Frederic Lely.*) You reside at Jullundur ?—I do. I do not hold land in the Jullundur district. I am an Honorary Extra-Assistant Commissioner ; I exercise civil and criminal powers. I have two large properties in Oudh, also some land in the Lahore district, but my estates are in Oudh.

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Large financial powers should be given to provincial Governments generally with a view to afford prompt relief in matters like the following—remission of land revenue, *takavi* grants, famine relief, &c. If anything, some other province may require greater extension of financial powers than the Punjab, which is, ordinarily speaking, comparatively less in need of relief.

I would prefer investing the Local Governments with larger borrowing powers, enabling them to borrow from Indian and European banks on reasonable rates of interest. Moreover, the accumulated savings of Court of Wards estates may also be used for this purpose ; thus giving them an advantage of permitting higher rate of interest than the one allowed by the Government paper.

I would suggest some delegation of further financial powers to provincial Governments for the purposes of the creation of new appointments and enhancement of salaries, &c. At present when the creation of any new appointment or some increment of salaries is proposed in various departments under a Local Government, it has been found to be a tardy process to obtain the sanction of the Imperial Government. It is a notorious fact that in some departments the staff is overworked and underpaid, but the elaborate process by which their salaries could be enhanced has deterred some Heads of Departments from moving in the matter.

The influence of the departments of the Government of India, hedged round as they are by certain chapter and verse of departmental codes, tends somewhat in the direction of rigidity and uniformity. Uniformity in certain cases may be desirable, but an over-rigid scrutiny of the reports of the provincial Governments regardless of the superior knowledge of things possessed by provincial Governments would render, and possibly does render, the departments of the Government of India naturally impersonal. Considerable latitude must in the interest of efficiency of administration be allowed to provincial Governments on account of the latter possessing a better knowledge of requirements.

In departments primarily administered by Local Governments the upper hand and the dictatorial influence of Directors and Inspectors-General under the Government of India should be put an end to in order to avoid unnecessary friction and disagreement.

I would not recommend any curtailment of the existing privileges of appeal, nor subject them to the necessity of a certificate from the authority passing the order appealed against.

I do not think that the influence of provincial Governments is in the direction of excessive rigidity or uniformity, and certainly not in my province, because ordinarily the Head of the Local Government is in personal touch with the matters over which he exercises the power of control.

Executive Officers generally possess an average knowledge of vernaculars sufficient for ordinary purposes. Most of them are not in personal contact with the people owing to the heavy burdens of work and multifarious duties. They are often surrounded by self-seeking individuals who generally relate a good deal of bazaar gossip and waste the time of the officials, while the better informed people never trouble to call on them.

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The areas of district in my province are reasonable, but the staff require augmenting, as almost all the clerks are overworked.

Seniority should be adhered to except in very exceptional cases.

I have not noticed that officers have been transferred too frequently, but frequent transfers of officers are most injurious to the administration.

I am not in favour of any Advisory or Administrative Councils to assist Divisional or District Officers.

39762. Have you ever had anything to do with a municipality or a District Board?—I have just been put on to the municipality, in the last four months; I have not had much experience of that except as a resident of the city.

39763. Have you had any connection with the District Board?—No.

39764. What is your general view, as an outsider, of the success of municipal government?—On the whole, it is fairly successful.

39765. Do you think the ordinary municipality meets the wants of the people, without any undue interference?—I think so.

39766. Do you think that any changes are desirable in the management of these municipalities?—In some places the experiment might be tried of giving them non-official Presidents, either elected, or to start with, nominated. I would start with nomination, and then go on to election.

39767. Is the municipality elected, for the most part?—Most of the members are elected, and some are nominated.

39768. Would you advocate any increase in the number of the elected members?—I should say that a certain number at any rate should always be nominated.

39769. Would you advocate any increase in the independence of the municipality?—In the municipality in which I am working now we have certain sub-committees, a sub-committee for Public Works, a sub-committee for Finance, and so on.

39770. The work would be lighter if sub-committees were given more powers?—Yes.

39771. That rests with the municipality?—It should rest with the municipality.

39772. Do you think that anything further should be done in the direction of greater independence of Government control?—Municipalities have a certain amount of control over their finances now; if their control over their finances was a little enlarged, it would be better.

39773. Generally speaking, you would not emancipate them from all control?—No.

39774. (*Mr. Hichens.*) You said you thought that the experiment might be made of appointing non-official Presidents to certain municipalities; would you begin with the larger ones?—I would begin with the smaller towns, not with large towns like Lahore or Delhi.

39775. In the smaller towns would you find men prepared to come forward and give the necessary time?—I do not see why they should not. Some of the members are lawyers and educated people; they devote a good deal of time to municipal work, and are very keen on it.

39776. Have you a general knowledge of the district in which you reside?—A fair general knowledge; of course, I live at headquarters, and not having any land in my own district, I cannot give you any details.

39777. Speaking generally, have you heard any complaints with regard to the finances of the District Boards?—Personally I have not heard any; even if one does hear complaints of this sort, it is very hard to say anything about them until one has gone into the matter personally.

39778. (*Mr. Meyer.*) Are you not connected with one of the great ruling Chiefs, the Maharaja of Kapurthala?—Yes; he is my first cousin; I am organizing a Chiefs' Association.

39779. May I take it that you speak, not only for yourself, but that you represent in a way the opinion of a certain number of Chiefs in this province?—I could not say that at present, because my Association is not quite organized yet; I have started the work, and in some of the districts some of the brother Chiefs have come forward and said that they would join the Association, but, as the Association is not a thoroughly organized body yet, I should not like to be considered as if I was speaking for others.

39780. You are an Honorary Magistrate?—I have been so for 13 years. I have first class powers, and powers to commit to Sessions.

39781. Have you done civil work as such?—Yes.

39782. Are there many gentlemen in your position who are given these powers?—There are not very many.

39783. Might that system be extended?—If you can get capable men to do the work, I should think it would be a very good thing. There is no one else in my own district so far, except another cousin of mine, and he is only exercising criminal powers, but in other districts there are men who exercise the same powers; there are, however, not very many in the Punjab.

39784. With reference to your remarks as to the borrowing powers of Local Governments, do you contemplate the Local Government's paying a larger interest than the Government of India now pay?—I should say certainly 5 per cent.

39785. That may be an advantage to the Court of Wards, or other people who lend the money, but would it be an advantage to Government?—No; it will not be an advantage to Government, but it will certainly be an advantage for the Court of Wards. In certain cases I have known a lot of their money to be idle, not utilized in any way.

39786. We were told that originally the Deputy Commissioner was the Court of Wards, and then they made the Financial Commissioner the Court of Wards; some witnesses rather regret that. What is your opinion?—I would certainly have the Deputy Commissioner as Court of Wards.

39787. Entirely?—Yes. Under the present system of managing the Court of Wards through the Financial Commissioner, every little thing has to be referred to the Financial Commissioner.

39788. But you might leave the local management in the hands of the Deputy Commissioner, and at the same time have a reference to the Financial Commissioner as to whether the estate was to be taken over, and as to a scheme of management?—Once a scheme of management is sanctioned by the Financial Commissioner, everything has to be referred to him.

39789. And that you consider objectionable?—Yes.

39790. You speak of the dictatorial influence of Directors and Inspectors-General under the Government of India; is that from personal knowledge?—No; but there is that influence.

39791. There is a possibility of it?—Yes.

39792. You mention the desirability of strengthening the hands of the Commissioner; how would you do it?—I would give him more powers. For instance, in all *zaildari* and *lambardari* cases I would give them powers. If a *lambardari* case came up before the Commissioner, the Commissioner's orders should be final.

39793. It has been suggested that the Commissioner might be more of a Sub-Governor; that he might have a budget of his own, and be able to appoint tahsildars, and to post Assistant Commissioners and Extra-Assistant Commissioners?—I do not think that would do, but the Commissioner should have more power than he has now. For instance, he should give leave to his own tahsildars.

39794. Would you give him the power to appoint tahsildars?—Power to appoint tahsildars, but not Extra-Assistant Commissioners.

39795. But Extra-Assistant Commissioners might be posted to such and such a division, and the Commissioner should be able to employ them in that division as he chose?—Yes.

39796. And similarly with Assistant Commissioners?—Yes.

39797. (*Sir Steyning Edgerley.*) You say that the staff of the various officers "is overworked and underpaid." Is that so to the extent of leading to dishonesty?—I should say so. I could give you several

instances in the vernacular staff; for instance, the *muharrir* in a sub-registrar's office draws Rs. 15 a month. Look at the important documents and the important work that pass through the hands of that man; somebody may come with a bond of Rs. 10,000 or Rs. 20,000 value which he wants registered.

39798. Have you personal experience of much dishonesty amongst these subordinates?—I have known of it; but in most of these cases it is very difficult to prove it.

39799. You think that the cause is the overwork and the insufficient pay?—Certainly; they get so little pay. Fancy a *munshi*, a man in an important position of that kind, getting Rs. 12 or Rs. 15 a month; and most of them have to put in 8 or 9 hours a day in most of these offices.

39800. Is the dishonesty greater in Government offices than among private employés?—I cannot say that.

39801. Are private employés much better paid?—Some are.

39802. May not the dishonesty be due to the general position of education at the moment amongst that class of person?—No; I do not think so.

39803. You tell us that superior officers "are often surrounded by self-seeking individuals, who generally relate a good deal of bazaar gossip . . . . while the better informed people never trouble to call upon them"—will you amplify that a little?—My personal opinion is that a man probably goes to an officer and tells him certain things, and that man will probably be treated better by the officer than a better class man who does not go very often to see him. Probably when the latter man went to see the officer he was treated in such a cold way that he does not care to go again at all. I should like to see the officers and the educated classes, and the better classes, come together somewhat more; and the lead should come from the officers.

39804. You do not mean that the better informed people never trouble to call on the officer; you mean that they do not trouble to call twice?—Exactly.

39805. They do call a first time?—They have in duty to call to begin with; we are all supposed to call.

39806. Suppose the Court of Wards takes over an estate, but cannot pay the debts, and therefore has to relinquish the management; does that lead to very adverse criticism of the Government?—I do not know of a case yet where that has happened in the Punjab.

39807. Do you mean that they never have given up an estate?—What I mean is that in most of the estates that have come under the Court of Wards, if they have been taken up for debt, or anything, the debt has been cleared and the estate has been given over to the minor, when he came of age, in a very flourishing condition.

39808. But suppose the estate is so involved that when Government come to look into it they find it is hopeless?—Then they will not take up the management; I should say they should not take up the management of it.

39809. But suppose they do not find that out until after they have taken up the management?—Before they take up the management they go thoroughly into the papers of the estate, and it is only after the Deputy Commissioner has satisfied himself on every point that the estate is taken up. I am simply presuming all this; but so far as the Punjab is concerned there is not a single case in which I have seen the Court of Wards fail in clearing an estate that they have taken up.

39810. In Oudh, do they fail?—I do not know; I do not reside in Oudh.

39811. You have not heard any adverse criticism based on the ground of failure to clear?—No, there has been none to my knowledge.

39812. (*Mr. Dutt.*) Is this Chiefs' Association which you are forming for the whole of the Punjab?—Yes, that is my idea. I am trying to work it.

39813. You say that you try a great many cases. Are they referred to you?—They are referred to me by the District Magistrate if I am not in charge of the particular *ilaka*. At present I am in charge of a particular *ilaka*; that is to say a particular *thana*, in my district, and all the criminal cases that occur in that *thana* come to me. Other cases are referred to me too.

39814. And civil cases?—No. All the cases go to the District Judge, so far as those officers are concerned who are doing civil and criminal work, and the District Judge distributes the civil work to them.

39815. Are there many big landholders in the Punjab?—Yes; I do not know most of the districts by personal experience, but there are landlords in the Punjab.

39816. In those cases is the settlement made with the landholders?—I believe so.

39817. Are there any Benches of Magistrates in important towns?—Yes, at headquarters only; for instance, in my own district there is a Bench of Magistrates in Jullundur, where I reside; that is the head-quarters of my district.

39818. Are the cases tried by that Bench referred to them by the Deputy Commissioner?—By the Deputy Commissioner, or by the District Magistrate in other words.

39819. Is it possible to form such Benches in important villages?—I do not think you would find men there, except in a very few cases; you want on these Benches men who have got some sort of education.

39820. May there be a few villages in which it could be done?—You might say petty towns, rather than villages; there are such places where you might form Benches.

39821. Would it be worth while trying to form such Benches and giving them some small criminal powers, and also power to dispose of petty civil cases?—So far there are no Benches in the Punjab that I know of who are exercising civil powers; they only exercise criminal powers, and there they only have second class powers; that is so in my own town, and I believe it is the same in Lahore and other places.

39822. Are you in favour of extending that as far as possible?—If it can be done; that is to say, if you can find suitable men. But at the present moment I should say there are not suitable men.

39823. Not in any of the villages?—I should say there are very very few exceptions.

39824. In the matter of taking up or releasing an estate under the Courts of Wards would you not give the Financial Commissioner the power of passing the final order?—Certainly, as to taking up an estate; but as to the releasing of an estate after the minor has attained the age of 21, I think the estate cannot be held any longer.

39825. Are these minors generally educated in the towns?—Some are educated privately, but now we have the Aitchison Chiefs' College in Lahore. Most of them are sent there.

39826. You do not recommend any curtailment of the existing privileges of appeal to the Government of India, and you have the same opinion with regard to appeals to the Local Government. Do you think that the right of appeal gives the people some sense of security in the appointments which they hold?—Yes; and besides that any curtailment of the powers of appeal would be a political danger. Take the case of a Native Ruling Prince; he has a dispute with some of his villagers; the power they have to appeal to is the Government of India against the orders of the Political Agent or the Political Officer whoever it is; that power is highly cherished, and if they are not allowed that power, it is very hard on them.

39827. You said that you would give the Commissioner a little larger power and voice in the administration of his own division. Generally speaking, should he have a voice in all matters relating to Public Works, or Education, &c., with regard to his own division?—Certainly.

39828. Should he be allowed to settle what buildings or what roads in the division should be taken up first?—Certainly, but at the same time I would fix a limit.

39829. In what way?—I cannot describe that.

39830. In the same manner, with regard to secondary education, he should have a potential voice in that matter?—Yes.

39831. And the Director of Public Instruction should consult him in all matters relating to education within his own division?—Yes.

(*The witness withdrew.*)

Khan Bahadur Mian MUHAMMAD SHAH DIN was called and examined.

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39832. You are a Barrister practising at Lahore. —Yes. I live in a village close to Lahore, about six miles out. I was on the Bench of the Punjab Chief Court for about 8 months as an Additional Judge.

The existing system under which a right of appeal to the Local Government is allowed in respect of the administrative action of its subordinate officers has worked satisfactorily, and I am not in favour of modifying that system so as to curtail the right of appeal. In the circumstances of this province it would probably be productive of undesirable consequences to preclude persons, who feel aggrieved by reason of executive action being taken against them by Government officials, from bringing the illegality or the grossly irregular or arbitrary nature of that action under the notice of the Local Government, and in the interests alike of the classes chiefly affected by the present system, and of the officers of Government concerned, it is necessary that the existing opportunities of appealing to the Head of the provincial administration should not be abridged. There is no ground for thinking that the right of appeal under consideration has been much abused in the Punjab or that it has been detrimental to administrative efficiency in the subordinate ranks of the Public Service; and I am therefore naturally reluctant, by curtailing that right, to throw in the way of the Executive Officers the temptation of passing hasty, ill-considered, or arbitrary orders, which generally lead to much heart-burning and sometimes even to active discontent.

In connection with the right of appeal to the Local Government, I do not think that it would be desirable to lay down in all cases that no such appeal should be entertained unless it is accompanied by a certificate from the officer passing the order appealed against that reasonable grounds of appeal exist. Such a rule can be justified only under very special circumstances, such as the desirability of avoiding unnecessary trouble and expense to the persons concerned, or of checking a manifestly mischievous propensity for indulging in prolonged litigation over rights of a comparatively trivial character. Where circumstances of this description do not exist, the reason of the rule disappears. Besides, a rule of this kind would, under certain conditions, be tantamount to placing in the hands of the authority concerned an instrument for stifling the voice of an aggrieved person which may sometimes be used to defeat the ends of justice.

The right of appeal to the Local Government at present granted to the officers of Government against orders affecting them personally is not, in my opinion, unnecessarily liberal, and I am not at all in favour of curtailing that right. An officer of Government, however humble his position may be, cannot be expected to do his duty conscientiously and under a full sense of that dignified self-respect and independence of judgment which are essential to the success of a Public Servant, unless he feels his position reasonably secure in the department in which he is serving: and this he can only feel if he is allowed to exercise the right of appealing to the Local Government in all cases in which his character and conduct as a Public Servant are impugned by the Head of his Department. The more reasonably liberal the right of appeal in such cases, the greater the sense of security and responsibility under which officers of Government will carry on their duties, and the better the chances of a smooth working of the administrative machinery.

European officers who hold executive appointments in the province, more especially the District Officers, do not at present enjoy sufficient opportunities for coming in personal contact with the people. The existing obstacles to such a contact are, in my opinion, briefly the following—

(*a*) These officers, being connected with several departments and having therefore to perform multitudinous duties, are much overworked and have little leisure to cultivate personal relations with the people. There is too much of report-writing, and too little of the personal element, in the district administration.

(*b*) The average District Officer unfortunately entertains peculiar notions of self-importance, based mainly upon an imbred sense of racial superiority, which act as a great social barrier between him and the more advanced classes of the people. Absence of social intercourse naturally leads to grave misunderstandings on both sides, and these frequently result in some parts of the country in profound distrust on the one hand and in active discontent on the other. District Officers are also generally influenced by the idea that if they mix more freely with the people, their prestige will suffer. This idea is, however, erroneous and should be abandoned.

(*c*) There are comparatively few District Officers who possess sufficient knowledge of the vernaculars of the province, and still fewer who are fully conversant with the social and religious usages and customs of the people. The result is that the acquaintance which the average District Officer has with the people in his charge is superficial, and he is therefore incapable of properly entering into and appreciating, in all their shifting and variegated phases, the feelings and motives which animate and sway large sections of the population.

(*d*) Executive Officers are as a rule transferred from one district to another much more frequently than is compatible with their obtaining, through a necessarily slow process, a real insight into the local conditions of a particular area and of particular classes of the people. Their knowledge of Indian life is therefore generally imperfect and superficial, and in a variety of ways the administration of the district is thereby prejudicially affected.

To remove the above-mentioned obstacles, I would suggest the adoption of the following, among other measures:—

(*a*) Executive Officers should be relieved of part of the work they are now called upon to do. For instance, in the case of the Deputy Commissioners, they should be relieved of their judicial work as District Magistrates.

(*b*) Having more time at their disposal, the District Officers should be specially instructed to cultivate friendly relations with the more educated and advanced classes of the people, and to acquire deeper acquaintance with the social and religious institutions of the province.

(*c*) Greater stress should be laid than has hitherto been the case upon Executive Officers acquiring a good knowledge of the vernaculars. To this end, a better acquaintance with the Hindustani (or Urdu) language should be insisted upon as part of the course which an Indian Civil Servant has to go through in England for his final examination before coming out to the Punjab; and this should be supplemented by a rather searching test in the vernacular after a European Civilian has served in the Commission for a number of years.

(*d*) District Advisory Councils may be established in order that they may give responsible advice to District Officers in times of need, and otherwise act as trustworthy media between the rulers and the ruled. Without the hands of the District Officers being tied in any way by these Councils, they would act as an agency both for diffusing among the people correct information as to the arts and intentions of the Executive Officers, and for rightly interpreting to the latter the feelings and needs of various classes of the population.

The transfers of Executive Officers are too frequent. To remedy this defect, I would make the following suggestions:—

(*a*) Junior Civilians should not be posted to large stations, which should be reserved for senior officers, and the latter should not be transferred for a number of years except under special circumstances.

(*b*) When short leave is granted to an officer, arrangements should, as far as possible, be made for his work being carried on by a local officer until the officer on leave returns to duty.

The powers vested under the existing law (Act XX of 1883 and Act XX of 1891) in the District and Local Boards and in the Municipal Committees in this province in respect of the management of local affairs are ample for the present, having regard to the stage of material and moral progress which we have reached, and I do not think they should be enlarged. As matters stand, really good and capable men do not offer themselves for election for the membership of Municipal Committees or of District and Local Boards.

The creation of Advisory Councils to assist District Officers in time of need with responsible advice would be a useful step. I am not prepared at present to confer any definite powers on these Councils, which should be purely consultative bodies. They should be so constituted as to represent all the dominant interests in the district, *e.g.*, aristocracy, agriculture, commerce, education, and the learned professions. The advice which they could be asked to give might well be in respect of local affairs relating to taxation, police, sanitation, and to the general administrative needs of the district.

The time has not come in this province for investing District Boards with powers of supervision and control over the smaller municipalities within their respective districts. The average member of a District Board in the Punjab lacks the training necessary for the proper conception and performance of his civic duties ; and as a result the Board is not a very efficient part of the machinery of local self-government.

An experiment may well be made in the direction of giving village communities of an advanced type greater powers in the disposal of local affairs relating to revenue, police, sanitation and elementary education. The grant of such powers would lay the foundation for an excellent practical training of the Punjab peasantry in the elementary principles of self-government on modern lines, which they are well fitted to assimilate by reason of their familiarity with some of their traditional methods of managing their own local affairs, of which traces are still left in the crudest form of village economy. I am not, however, sure whether the grant of powers to village communities as to the disposal of petty civil and criminal cases would be productive of good results. I am disposed to think it would not. The panchayat system, if it ever worked well in this part of the country so far as the dispensation of justice is concerned, has long ceased to exist ; and its revival, with some of the modern concomitants of civil and criminal administration super-imposed upon it, would, in my opinion, bring in its train some very unsatisfactory results. The Punjab peasant's ideas of his legal rights and of justice have, under modern influences, undergone a great change ; and I seriously doubt whether he, and his literate and more intelligent sons, would be satisfied, as his primitive ancestors used to be in olden times, with the rough and ready methods of dispensing justice which the establishment of a village panchayat of the old type would necessarily bring into operation. If, on the other hand, the panchayat is to be constituted upon new lines and is expected to be fairly up to date in its judicial proceedings, all the defects of any Honorary Munsif's or an Honorary Magistrate's court will find their way into them, with none of its redeeming features. The time has come when in the Punjab large villages with a population of, say, over five thousand inhabitants should be constituted into "notified areas" under Chapter XI of Act XX of 1891. So far the powers conferred on the Local Government in this behalf have been very sparingly exercised, with the result that the sanitation of the villages situated in close proximity to large towns is in a disgraceful condition, leading to a lamentable loss of life in the outbreak of plague or other epidemic. This aspect of the matter demands immediate attention.

39833. Have you made any special study of the organization of Government in the Punjab ?—No very special study, except that I know in a general way something about its working.

39834. You have in the Punjab a Financial Commissioner as distinct from a Board of Revenue in many provinces. Would the public generally disapprove of transference of power from the Financial Commissioner to the Divisional Commissioner ?—I think not, in certain matters.

39835. Does the public draw much distinction between the personality of one and that of the other ?—Not generally. In certain matters of detail if there were delegation of powers from the Financial Commissioner to the Commissioner the state of affairs might improve.

39836. In the case of appeals to the Financial Commissioner, have the parties a right to appear before him ?—In revenue matters, yes.

39837. Is that the case also in appeals before the Commissioner ?—Yes.

39838. In some provinces where there is a Board of Revenue, it was said that the Board of Revenue was very popular because the parties had the right of appearing, whereas they had not the right of appearing in cases before the Commissioner ?—In cases before the Commissioner where there is the right of appeal the parties have a right of appearance, but not in cases where there is only revision.

39839. That would be also the case with the Financial Commissioner ?—Yes.

39840. There is no special popularity attached to the Financial Commissioner as distinct from the Commissioner ?—I think not ; in fact, the Commissioner comes nearer home to the people than the Financial Commissioner does. The division within which he exercises his powers being more limited than the territorial jurisdiction of the Financial Commissioner, the people know him more familiarly than the Financial Commissioner.

39841. He can make himself better acquainted with the local conditions ?—Exactly.

39842. What is your view of the qualifications of the patwaris and tahsildars and subordinates generally of Government ?—I think the tahsildar ought to be acquainted as a general rule with the agricultural aspects of the people, perhaps, much more than he is at present. The same would hold good, perhaps, in a more emphatic form in the case of the patwari. The patwari certainly ought to be drawn more largely from the agricultural class than is at present the case.

39843. What class do they come from as a rule ?—As a rule they come from the class which has received elementary education, which necessarily is not the agricultural class.

39844. What is known as the literate class ?—Yes, the literary and commercial classes ; the majority of them, I believe I am right in saying, are not properly acquainted with the agricultural conditions of the people.

39845. What is your view of their integrity as a class ?—I should say the average patwari is a corrupt individual.

39846. What about the Government servants above him, the kanungoes and the tahsildars ?—I think as we go higher corruption becomes less and less acute, and perhaps less and less manifest, but still there is corruption.

39847. Would it be a popular measure to give the tahsildar more power ?—No. I do not think it would ; the powers given to the tahsildar are already sufficiently extensive.

39848. You say that one of the advantages of the District Advisory Council would be that "it would diffuse among the people correct information as to the acts and intentions of the Executive Officers." Do you agree that one of the great wants of the present day is the means of conveying correct information ?—I think that is a great want.

39849. Is there not a great deal of misapprehension among the people as to the acts and intentions of Government ?—That is so, and I am afraid that that misapprehension leads sometimes to discontent which probably would not exist if the misapprehension either did not come into existence or were immediately removed.

39850. Have you ever heard of the plan of publishing a simplified Gazette in the vernacular, for circulation in the villages, containing the more interesting orders of Government, appointments and such like, and also containing interesting Resolutions and orders, paraphrased in the vernacular in a simple manner so

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as to be easily understood by the people?—I do not know whether that idea has ever been formally launched here in the Punjab; I have never heard of it before.

39851. Do you think it would be useful?—Certainly, I think it would be worth trying.

39852. Would you circulate such a village "Gazette" on payment, or would you send it round free anywhere?—If it were to be circulated on payment the circulation probably would not be large enough. The people in the villages would be unwilling to buy it, and therefore the information sought to be dispersed through it would perhaps not reach the masses. I would suggest that the paper be circulated gratuitously through the headmen and the *zaildars*.

39853. It would not do to make it too cheap; if you sent it about broadcast its value would probably fall to zero?—That might be so, but on the other hand, if the circulation of it depends solely on payment by individuals, then its circulation would be restricted. Some sort of plan intermediate between the two might perhaps be adopted.

39854. As to your Advisory Council, how would you propose that it should be constituted, by election, or by nomination, or how?—Under the existing circumstances of the Punjab, I would advocate nomination and not election. We ought to start by having a nominated Advisory Council, drawn from among the leading men of the district; after the experiment has been in operation for a sufficiently long time, and when we see that the idea has succeeded and has caught on, then the element of election might be introduced, but very cautiously, under suitable restrictions.

39855. Would the idea "catch on" if their advice was not accepted?—It would not.

39856. Would not members get tired of offering advice if it was not accepted?—They would, certainly; but I should be very much disappointed in case an Advisory Council was constituted from among the leading men of the district, if the District Magistrate did not follow the advice of the Council whenever it was found that their advice was disinterested.

39857. But even now, and also then, would not the District Magistrate have methods of his own of forming an opinion, by consulting people whom he knew to be representative people?—Yes. He might form his own opinion in that way.

39858. Suppose those opinions, gathered in that informal way, differed from the opinions offered by the Council; would you have the Magistrate surrender his own opinion for the opinion of the Council?—Not under all circumstances. The District Officer should be able to discriminate between circumstances in which he ought to follow the advice of the Advisory Council, in preference to the vague and indefinite opinion of the men he consulted privately, and circumstances in which he ought, on the other hand, to follow the advice of the latter.

39859. You think that the opinion of the Council would usually be more valuable than the opinion of the men he consulted privately?—I certainly think so.

39860. With regard to the proposal to give villages powers, would not the Punjab village, being usually a joint community, be specially fitted to receive powers of that sort and to exercise them?—Yes, to a certain extent, barring the exercise of civil and criminal jurisdiction.

39861. You do not approve of that?—Not at all.

39862. Is not the Punjab village rather more united than villages in other parts of India?—Yes, the typical village is, but even here the disintegrating influences of modern education are operating and village communities are not such compact communities as they used to be years ago.

39863. Are there factions?—Very bad factions in some cases. And, apart from faction, modern education is penetrating the villages, and with the spread of modern education, there is much more individual opinion circulating in the villages than there used to be in olden times.

39864. You do not suggest any new departure, but you say you think the time has come for the constituting as "notified areas," under Chapter XI of Act XX of 1891, of any large village of over 5,000 inhabitants?—Yes; I think if that suggestion were adopted there would be no need for the creation of any special bodies. The Local Government under that law has the power to constitute any village a notified area the population of which is less than 10,000 souls, and which is not a purely agricultural village.

39865. You would confine action to the exercise of power under that section?—Yes, but I would suggest that the Local Government should delegate its power to the Commissioners, and that the Commissioners should exercise powers under that chapter much more freely than the Local Government does now. For instance, in the whole of the Lahore district there is only one village which has been constituted a notified area.

39866. You would not propose to go further than that? A notified area would scarcely provide for much of the power which it is proposed to give to the village community, such as the control of the village school, for example?—As regards the village school it would, because the same powers could be conferred on the committee which is appointed in a notified area as are now exercised by the Municipal Committees.

39867. But Municipal Committees do not, as a rule, exercise much power over the schools?—They can, if power is conferred on them.

39868. Do you think the villagers would like more control over their elementary schools?—I think so.

39869. (*Mr. Meyer.*) Do not these notified areas levy taxation?—Not always; if they are specially empowered to do so, they do, not otherwise.

39870. Have they an octroi?—Very often they have.

39871. Local taxation is not very popular here—or anywhere in India, for that matter?—It is not, but so far as the octroi is concerned, there is in every village what is called a weighment due, and the villagers are quite familiar with that sort of taxation; if octroi were imposed, therefore, it would not be unpopular.

39872. Is the weighment due levied now?—Yes, in almost all villages. It is appropriated very often by the headman himself, or (very seldom) it goes to the support of some of the local charities.

39873. It is really a fund which the villagers keep up, or are supposed to keep up, for their own benefit, though it sometimes happens that the headman intercepts it?—That happens very often.

39874. You mention that factions are a good deal prevalent; is it possible that the distribution of this fund has anything to do with them?—That is sometimes one reason why the factions exist; at other times the reason is that the headman is a person who wants to appropriate too much power, and it is his interest to set up factions in the village, and he interferes not only in the private affairs of the people, but mostly in village litigation.

39875. Have you often got several *lambardars* in a village?—Sometimes more than one.

39876. Do they fight among themselves?—They fight among themselves very bitterly.

39877. The general trend of the evidence we had elsewhere was that if you started any system of village Government combined with additional taxation, it would be unpopular, and that it would be necessary, if it was to be a popular success, to provide them with funds; would that be your opinion?—My opinion is that the funds which would be the result of the levying of local taxation would not be sufficient for village purposes, and that therefore additional funds will have to be placed at the disposal of the committee in the notified area, or of the panchayat, as the case may be; but village funds also can be supplemented by local taxation in the form of octroi. A house-tax certainly would be very unpopular, or any other form of direct taxation; but octroi is considered as a form of indirect taxation, to which from time immemorial the people have been accustomed in the shape of weighment dues.

39878. It has also been suggested that each village might receive a share of the Land Cess collected there?—I think that is a very good idea; I would certainly approve of it.

39879. If your village panchayat could deal with revenue and police and sanitation locally, and also with

elementary education, why should they not be competent to dispose of petty civil and criminal cases?—Because of the reason that I have suggested. People, even villagers, have now become educated and accustomed to the regular and more normal administration of justice, and therefore they would look upon the disposal either of civil suits or criminal cases by the local panchayat in not quite a happy spirit. Besides, since there are local factions in villages, they would probably interfere with the smooth working of the machine.

39880. Still at present it sometimes happens that as a point of honour, perhaps a false point of honour, men will go on fighting in the courts till one or both are ruined?—I am afraid that is so.

39881. It might be a good thing if you could offer a simpler form of settling such disputes?—Quite so: I am certainly in favour of the principle, but I am doubtful whether in the present circumstances of the province it would be safe to place in the hands of panchayats the exercise of jurisdiction in civil and criminal matters.

39882. In Madras, for instance, they have village Munsifs, and the system has been adopted by the Government of the United Provinces?—In Madras and in the Bombay Presidency too, I think, but in the Punjab, so far as I am aware, the system has never worked satisfactorily: I do not think it has ever been introduced.

39883. Revenue appeals begin with the Assistant Collector, then there is an appeal to the Deputy Commissioner; then, as I understand, if he agrees with the Assistant Collector, the matter is ended?—That is so; there is no appeal.

39884. But there is a revisional application?—A revision application to the Financial Commissioner.

39885. Not to the Commissioner?—No; it is to the Financial Commissioner.

39886. On the other hand, if the Deputy Commissioner does not agree with the Assistant Collector, there is an appeal to the Commissioner?—Yes.

39887. And that decision is final?—Yes.

39888. These cases, then, only come up to the Financial Commissioner by way of revision?—That is so. There are only two appeals in revenue matters, never more than two.

39889. Are most of these cases dealt with originally by the Assistant Collector or by the Collector?—There are certain classes of cases which under the law applicable to the Punjab can be disposed of only by the Collector; there are others which can be disposed of by the Assistant Collector. Those cases therefore which have to be disposed of in the first instance by the Collector have to be taken up by the Collector, and then they go from him to the Commissioner, and so on.

39890. Would you be in favour of allowing such cases to be taken up by the Assistant Collector in the first instance, as a relief to the Collector?—Yes, I would.

39891. With regard to revision, you can exercise that power in two ways; you need only interfere when you think there has been a miscarriage of justice, or you can interfere whenever you differ in opinion from the Court below. In which way is the right of revision exercised here in revenue cases?—In revenue cases very great stringency is exercised by the higher authorities in the matter of revision, that is to say, they are very reluctant to interfere, and rightly too, because the revenue law lays down that unless there is an excess of jurisdiction or a want of jurisdiction, or unless jurisdiction has been exercised with material irregularity, the revisional authority should not interfere.

39892. You know that the ordinary system of the civil procedure is that there should be no second appeal on questions of fact?—That is not so in the Punjab. In the Punjab we have a special law of appeal, and there is a second appeal even on facts under certain circumstances.

39893. Suppose your civil procedure, at some time or other, should come to be identical with that in other parts of India, would you think it necessary to have a wider latitude of appeal in revenue matters than in ordinary civil matters?—No, I think not.

39894. Does the District Magistrate take criminal appeals from Second and Third Class Magistrates, or can they be taken by the Sub-Divisional Officer?—They go generally to the District Magistrate; and the Assistant Commissioner, who is a Magistrate of the First Class, generally has not got such power.

39895. In some districts, we are told, there are sub-divisions in which an officer lives in the sub-division and exercises local authority there. Would he have appellate power within the sub-division?—I do not think he has.

39896. (*Sir Steyning Edgerley.*) Is there any reason why he should not have it?—It depends upon the amount of power which is conferred upon him as a member of a certain class of Magistrates; there ought to be a uniform rule; it would not do to confer appellate power on an officer because he is the Head of a sub-division, but it would be advantageous if it were laid down that only those officers should be Heads of sub-divisions who could exercise the powers of a District Magistrate. It would be an advantage to the people if they were to exercise that power.

39897. Other provinces are very much less centralized in that respect?—I do not know anything about the other provinces; I suppose they are.

39898. You say "Really good and capable men do not offer themselves for election for the membership of Municipal Committees or of District and Local Boards"; then again you say: "The average member of a District Board in the Punjab lacks the training necessary for the proper conception and performance of his civic duties." What is the reason of that?—The reason is this: when elections come on, unfortunately electioneering tricks of the most objectionable character and fraudulent devices are resorted to by candidates for election. Indian gentlemen of education and culture would not agree to stand for election under those circumstances. So far as the Lahore municipality is concerned, I happen to know four instances at least in which gentlemen, who, if they had been elected as members, would have been acquisitions to the Municipal Committee, withdrew after having stood as candidates because they could not cope with candidates who were addicted to such objectionable practices.

39899. But is there no provision in the law for what we might call an election petition?—Yes, there is.

39900. You mean the people will not go to the trouble of bringing a petition?—Some of the voters and candidates unfortunately resort to such ingenious tricks that it becomes very difficult for the officer who has to dispense the law to come to know these frauds.

39901. But if you had an election petition, the facts could be stated and regularly tried out?—Here the practice is that a certain officer is deputed at the polling station to receive petitions in which allegations are made as to fraud being practised by the voters; orders are passed then and there on the petition.

39902. They cannot go into Court?—No.

39903. If they could, would that meet the point, or would people not like the publicity?—They do not like the publicity, and besides there would be the delay. It is better that summary powers should be exercised by an officer on the spot to decide matters of that kind.

39904. Your position practically amounts to this, that in the Punjab, up to the present, the system of election has failed to produce the best candidates?—That it has done, but the system has been productive of good results in so far as it has induced a certain class of people to come forward, who perhaps would not have been nominated by District Officers.

39905. But how do the townspeople regard that, if they know that the best people will not go on the Municipal Board in that way, and that they get a less desirable class of members; does that lead to considerable dissatisfaction with municipal government?—Yes, it does, among the better class of people.

39906. To counteract that, you think you must keep a substantial margin of nomination?—Yes.

39907. When they are nominated, will the people you describe as the better class work with these other gentlemen, who have been elected by practices which they disapprove?—Yes; they work with them.

39908. That is not a bar?—No; unfortunately the sense of civic responsibility has not been developed to such an extent, and the sense of public morality has

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not come up to such a high standard, that the people regard practices of this description with grave disapprobation.

39909. But if the law is under revision, that is a point which ought to be considered—I mean the purity of elections?—Yes, certainly.

39910. Have you a sort of Small Causes Court in Lahore?—Yes.

39911. And in other cities?—At Amritsar and Delhi.

39912. (*Mr. Dutt.*) If you had an Advisory Council what number would you recommend?—I should not recommend a large number in any case; it ought to be below ten.

39913. What is this weighment due that you spoke of; is it a tax on all products imported into the village from outside?—Yes.

39914. It is really an octroi duty?—Yes, on most such products.

39915. Not on the produce of the fields cultivated by the villagers themselves?—No; it is only articles which come for sale inside the village area that are taxed in that way.

39916. Are such articles very few?—They are not very few; formerly they were, but now there are a large number of such articles brought into the villages, that is mostly market villages.

39917. Leaving aside market villages, the number of articles which come to the other villages must be very small?—Yes, comparatively small.

39918. And the weighment due itself must be very little, probably two or three rupees in the month, if so much?—I should say more than two or three rupees a month.

39919. In an ordinary village?—Yes; for instance, I know small villages in which the proprietary body leases the right of levying weighment dues to the baniya for a substantial sum; whenever anything is sold to outsiders he levies weighment dues, or whenever grain comes from outside into the village he levies weighment thereupon.

39920. Anyhow, you think that, whatever the money is, it would be too small for meeting the requirements of the village, and that it will have to be supplemented from other sources?—Yes.

39921. At present the weighment due goes to the village headman?—Yes, and he misappropriates it generally.

39922. Is it not a duty which devolves upon him to feed all strangers from this fund, and to show hospitality to *sadhus* and others who come into the village?—That is so in some of the small villages, but in the large villages, although that duty was imposed on the headman by custom or public opinion in the old days, the obligation is disregarded now.

39923. In so far as he complies with the obligation he has to do it from his own pocket?—No; there is what we call the *malba* fund.

39924. Is that also regularly levied in every village?—Yes.

39925. Is that kept for this very purpose, namely, for the object of entertaining guests?—Yes. It is levied along with the land revenue.

39926. The *lambardar* does not realize it?—Yes.

39927. Under Government orders?—I think so; I have not specially studied the question.

39928. Do you mean that Government has sanctioned the levying of this due to be handed over to the headman of the village for the entertainment of guests?—I am not quite sure, but that is my impression; the *malba* fund is a very well known fund.

39929. With regard to the Advisory Council which you have recommended, do you propose that meetings of the Council shall be held periodically, or when the Collector has occasion to ask for the advice of these men?—There ought to be periodical meetings, certainly. I should say once in three months.

39930. Should the District Officer send to the members a list of these subjects on which he desires to have their opinion?—Yes.

39931. Suppose the people themselves or the members of this Advisory Council wanted to bring certain matters to the notice of the Collector about which the people felt very keenly, would you allow them to bring forward such subjects at the meeting, after giving previous notice, so as to have them discussed and settled?—Certainly.

39932. How many members are there of the Lahore municipality?—Thirty. Twenty are elected, and ten are nominated.

39933. Do you think all those twenty elected members are undesirable members?—Not all of them, but I think the majority are. I should certainly say that out of the twenty elected members, more than ten men should not have come on the Board at all; in fact I should say as many as fifteen.

39934. Does the same state of things apply in all the other large municipalities?—I have heard complaints about the incompetence of the elected members of the other Municipal Committees also, but I have no personal knowledge of them.

39935. There are 137 municipalities in the whole of the Punjab. In most of these municipalities are the members who are elected, or the majority of them, undesirable men?—I have no personal knowledge of them; I am speaking only of the Lahore municipality at the present time, but I have heard that in other municipalities also the same undesirable element prevails.

39936. Can you suggest any remedy for this state of things to secure the election of better and more qualified and more disinterested men?—I think it depends largely on the enlightenment of the people and the prevalence of better standards of civic duty, which will follow in course of time as education developes.

39937. When these Municipal Commissioners are elected, have they any responsible work to do on the Municipal Board, or do they simply say yes or no to the propositions brought forward by the Chairman?—Not always; there are some members who do exercise some sort of independence.

39938. I was not talking of independence, but of responsible work—education, supervision of roads, or the repair and construction of bridges, and so forth; is any work entrusted to these members, are they formed into sub-committees and special work entrusted to them?—There are sub-committees. There is for instance what is called the Sanitary Sub-Committee, then there is what is called the Civil Station Sub-Committee, and there is the Finance Sub-Committee.

39939. Are they entrusted with the supervision or inspection of the schools within the municipality?—Not of the schools.

39940. Are they entrusted with the work of supervising the repair and construction of roads within the municipality?—No, not the roads.

39941. If these duties were entrusted to the members of the municipality, would they be likely to take a little more interest in the work before them?—At present there is some sort of supervisory control exercised by some of the members in the way of sanitary measures, and they are doing useful work, but if they were to be vested with the control of roads and schools, and so on, I doubt very much whether, at present, they would be able to do much useful work. Besides, many of them would not have the time to give to these things.

39942. Not even in the vicinity where they live themselves?—The supervision of roads, for instance, would require expert knowledge.

39943. Not as to the repairs of ordinary roads?—No; if a man wants something repaired, he would bring it to notice; I do not see that a particular member should have the power of supervising the roads, he may make suggestions; in fact he does so now, and they are sometimes carried out.

39944. These things are as a matter of fact entrusted to members in other parts of India; could that be done here?—I have no personal knowledge in this matter, but such supervisory control is not vested in members here; that is not the practice.

39945. And you do not think the time has yet come when they can undertake such small duties?—I think not—not in Lahore.

39946. (*Mr. Hichens.*) In regard to municipal matters is there a strong public feeling in Lahore?—I am afraid the question is too wide.

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39947. Suppose a question arose of having, say, a large water-supply scheme or a drainage scheme here, or something of that sort: would the general public take any interest in it at all?—The educated public do; the illiterate masses do not

39948. The majority of the electors?—I do not think that the majority of the electors would take much interest.

39949. But a substantial number of electors would take an interest in a thing of that sort, surely?—In a general way, yes; they have no conception whatever of the matters in which the municipality sometimes goes wrong.

39950. Suppose matters went badly wrong, then public opinion might be stirred?—Yes, in regard to some matters. Since the vernacular press in Lahore is becoming stronger every day, people are taking more and more interest than they used to take, but even now, interest in these matters is very slack.

39951. You do not think they would rise in their wrath and turn out the people who had made a mess of it, and put in another lot at the next election?—I am afraid they would not.

39952. You mentioned that corrupt methods were to some extent practised in regard to elections; you are perhaps aware that that is not singular to any one country in the world, and the remedy in other countries lies in the hands of the people themselves. I gather from you that the people here are as capable of using that power as people anywhere else, because you said that there was a strong public feeling?—I do not say there is a strong public feeling. If it were strong, then action would be taken, but it is not; these things are connived at in most cases.

39953. But the public do take an interest in municipal matters; public opinion is capable of being aroused?—Yes, educated public opinion.

39954. Would that not be a solution of the trouble?—It would.

39955. That being so, would it be desirable to give them larger responsibilities than they have to-day, in the way of a non-official Chairman, for example?—I certainly should not suggest the appointment of a non-official Chairman in Lahore, because I do not think the Municipal Committee here is enlightened enough to exercise such a power.

39956. Suppose the better educated class of people in the town feel that it does not very much matter after all, because they know that the Government will step in and prevent a real mess being made of things, is it likely that public opinion will ever be aroused or a sense of responsibility ever be developed?—I think as time goes on public opinion will become more educated on these points, and people will come to take more interest than they do now.

39957. But are the better people in the town likely to face a great deal of discomfort, and possibly of obloquy, in standing for election, when they know that they can go off to the Government and get anything put right?—I think the time will come when they will stand that.

39958. You think it might precipitate matters to try it now?—It might.

39959. Would you have the members of the Advisory Council nominated or elected?—I would not have them elected for the present. I should not like to lay down any hard and fast rule, but in the present circumstances of the province it would be better to start with nominated members.

39960. Who would nominate them?—The Deputy Commissioner ought to make a recommendation, and the Commissioner ought to appoint.

39961. Is there anything to prevent the Deputy Commissioner consulting those men to-day?—Nothing.

39962. Does he in practice consult them?—Not the better class of people whom he ought to consult.

39963. We have often been told that the ideal of a Deputy Commissioner is a man who would be in touch more or less with the people of his district, that is to say, a man who would consult not simply ten people only, but a very large number of people; is that your ideal too?—It is a very good ideal no doubt, but the area is so large that the sense of responsibility which should be evoked in the officer by consulting all these people is diffused.

39964. In regard to all the big questions at any rate is it not perfectly possible for him to talk over matters with more than 10 or 12 people?—No doubt.

39965. On those matters it would be open to him, and possibly for him, to consult a large number of people and get the pick of their brains?—Yes, but matters like those could be talked over in a formal way with the Advisory Council and then possibly the other people might be consulted too; that would be much better.

39966. Would you allow the meetings of the Advisory Council to be public?—No; I would not at the present time, because I should like to see how the experiment worked. If the public were admitted to the meetings there might be some matters over which there might be a difference of opinion between the Advisory Council and the District Magistrate, and I can conceive of cases in which the prestige of the District Magistrate would suffer if the public were allowed to attend these meetings.

39967. Might the Collector act in opposition to his Advisory Council without referring the matter to the Commissioner?—I think he might.

39968. But you would rely on his good sense not to oppose the general feeling of the Advisory Council unless there was some good cause?—Yes.

39969. Could that be done without creating friction?—I think so. The Advisory Council at present should be simply a consultative body.

(*The witness withdrew.*)

Adjourned.

SIXTY-EIGHTH DAY.

LAHORE, *Tuesday, the 14th April*, 1908.

PRESENT:

SIR FREDERIC LELY, K.C.I.E., C.S.I., *Presiding.*

Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.	W. S. MEYER, Esq., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.	W. L. HICHENS, Esq.

Lieutenant the Hon. MALIK UMAR HAYAT KHAN, C.I.E., was called and examined.

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39970. (*Sir Frederic Lely.*) You possess large estates in different districts, including a large area in the canal colonies?—Yes. I am a member of the District Board, of which I was Vice-Chairman, but I had to resign because I was ordered on service. I am also an Honorary Magistrate of the First Class, and a member of the Punjab Legislative Council.

I am more an advocate of centralization than of decentralization, which brings a uniformity throughout the administration of India.

There is no great necessity to increase the financial powers of the provincial Governments, as at the time of emergencies a wire could be sent, and the case could be disposed of and rushed through by the Supreme Government, treated as a special case. If any increased powers are given, it should be only a fixed sum, sufficient for the time till sanction from the Government could be got. The sum should be treated as a sort of reserved emergency fund.

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There is no necessity of any very great separation between the imperial and provincial finances, as the work is being carried on smoothly and well as it stands.

Borrowing powers should not be given to the provincial Government because there will be chances of their taking money on higher interest, and, if an emergency occurs, a new sanction ought to be got from the Supreme Government, and the money used from a fixed and permanently sanctioned emergency fund. After obtaining sanction the provincial Government could easily borrow money by public loans, which should not be bound to any particular province, and should be got from place or places where it could be obtained cheapest.

Powers ought to be given to the provincial Government to create new appointments, but the terms should be limited to one or two years For a permanent appointment or enhancement of salary they should get sanction from the Supreme Government.

The provincial Government should be allowed to appoint, in Council, certain committees, and thoroughly study the requirements of their particular province, and see which portion of a certain general Act, or law, or any general policy, does not suit their province, after which they should be allowed to pass those alterations and change the law, pending the sanction of the Supreme Government.

I do not think the influence of the departments of the Government of India is in the direction of excessive rigidity and uniformity, at any rate not so much as to require any very great reform.

I do not think that the tendency of the imperial Secretariat is purely from the departmental standpoint, nor is the Government too impersonal, but they are dominated by considerations of revenue, and I think they should be as everything is before their eyes, revenue being the first thing to consider and everything else after.

The work of Directors-General should be to lay down a general policy on broader lines, and then give all the authority to their provincial subordinates, to carry it on in the best and most effective manner they can, according to the requirements and conditions of their respective provinces.

In the Viceroyalty of Lord Curzon reforms were mostly due to the Government of India and afterwards mostly to provincial Governments. I think to give any independent initiative powers to provincial Governments without the consultation of the Supreme Government would be destructive, as certain energetic provincial Governments may get in reforms more rapidly than the province or people generally are moving; that would be just like putting the "cart before the horse," as Orientals do not want to be driven faster than they can really move.

I would not suggest any curtailment of the rights of appeal in any way as the people of India from time immemorial have been accustomed to have the last appeal to the supreme authority they can possibly get, nor is the Court of Appeal which has already decided against one, the right court to give a certificate to appeal further. No one except the Gazetted Officers should be allowed to appeal any further than the provincial Governments, because subordinates are generally so corrupt that they do not require any such chances.

The demand for reports and returns has increased, but, however it has increased, whether due to the Secretary of State, or otherwise, yet it is most necessary, and should not be checked in any way, and there should be an increased efficient staff.

The Executive Officers have sufficient opportunities to come in personal contact with the people, but they do not choose to do so, and spend their time on other less important works. The idea that they have been given increased work in the last few years is wrong to a great extent, but it would be just as well to give them a competent Extra Assistant Commissioner who knows English and could be trusted to dispose of the greater part of the Deputy Commissioner's work.

Executive Officers of the standing of Deputy Commissioners and above possess a sufficient knowledge of the vernacular for ordinary administrative work, but at times not sufficient for recording the evidence of an uneducated witness. It would be better if the case work was entirely in the hands of a competent native Judge, who should be entrusted very frequently with section 30 powers. The Deputy Commissioner should be advised not to interfere unnecessarily so as to give him more time to attend to more important and urgent work.

No increase of officers or decrease of the area of charges would be required if decided as above.

If higher powers are granted, no doubt they would have to be given into competent hands which would have to be carefully selected. I think there are 10 to 15 per cent. of officers who are entirely unfit for the posts they hold. The officers for the district where there are new colonies should be still more strictly chosen than has hitherto been done. In my opinion a senior and experienced officer is more courteous and good and better liked by the people than a clever energetic young officer.

There should be certain divisions made in each province, not from the administrative way as a Commissioner's division, but according to language, people, and their customs and habits, and certain officers, who get acquainted with such a division, should be sent to them more frequently, and the interchanges should be between them only as far as possible.

I am very much in favour of having Advisory Councils for districts and divisions. For divisions a member of each district should suffice, but for districts there should be a member either from each *ilaka*, *i.e.*, a portion of the country, either taken as a unit for the habits of the people or on the consideration of any particular "clan." Thus they could be very useful to officers. Each *tahsil* should have at least two or three members selected by the Deputy Commissioner. These Councils should secretly report the men of bad livelihood, and enmity between different parties, also the doings of the corrupt petty officials.

It would be much better if the District Boards are entrusted with the supervision of the municipalities within their districts.

Village committees should not yet be entrusted with any more than petty civil cases up to Rs. 50. They could be gradually promoted according to their ability and capacity of working.

The Board of Revenue or the Financial Commissioner should have full powers of remitting revenue in areas where it is necessary owing to bad years and particular calamities. The Commissioners, if kept, should have full powers of suspension of revenue within their respective divisions while the Deputy Commissioners and *taluka* officers should only be able to do such things with the sanction of the Commissioners and Financial Commissioners.

Commissioners should control all departments within their circles as provincial Governments in reduced numbers at headquarters.

The Court of Wards should be entirely in the hands of the Financial Commissioner, and nothing in the hands of anyone else except the fixed monthly expenditure, with a little margin to deal with certain requirements proportionate to the income of the estate, as Deputy Commissioners are liable to make experiments with the estate which might prove injurious to the interest of the Court of Wards.

Any sums which might be spent by Deputy Commissioners or Commissioners should be checked only by the Comptroller-General and not by those who spent it.

The powers now vested in the Local Government should remain unchanged as at present.

The Commissioner has no influence, at least not sufficient influence, in other departments except in that of land revenue, and, if kept, the appointment should be made useful and influential by bringing all the other departments in their divisions under the Commissioners, in order to give them uniformity. Matters might then pass on to the Heads of Departments, *e.g.*, Salt, Excise, Public Works, Canals, and Public Instruction, &c., who should all be under them. Thus all the different cases of the different departments would be settled or toned before they reach the provincial Governments, and thus a great deal of trouble would be saved.

District municipalities, District Boards and Local Boards should have full powers of controlling their revenues and making their budgets as good as they like within their own districts without much interference, but when members are appointed there should be more than half nominated, in order that the officers may be able to get members from minorities to safeguard their cause and prevent their interests from being overtrodden. Besides the functions that these bodies now

possess, they should be allowed to pass certain new reforms which, with the sanction of the Commissioner, should have the force of law and a selected committee should have powers enough to see that it is carried out. They could also be grouped in threes and fives, and given powers to try petty civil or criminal cases.

39971. I see that generally you prefer to give power to the Supreme Government as against the provincial Government?—Yes, to a great extent.

39972. You would prefer to subject most of the actions of the provincial Government to the sanction of the Government of India?—Yes, so that all the different provinces should keep exactly alike. One province should not go ahead of another; there should be a sort of balance.

39973. Is there a danger of the provincial Governments being too hasty in pursuing the path of reform?—Yes; there must be some control.

39974. Is that your only reason for preferring to give power to the Central Government rather than to the provincial Government?—There are other reasons too. The Government of India knows all the different reforms that are going on in all the provinces, and they are in a better position to see how such and such a province may safely develope.

39975. Does not the provincial Government generally know more about local conditions than the Central Government?—I think they do know, but it is just as well when they know a thing to write up to the Government of India and ask for their opinion too. Since I have come on to the Council I have seen certain things done in that way; sanction was got to certain things, but they did not suit the country, and they did not get on well.

39976. Is that a view very generally held among the people of India?—Recently, since these last two Bills have been passed, I think the people have got this idea generally.

39977. Take such a matter as municipal octroi duties, would you have the Government of India interfere and scrutinize the octroi lists of municipalities?—General principles should be laid down by them, just to keep uniformity.

39978. Would you go so far as to say that the octroi lists should be sent up?—Not lists, but the general principles should be fixed by the Government of India.

39979. And the Local Government should be left to apply them?—To apply them just as they like.

39980. You speak of separation between the imperial and provincial finances, which you do not think at all desirable?—The difficulty could be met very easily by the suggestion of having these divided into heads, and provincial heads and imperial heads united. All these departments are different; it would be much better if they were all under the provincial Government. Suppose there is a certain sum of money which is going every year to the Government of India, and there is another which is left for the provincial Government, that is, some proportion of the whole income which the Government of India gets. In future the system should be that every year the Government of India should give a certain percentage for imperial works and keep the rest. In that way the Lieutenant-Governor would have a sort of control on the whole of his province; he would have to give the same amount that now goes, but it would go by a percentage of the whole revenue.

39981. You mean that the whole revenue should be divided without reference to heads?—It might be, so far as the province was concerned, divided in heads, but when the money of the Government of India is being sent it should be sent as a sort of proportion, which could be easily calculated.

39982. A proportion of each head, or of the whole revenue?—A proportion of the whole revenue. The Government of India will be getting the same amount of money that they are getting now, and the Punjab Government will get the same; there will be no difference in the amount; and things will be simplified very much.

39983. You think the Gazetted Officers should be allowed to appeal to the Government of India in every case?—Yes.

39984. But you would not allow that to subordinates?—Not ordinary subordinates, because generally such people, that is, men on lower pay, are apt to be corrupt, and they should not be allowed to appeal to the highest authority.

39985. They are generally guilty?—They may not be guilty, but on the whole they are content not to appeal.

39986. You do not think it is worth while to give them a further right of appeal beyond the provincial Government?—No; I have particularly noticed in the Punjab in the last few years that very few people have been properly punished; that accounts at once for corruption going on and for the number of appeals being less. If there are no punishments, there are no appeals.

39987. Why have they not been properly punished?—It is very difficult to get evidence against them.

39988. Do you mean that they have got off on appeal?—The really guilty people are not punished. If they are caught and punished of course they come up on appeal, but they are not caught. There is no one to appeal, and that is the reason that so few appeals come up.

39989. Generally, you do not think that the lower subordinates ought to ask for any more than an appeal to the provincial Government?—That is all; or, if the case is departmental, to the Head of their own particular Department.

39990. You say that 10 to 15 per cent. of the officers are entirely unfit for the post they hold; do you mean, intellectually?—Some of them are intellectually not fit.

39991. And on any other ground unfit?—I think that is mostly the cause. With the ordinary work and duties they have to perform, unless they are really clever and have got experience, they cannot exercise their powers very well.

39992. You say, "These (Advisory) Councils should secretly report the men of bad livelihood, and enmity between different parties, also the doings of the corrupt petty officials." Do you recommend that the Collector should have a certain number of men at his elbow to give him secret reports upon which he should act?—If the Collector is clever enough to appoint real good, honest men who would not tell him lies—and I think these are now procurable if one tries to pick them up—it would be useful. At the present time these constables, on six or seven rupees, make their reports and they go on reporting; when these reports go to the Collector, naturally, as he has no other source of information, he has simply to rely on the police. He ought to have some other and more reliable source. Suppose a case comes up, he ought to be able to say to some reliable man, "Go and see exactly what the facts are." If that man's report generally confirms the police report, the Collector will usually find there is something in it, but the man may report, "This case is not supportable at all, it has come here out of overzeal on the part of a constable, or as the outcome of some personal grievance or enmity." The Collector might not altogether believe either source of information, but at any rate it would be to his advantage to have two sources to choose between.

39993. If this Councillor was also a bad man like the police, would there not be a strong temptation for him to give his enemy a stab in the dark?—I have suggested this too; that when these men are picked they should be picked from all over the district. If a crime happened in one part of a district the Deputy Commissioner could easily get the assistance of some reliable man of good position from another part; a man cannot very well have enemies all over the district; and in that way there would be a very good chance of getting at the real facts.

39994. Could not the Collector get the opinion of this gentleman of good position just as well without placing him on the Council?—He could. I am not proposing that these men should be appointed so that every one knows that such and such are the confidential people.

39995. You suggest that even the appointments should be kept secret?—Yes, the Deputy Commissioner should know that such and such are the real good men to appoint, and he should see them at his own house.

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39996. Is not that practically what a good Collector does even now?—Good Collectors do it, but if this were forced upon all those who do not now do, it would begin to do it. Now only the good Collectors do it, and it is not the general practice; it really should be the general practice and rule.

39997. (*Mr. Dutt.*) How long have you been a member of a District Board?—The last seven or eight years in the Shahpur district. I was Vice-Chairman for two years.

39998. What were the duties you had to do as Vice-Chairman of the District Board?—Practically all the things that the Deputy Commissioner does now.

39999. Did you place important matters before the Deputy Commissioner?—I took his advice on very important matters, but as he knew my work, and so on, he generally gave me a free hand. When he went on leave I used to call the meetings just as the Deputy Commissioner does, and presided at them.

40000. What is the income of your District Board, approximately?—It is now entirely changed, because the Jhelum Colony has come in, and the income has very rapidly increased, and will increase, in consequence. When I was Vice-Chairman I think it was about two or three lakhs.

40001. Is it four lakhs now?—Very much more; it had increased two lakhs quite a long time ago.

40002. When you were Vice-Chairman, how much of the income of the Board was given to education, approximately?—I do not remember, but generally the Deputy Commissioner used to work the budget; I used to go through it with the Secretary. Even this year the money for education has been cut and put on buildings, because buildings are rather in a bad state.

40003. Anyhow was the money which was allotted for education spent by you, or was it made over to the Education Department?—It was mostly spent by us. It was really given in a way to the Education Department, because it was their schools and their masters; for any masters that they appointed, the salaries used to be given by the District Board.

40004. They appointed the masters?—They did everything; it was all their own work; we simply had to pay them.

40005. You had no sort of control over the education of your district?—We had in a way. They always used to send in reports; the inspector of schools in the district used to send up all his reports to our meetings, and if we found that anything was not right we used to interfere, and it was looked into. That was in fact necessary, because in certain places he would not know the finances of the District Board, and he would suggest certain things that it was impossible for us to provide.

40006. You called for further report or information?—Mostly we had just as much information as he had, being the local men of the place.

40007. Apart from that, the whole thing was managed by the Education Department?—Yes.

40008. How were the roads constructed; were they constructed by the Public Works Department?—There are two different sorts of roads; there are certain metalled roads, which the funds of the District Board are not sufficient to meet; those roads were originally made by the Public Works, but they used to get a sum from the District Board for the maintenance and repair of the roads afterwards.

40009. Besides that had you unmetalled roads which you entirely maintained out of your own funds?—Yes; they used to be done in three different ways. First of all we used to keep one man as a sort of district road officer; he used to get the money and employ the coolies, and see that the work was done.

40010. Was it done by servants of the District Board?—Yes, in certain places. In remote places, where there was not sufficient labour to be had, we had generally a sort of contractor who procured the labour from other places. Thirdly, it used to be done through tahsildars, when we did not get even a contractor; then unless the tahsildar used his influence on the *raiyats* and induced them to help, it could not be done.

40011. Anyhow, all the unmetalled roads were done directly under your supervision and under your orders?—Yes.

40012. Would it be a good plan to employ an Engineer under the District Board to undertake all the Public Works of the District Board?—That is already done, and everything is done under him, but even now it has to be done in the way I have described, some by contract and so on.

40013. Have you a Finance Committee in your District Board?—Yes. I suggested its formation. When any budget question is coming before the Board, the day before the meeting it is considered by this committee of experts, as you might call them—*baniyas* and others; they see everything and write their opinions, and these opinions are put before the Board at its meeting the following day, and they are very useful.

40014. Are there any other committees or sub-committees of the District Board?—Yes, for every different work. Suppose we want to go into a particular question we appoint a committee; they investigate the matter and put it before the Board.

40015. You have no committees for roads or primary schools?—No, but I think they would be useful.

40016. Should the District Board have its own agency, its own sub-inspectors of schools, to inspect the primary schools and supervise their work?—Yes, that is useful, but they should not be simply by themselves; they ought to be, again, under the supervision of the department.

40017. But you think you ought to have your own agency, who would act under the general instructions and supervision of the Commissioner and the Education Department?—Yes, that is very useful.

40018. Are land settlements usually made with you for 20 years?—Twenty years in places which were not then irrigated, but there are certain places which are irrigated afterwards, and they increased the money for that; every year more land comes into cultivation.

40019. When you said you would not allow subordinates to appeal to the Government of India, what did you mean by subordinates?—Men whose salary is, say, under Rs. 20, men who are of inferior class.

40020. Apart from that, you would not in any way restrict the existing rights of appeal?—No.

40021. (*Mr. Hichens.*) Were you nominated to the District Board?—Yes.

40022. How many members are there?—About 56 or 57.

40023. What proportion of them are elected?—None are elected; they are all nominated.

40024. How often did the Board meet?—Sometimes once a month, sometimes once in two months, sometimes once in three months. If a lot of things required to be done at once there might be a monthly meeting, but when the Deputy Commissioner is away in the hills, or there is nothing particular to be done, it is no use giving trouble to men to come to the District Board meeting.

40025. Did you meet on an average perhaps once every two months?—On an average less than two months, say, eight or nine times a year.

40026. On an average how many of those 57 members came to the meetings?—It varied; suppose there was a horse fair or something like that, practically every one who was not unwell came. We never had any difficulty in getting a quorum. That was partly due to another thing; I used to tell them that if they were not going to come for, say, two or three meetings, and I saw that they did not take any interest in the work of the District Board, I should put their names before the Deputy Commissioner to be removed.

40027. In your time did the Finance Committee go into budget questions in detail?—I cannot say that, as to the budget, they used to do very much, but all matters of money that had to come before the full Board the following day would be gone through by the committee in detail.

40028. Were you Chairman of the Finance Committee?—No.

40029. Did you understand what money you were entitled to get from the Government and why you were entitled to get it?—Practically, yes; in the accounts we knew that so much was our allotment.

40030. Did you merely know that you had a certain sum of money at your disposal, but you were not quite sure how you got it?—We knew it vaguely; we know that the money is taken from Government revenues.

40031. But did you know that the Government made certain deductions?—No, not very thoroughly; we had a sort of idea of the whole thing; we had a sort of fund which we were not to spend, that had to be kept for emergencies, and could only be spent with the sanction of the Government; when we had no other money left we used to spend out of that money by asking the Government.

40032. Generally the attitude of the Finance Committee would be "We are going to get so much money this year; how shall we spend it," and they did not enquire particularly how that sum of money was made up?—There is generally a man who knows all about it, the Secretary, sitting there with them; they ask "How much money can we spend," and he says, according to the particular time of the year, "This is the money at your disposal"; so that they ask at the time, and they know it.

40033. Did some of the district cess go to you, while Government kept some for itself?—We thought all the District Board money generally came to us.

40034. You were not aware that the Government kept some of the district cess?—I did not know it.

40035. Would it be a good principle to lay down that the District Board was entitled to get the whole of the one-anna cess?—The best thing would be that they should get all, and use it as they like, because it is their money.

40036. Had you any *tahsil* committees?—No; we generally do these things through the tahsildar; but at any time, if we wanted to know anything in the *tahsil*, we used to appoint one or two members. Suppose there was a well which had to be looked after, and so on; there would be a member from that part of the country, and we would tell him to go to the place, and, when he came to the next meeting, give us all the details; sometimes he would be able to say straight off, because he would know all about the facts, otherwise one man, or perhaps two, would go and enquire.

40037. Was the District Board area too large for the members of the Board to be interested in collectively?—No; all these men generally meet; they know each other, and they know everything about the district.

40038. You do not think that more interest would have been taken if you had had a *tahsil* Board, for instance?—I do not think it is required, because in most districts there are these committees called Municipal Committees; there are lots of Municipal Committees that we know about, and their account used to come to a clerk in the District Board office, and we used to know and arrange about those too.

40039. You say here that subordinates are generally corrupt. Is that not a very serious statement to make?—It is.

40040. It is a matter of very great importance that you should get a pure and upright Service?—Quite so; it is of great importance.

40041. What remedy would you suggest?—I suggest two different ways. One is that in any of the lower staffs, peons or any other lowly-paid class, there should be two grades, one with the ordinary pay and one with a bigger pay. In the case of serving a warrant or a summons, the constable told off to serve it goes to the man, the man gives him something, and the constable returns and reports—"This man was not in the place," and that gives rise to a good deal of trouble and delay in the working of the law. There ought to be two different sorts of constables, one confined to ordinary work and one with much higher control, and the latter should be entrusted with the work of serving summonses, and so on. The same with patwaris and with peons. Such work as serving warrants and summonses should be given to men on better pay, who could be relied upon. The second thing is that these men in the higher grade should all give security; that would go to justify their receiving higher pay than ordinary men of the same class, and if they did anything wrong their sureties would be liable. There should also be a sort of Investigation Board, simply for the purpose of going about in the district, visiting first one district and then another, and so on; talking to the *zamindars* and others separately, enquiring whether any of the local subordinates were corrupt, going into any allegations then and there on the spot. Such a Board would say to themselves, "This is our only work, we must justify our existence," and they would do their work thoroughly: while the fact that such a Board existed, and might at any time visit any district, would tend to terrorize the subordinate into good conduct, for they would never know but that the next visit of the Board would be to their particular district.

40042. Are you acquainted with the Colonization Bill?—Yes.

40043. Was that Bill vetoed by the Viceroy last year?—Yes.

40044. Did that vetoing give satisfaction?—Every one was rather annoyed with the Bill because it curtailed certain rights which the people had, and therefore they did not like it.

40045. Is it desirable that the Government of India should have control over legislation of that sort?—Yes, they must have.

40046. Have you sub-divisions in your district?—There is going to be one.

40047. Is the sub-divisional system a good one?—I do not think so, because it is always the officers who are new comers who are put in charge of them, who sometimes do not know the language, and who left by themselves, very far away, are not sufficiently clever to deal with the matters which come before them.

40048. Who are in charge of sub-divisions generally?—Generally very young officers.

40049. Are they not Extra-Assistant Commissioners?—Of course, if they were old Extra-Assistant Commissioners with long service, it would be far better than quite young men.

40050. Still, if you had officers of some experience in charge of sub-divisions, and the whole district was divided into sub-divisions with the officer living in them, you would have more control?—I do not think so, unless the Sub-Divisional Officers went into details. Any officer, if he wants to know about these things, could do it quite as easily.

40051. But would the people not like the authority near them, would it not be easier to get to the Sub-Divisional Officers?—No.

40052. You do not agree then?—No, because the more an officer tours about the less the people like it.

40053. Should the Deputy Commissioner not tour?—Not so much as he does now.

40054. How long does he tour now?—There is no particular time in the year.

40055. Is the present Vice-President of your District Board a non-official?—Yes.

40056. Are the Vice-Presidents generally non-officials?—From the time they appointed me and saw the work was done efficiently they have selected good responsible men from the district.

40057. Do you know if that is the practice in the province generally?—As far as I remember there is a sort of law that when the President is an official at least there should be one who is a non-official, because generally officials cannot give time to the work. A man who has other work to do cannot give the time that another man can who has nothing else to attend to.

40058. Is the President elected, or does the Deputy Commissioner become President because he is the Deputy Commissioner?—He becomes President because he is Deputy Commissioner.

40059. And you do not want Deputy Commissioners to be Presidents?—No, and besides if a Deputy Commissioner goes to a place and says that a certain thing has to be done, it is done.

40060. Cannot the District Board advise him?—Most of the members have not sufficient knowledge to advise him.

40061. Would you like a non-official President to the District Board?—Yes, because the members would be encouraged to say what they want to say.

40062. Is the Deputy Commissioner not to have anything to do with roads, education or medical relief work?—He has everything to do with it.

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40063. But he will not if he is no longer President?—But generally he would and he might be given powers. If the work is done by the Vice-President and anything special is brought before him he will probably think about it; but if he is present himself no one will dare to say much. He might have power to go through a case and say "This is wrong, I veto it," or if the majority have decided that something should be carried out, he might direct that it should be carried out.

40064. You would give him an outside veto then, but not an opportunity of discussing matters on the Board?—I think if he talks to the Board he influences them too much.

40065. Is it not possible that a great land-holder like yourself might also influence the members of the Board?—Not so much, because the Deputy Commissioner, supposing he gets annoyed with a man, may say that such and such a man had said something which he ought not to have said.

40066. Did you have to send up your District Board budget for the approval of the Commissioner?—As far as I remember we used to do it ourselves: afterwards it went to the Commissioner when everything was settled.

40067. Supposing in the course of the year you wanted to make a reappropriation, to transfer money from education to roads or *vice versâ*, would you have to go up to the Commissioner for approval?—I think so, as far as I remember.

40068. What powers had you in regard to appointments; could you appoint a clerk to the District Board, say, without the sanction of the Commissioner?—Yes, up to a certain amount we could—up to Rs. 20.

40069?—Supposing you wanted to get rid of a clerk on Rs. 30, who would dismiss him?—The Deputy Commissioner as President.

40070. Would he have an appeal?—Yes; he could appeal to the Commissioner.

40071. Not to the Board as a whole?—No.

40072. The Madras custom is that the President dismisses, and there is an appeal to the whole Board; would it be a good thing to have an appeal to the Board as a whole?—It would be of no use at all; if the Deputy Commissioner dismisses a man there will be nobody to appoint him again.

40073. Did you have to send up many works for sanction to the Sanitary Engineer?—Not very many.

40074. Had you to get the approval of the Commissioner or the Executive Engineer to the estimates for road work?—Generally we had a sort of engineer of our own who made the estimates himself, and they were passed by the District Board.

40075. But in some provinces, where the estimate is over a certain amount, it has also to be checked by the Executive Engineer?—In certain big things the Deputy Commissioner would generally ask the opinion of some big engineer.

40076. Is the Executive Engineer a member of the Board?—Yes.

40077. Have you a Secretary of the Board?—Yes.

40078. Who is he?—We generally advertise for a man and get the best we can. His pay is about Rs. 150, which is under the pay of a tahsildar, but he has the same sort of position as, if not better than, a tahsildar.

40079. Did you have any powers as regards veterinary work?—Yes; there were two or three Veterinary Assistants under the District Board.

40080. Had you more freedom in one thing than in another; more freedom in the matter of roads than with schools, and so on?—Except for the little things I have pointed out, I think the Boards have quite enough powers if they are not checked in using them.

40081. (*Sir Frederic Lely.*) You say that the people do not like officials touring; why do not they like it?—Because there are so many officials touring—there is the naib tahsildar, the tahsildar, the Deputy Commissioner, the Assistant Commissioner and then the Revenue Officer, and there are certain orders of Government now that they are to tour for seven months out of the twelve. What they can be doing all that time I do not know, and as there are only two crops in this province, I should think if they toured for two months at each crop it would be quite sufficient.

40082. But why do the people dislike it?—Because when a man goes about with his *chaprasis* they seldom pay anything, and the zamindars and *lambardars* have to be in his camp and cannot do their own work, besides which there are all sorts of possible inconveniences when a man goes to a place on tour.

(*The witness withdrew.*)

The Hon. Lala Har Kishen Lal was called and examined.

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40083. You are a Barrister-at-Law?—Yes; I practised at Lahore for some years, but I am not practising now. I have lived in Lahore for 25 years.

40084. Have you any knowledge of modern village life?—Not very much, but still I have some, because I have been connected with agriculture in some villages here and elsewhere. I own land.

I would certainly be prepared to give borrowing powers to Local Governments for specified purposes, such as sanitation, water-works, and development of local resources, such as electric power and feeder railways. They should not go out of the provincial market though allotment may be permissible to outsiders.

I would certainly give larger administrative powers to provincial Governments in matters concerning sanitation and municipal administration, and in matters relating to famine, plague, education of the masses, and development of the natural resources of the soil; in these and such like other matters I would give them complete freedom of action irrespective of the policy laid down by the Government of India.

The influence of the Government of India is certainly in the direction of excessive rigidity and uniformity, as is evident from the change of policy in matters of education, plague, recruitment to appointments by competition, and local self-government. I would leave the subjects of education, sanitation, municipal government, and material and moral progress of the people in general entirely in the powers of the Local Governments, constituted on some more liberal lines, and assisted by Executive and Administrative Councils.

It is certainly a fact that the Imperial Secretariat views matters too much from a purely departmental standpoint, and the Government of India is too impersonal and too much dominated by considerations of revenue. These facts can be illustrated by several recent measures, *i.e.*, the canal rates, and the sugar industry may illustrate the departmental treatment of the subject; the separation of the judicial and the executive functions may illustrate the domination of ideas of revenue over all other considerations.

There is not much use in maintaining Directors and Inspectors-General for departments which are primarily administrated by Local Governments, unless the officers holding these appointments are experts and specialists and their services are utilised in dealing with special matters in these departments, which could not be adequately and efficiently dealt with by the provincial Heads of Departments.

It is desirable to allow provincial Governments to develope their administration on their own lines, adopting or not, at their discretion, suggestions of reform brought to notice from other provinces.

The law and practice of appeal to the Government of India in respect to administrative action or personal questions should not be curtailed, and appeals should be admissible without a certificate from the authority passing the order, unless the constitution of provincial Governments is altered to Lieutenant-Governors or Governors in Council on liberal lines.

The Boards of Revenue and the Financial Commissioners may be abolished, and an Executive Council given to the Heads of the provincial Administrations. The appellate and the revisional powers of these functionaries should be transferred to the corresponding Judicial Courts; and no more extended powers in matters relating to revenue should be given to these

functionaries excepting so far as they relate to the remission and postponement of revenues in times of distress and famine.

The Commissioners of divisions may safely be abolished without injuring the efficiency of the administration.

No more extended powers are required for Deputy Commissioners in matters of revenues; on the contrary, I would control their powers by Administrative or Advisory Councils.

I am not in favour of the delegation of powers now vested in Local Governments to its subordinates.

The influence of the provincial Governments, as of all centralized authorities, is in the direction of excessive rigidity and uniformity, and that arises from the fact that local conditions are neither studied nor considered; this could be reformed if the Imperial Government was not dominated by the ideas of a uniform policy throughout the country, and the officers took a more sympathetic view of the people than of the policy of the Government.

Executive Officers have opportunities for personal contact with the people; but such opportunities are not utilized with advantage. The greatest obstacles in the way of freer intercourse are the want of sympathy with the people and their institutions, and the general idea of the inferiority of capacity and character of the people entertained by most of the Civilians. Better results could be obtained if the higher authorities themselves set a better example, and appreciated and rewarded local knowledge more than command over the routine of the business and fine drafting of the reports.

Executive Officers as a rule do not possess a sufficient knowledge of the vernaculars.

No general increase in the administrative staff is required, nor any general reduction in the area of district or other charges; but the Collectors and Deputy Commissioners may well be relieved of their judicial work and municipal administration.

I do not think the grant of larger powers would entail the necessity of selection to promotion by merit rather than seniority; but at present there is really too much stress laid on right of seniority.

The transfers of officers are certainly, in some cases, unnecessarily frequent; they are mostly due to a desire of adjustments of promotions in the Civil Service on the basis of seniority. If this desire is done away with, the too frequent transfers will be reduced.

Municipalities and District Boards do not at present require any extended powers; what is really wanted is less hampering from district and other authorities. They should further be left completely in charge of revenues they collect, and be not required to contribute towards the maintenance of police and similar other charges, as the functions of these bodies are not the preservation of the peace, but the convenience of the public.

I am certainly in favour of the creation of Advisory Councils to assist the District Officers; the Divisional Officers, *i.e.*, Commissioners, being, in my view, unnecessary and to be abolished. These Councils to consist of members to be nominated by the Local Government, and to be in some cases elected by certain bodies which are coherent and capable of electing or nominating their leaders. All the various interests of the localities, such as agriculture, trade, religions, religious institutions, education and special castes should be represented on these Councils. These Councils could be made responsible for the following matters:—The economic condition of the people; the social life of the people; the state of crime in the country; the feuds, tribal or local, which are likely to affect the public tranquillity; any general ill-feeling between any of the classes and creeds which is likely to affect the public tranquillity; the relations of the ruling class towards the people; the practical working of the revenue administration; the defects in the administration of the various departments of State, affecting the people; and the educational, commercial and industrial interests of the country. They should enjoy the privilege of initiation.

I would suggest that Advisory Councils or Administrative Councils should be provided for special Heads of Departments, such as Railways, Irrigation, Forests, Education and Public Health; and these Councils should deal with all matters concerning the people in general or large bodies of the people.

I do not think it would be expedient at present to invest District Boards with powers of supervision and control over the smaller municipalities; but a provincial Board may with advantage be organized to have control over the municipalities and District Boards to replace the control of the Commissioners and of the Local Government.

With the present disorganized state of society I do not see the possibility of working out a feasible scheme by which village communities may be empowered to dispose of their own local affairs.

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40085. Have you ever had any connection with the municipality or District Board in Lahore?—No.

40086. You mention as an illustration of the purely departmental manner in which the Imperial Secretariat does things, the sugar industry; what have you in your mind?—There are two Departments of the Government of India, one the Commercial and the other the Revenue. The Commercial Department have been trying to improve the sugar industry in the way of collecting information, and publishing in their magazines statistics and general suggestions for the improvement of the industry, but at the same time as they were doing that, there came out the canal rates in the United Provinces and the Punjab raising the amount on sugar, which shewed the departmental way in which questions are dealt with by the Government of India: on one side was one department pushing one way, and on the other side was another department cutting at the root of the industry.

40087. You would admit that if the Government spend a large sum of money on irrigation works in a particular part of a province, in justice to the people in other parts it ought to levy a remunerative rate for the water?—In a general way that is quite right, but the remunerative rate must have some limit. The canals in the Punjab have been paying hand over fist, and the argument that the rates were not remunerative would not hold here.

40088. Do you mean to say that the rates are excessive and more than the water is worth?—When it is a monopoly there is no question of the value of a thing; the value has to be worked out by the returns on the land, and that again depends on various other considerations. Sometimes they may work out at a profit on account of extraneous causes, but the people who own irrigated land say that they do not get much profit, and that they have reached the limit.

40089. Then what you say is that the Government of India have raised the rates without paying due regard to the returns from sugar cultivation?—That is so.

40090. Have you any practical knowledge of sugar cultivation?—No, except in a general way.

40091. You would suggest that both Commissioners and Financial Commissioners should be abolished?—Yes; the Financial Commissioner in a certain particular case namely, if the Lieutenant-Governor has an Executive Council, but the Commissioner, I think, is absolutely useless.

40092. What do you understand to be the use of the Commissioner at present—any use at all?—We call him a post office.

40093. And nothing else?—Nothing else.

40094. Would you remove him and would you have Deputy Commissioners corresponding directly with Government?—In some cases certainly directly, but in other cases, if there is a Financial Commissioner, he would do it through the Financial Commissioner.

40095. Supposing one Deputy Commissioner wrote one thing for his district and another wrote another thing for his district, would not Government be in rather an impossible position if it had to deal with all the 29 districts in the province at once with their varying opinions?—I do not think so, in so far as Commissioners do not improve on matters and do not reconcile the various interests. The Deputy Commissioners send up various reports according to the requirements of their districts, and I do not know of any instance in which a Divisional Commissioner had unified anything so far as his districts were concerned.

40096. Have you ever seen what the action of a Commissioner is in particular cases?—I have not exactly seen the files, but as the cases concern the people, one must know about them.

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40097. But taking the case of a typical Commissioner who in his past life has had knowledge of his districts, and who also travels about most of the year, does he not know a good many people in a district, and do you not think a man like that ought to be able to co-ordinate the facts and conditions of those districts so as to present a sort of unified proposal to Government?—That might be done, but whether it would be of any specific advantage is another matter.

40098. That is the main object of the Commissioner's existence, but you do not think he does it?—I think there is very little result in practice.

40099. But if a Commissioner did his duty, would that not be the case?—His duties, of course, are not wholly the co-ordination of differences of opinion.

40100. Is no intermediary between the people and the Government necessary?—There is the Collector.

40101. Next to the people stands the Deputy Commissioner, and then between him and the Government you think no intermediary is necessary?—I do not think so, excepting in technical matters.

40102. Do you think that the whole 29 districts should address the Government each on its own case?—I should think so.

40103. You mention that the municipalities are required to contribute towards the maintenance of the police, but are not you aware that that has been put a stop to?—It has for one year in Lahore, but I was asking a Municipal Commissioner this morning on the subject, and he said though they got the relief for one year, they did not know whether they were going to get it for another year or not. He thought it was on account of the plague demands that they had got the relief for the one year.

40014. Is it not often very difficult for people to ascertain and understand the intentions of Government?—Sometimes it is.

40105. For instance, in this particular case apparently the views and intentions of Government are not very clearly realised, whatever they may be?—I do not know, because I have not seen the correspondence myself, but very likely they have been misunderstood.

40106. With regard to an Advisory Committee, you propose to make it responsible for public tranquillity; do you mean that they are to go out and stop riots, and so on, that may be taking place?—No; so far as initiation goes, if there are any circumstances which ought to be brought to the notice of the authorities, they should do it without being questioned, or without being asked.

40107. Do you mean that they might be able to forestall any riot?—They might report and put matters in the right light before the authorities.

40108. Then you do not propose that they should go out in a body to put riots down?—They would have to do it if they are to be trusted, and they might be of use in that way also.

40109. (*Sir Steyning Edgerley.*) You apparently would abolish the Financial Commissioner and the Commissioners, and put in an Executive Council?—Quite so.

40110. Of what number?—Two, or perhaps, at the utmost, three.

40111. So that you would have one Board at the head of the province, then the Deputy Commissioner and the district administration?—Quite so.

40112. Very much as it is at present?—with some slight changes; there might be a question of separation of judicial and executive duties, and perhaps a separation of the treasury from the Collector's and Deputy Commissioner's duties might come in.

40113. What would you do with the treasury?—I would leave the treasury entirely in the hands of the Accountant-General, as education is left in the hands of the Director of Public Instruction.

40114. At present there are certain special departments in the province which help to do the technical work of the different departments; what would be your idea with regard to them?—In certain cases I would keep the entire administration in their hands, but in other cases they would be simply supervising agencies.

40115. Would they be able to give orders to Deputy Commissioners, or would they be advisory?—So far as the Deputy Commissioners are concerned, in most cases they would be advisory.

40116. Would the Deputy Commissioner get all his orders direct from the Government, simply having these technical departments to help him?—The technical departments in some cases would give an expert opinion, in other cases they would administer things direct.

40117. In that case also, would you say that in such matters as famine, plague and education, the Local Government should have complete freedom of action entirely independent of the Government of India?—Except on general broad principles, it ought to have independence.

40118. But you say "irrespective of the policy laid down by the Government of India"?—I would say, irrespective of the policy in certain cases; for example, in education.

40119. You would allow the Government of India to co-ordinate policy on any subject?—Yes; I would allow that.

40120. If you transferred all the appellate and revisional powers of Commissioners and Financial Commissioners to Civil Courts, would that not make everything much more expensive for the people?—No; I do not think so; it would make it cheaper.

40121. You do not think that a civil suit is more expensive than a revenue appeal?—A civil suit is only more expensive so far as the stamp is concerned; in all other respects it is the same.

40122. Are the fees for pleaders the same?—Yes; except when officers are in camp revenue appeals are more expensive.

40123. How would you propose to provide for the remission and postponement of revenue; you say that no more extended powers should be given to these functionaries, that is, the Board of Revenue and the Commissioners; but if those were abolished, all those functions would have to be provided for?—Yes.

40124. How would you provide for the functions at present discharged by the Commissioners and Financial Commissioner?—So far as the Financial Commissioner is concerned, the Revenue Member or the Revenue Board might have the power, and so far as the duties of Commissioners are concerned, in urgent cases they might be performed by the Collector.

40125. Then would you extend the powers of the Collector to some extent?—So far as remission is concerned, yes.

40126. And probably with regard to other things too?—In a few other matters of detail perhaps.

40127. Then you say that no more extended powers are required for Deputy Commissioners?—Yes; generally they are not, because it is rarely the Commissioner passes final orders on any of these things. It may be that in rare instances the Commissioner, as such, has real power.

40128. Do you wish us really to understand that "local conditions are neither studied nor considered" by the Local Government?—I did say that.

40129. Do you think the Lieutenant-Governor before acting does not consider or study the conditions of the district which his actions may affect?—In many cases conditions are different from district to district, and are not studied.

40130. You say that you think municipalities and District Boards have enough power, and what is really wanted is less hampering from district and other authorities; what suggestions would you make to that end?—First I would appoint non-official Chairmen as far as possible; Chairmen should be non-official, and in the matter of budgets also I would give them greater freedom than they have at present.

40131. Would you not submit the budgets for sanction?—No; except in exceptional cases, and they should not be modified by the authorities.

40132. If you had a non-official President, would you have any outside power of veto, or would they be allowed to go their own way and learn by their own experiences?—Except in cases where they were infringing the law, I would not interfere with them; apart from that I would leave them alone.

40133. Do you consider that the electorate and the persons whose fortunes are in their hands should have no sort of control over a municipality, or is there

sufficient public opinion to take the place of the Commissioner's authority?—A good deal of that is coming into existence, and the acts of the municipalities and authorities are more criticised now in the Punjab, sometimes in the newspapers, than in any other province in India excepting Bengal.

40134. Is the province ready for a general change of this kind, or would you advocate it only in the case of one or two municipalities?—I would go to the extent of saying that as to three-fourths of the municipalities you might effect a change at once; there are a few outlying districts which I would leave out, but, excepting those, I think the people are quite capable of managing their own affairs.

40135. In regard to District Boards, as well as municipalities?—Perhaps not quite so much to District Boards.

40136. Then you would begin with the municipalities and leave the District Board alone?—I would not go to the extent of saying three-fourths as regards District Boards, but perhaps one-third.

40137. You would choose the most promising districts first?—Yes.

40138. Would there be sufficient public opinion to keep them under control?—Yes; public opinion is growing very fast.

40139. What exactly do you mean by "outside control"?—I mean the control from the Government; except in case of the infringement of law, there should be very little.

40140. When the law is infringed, how would you exercise control?—By appeal; naturally the people affected would appeal.

40141. You have made a suggestion with regard to a "provincial Board"; what do you mean by that?—I mean that there might be a Council, with or without the authorities joining it, which might go into the general discussion of things, and which might hear in certain cases appeals from the District Boards and municipalities.

40142. How many would you suggest to form such a Council?—It might be done in this way that while the making of rules was being considered, you might have as many as 50 members, but as far as the appellate powers were concerned, there might be a sort of Privy Council.

40143. Would that be entirely independent of the Government?—Not necessarily, but in place of the Government one of the Members of the Executive Council, or, as in the present case, the Financial Commissioner might preside.

40144. (*Mr. Meyer.*) As regards revenue and rent appeals, does not litigation go to a more aggravated length in the Punjab than anywhere else in India? Have you not special appeals here which do not exist in other provinces?—In the judicial procedure we have more appeals here than elsewhere.

40145. And was not your Court so blocked that you had to have four additional Judges to work off the arrears?—Yes; but that would depend on the capacity of the Judges also.

40146. Whether it was owing to the incapacity of the Judges or the flood of litigations, is it not the fact that you had to get four additional Judges?—Yes; we had for a short time, but that has been the case with other High Courts also.

40147. Do you regard that as a happy position to which you desire to expose revenue appellants? Do you desire that they also should have to come to this congested Court?—I was not thinking that there would be the same number of Judges; perhaps if revenue cases were transferred, another Additional Judge might do the work which six or seven Commissioners do now.

40148. Do not the Commissioners do the work more expeditiously now?—I do not think so; some years ago the Commissioners had so much congestion of work that Divisional Judges had to be appointed and the judicial work taken away from them.

40149. When you speak of the Local Governments not studying local conditions, is it, possibly, in your mind that legislation is sometimes uniform for a province, instead of being tried in a particular district or two beforehand?—In some cases that also might be the case.

40150. Are not your ideas of local self-government a legitimate development, one may say, of the opinions associated with Lord Ripon?—He is a favourite of mine.

40151. When Lord Ripon was Viceroy did he not impose reforms in the direction of local self-government upon the Local Governments, who were not at all so keen on them?—Local Governments were certainly not so keen, excepting the Punjab Government.

40152. Would you allow the Local Government to regulate the pace or the Government of India: would you allow the Local Government to say to the Government of India "you may be in favour of this kind of government, but we are not and will stop it"?—Excepting upon broad principles, I would leave it to the Local Government.

40153. Do you call that a broad principle or not?—Broad principles of policy are the right of the people; the Government of India might bring matters to the notice of the Local Governments.

40154. But supposing the Local Governments are recalcitrant and will not take the same view, what is to happen?—In nine cases out of ten then I would follow the Government of India and not the Local Government.

40155. You desire to get quit of the Deputy Commissioner from the District Board and make him practically a Collector of revenue and a policeman?—There are many things that he does in addition to that; he is Registrar, he is Stamp Officer, he has general supervision of the people, and he is the District Magistrate.

40156. But I understand you do not want him to be District Magistrate any longer; you look forward to the day when he is to cease to be a District Magistrate?—Yes; more or less.

40157. Your Collector will then be literally a Collector; he will be a man who will see to the land revenue and issue processes when it is not paid?—In course of time it might come to that.

40158. Do you think that is a good position for the Head of a district to occupy or would you make the Head of the district the President of the District Board?—You only require the Head of a district for specific purposes; you do not require him necessarily to be a big man and a powerful man: so long as there is peace in the country and the different departments are co-ordinated, I do not see any absolute necessity for one man to hold all the power in his hands.

40159. But supposing there is no peace in the country?—Then of course there would be the police authority and the magisterial authority.

40160. Then practically the beneficent functions of the Deputy Commissioner—the way he is able to benefit the people by making roads or giving dispensaries or opening schools—are all to pass to the elected President of the District Board?—I do not know that there is much being done in the way of beneficent work; if the funds are there, the thing is done.

40161. Do you not think it is beneficent work?—It is beneficent in one sense, *i.e.*, it is beneficent by law.

40162. Still, is there not a certain amount of discretion as to whether benevolence shall be exercised in village A or village B?—If you are kind to one village, you are unkind to another.

40163. You say there is now more criticism in the newspapers, directed against individuals; do you think they would criticise District Boards effectively?—I think so, and criticism is not only directed against individuals, but against institutions, and against laws and measures.

40164. So that if you had an elected District Board in the way you suggest, possibly in time the newspapers might press for its abolition and want to go back to the Deputy Commissioner?—I do not think so.

40165. (*Mr. Hichens.*) What makes you prefer an Executive Council to a Board of Revenue?—We have no Board of Revenue here, but where there are Boards of Revenue it is a question of time and the co-ordination of policy. Now, so far as the Punjab is concerned, the powers are more or less divided between the

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Financial Commissioner and the Local Government, and it takes a long time really to settle matters by correspondence, but if a member is part and parcel of the Government, matters would be more facilitated.

40166. Is it because you think business would be more expeditiously conducted?—That is one reason. The other reason would be economy more or less, because now it is necessary to maintain a Revenue Secretariat both with the Local Government and the Financial Commissioner, and perhaps so many men would not be required in my proposal.

40167. But could you get on without a Secretariat?—No; but you would not want two.

40168. You are in favour of appointing non-official Chairmen of municipalities primarily and then of District Boards; would you have them elected or nominated?—I would rather have them elected by the Committee itself.

40169. As to the members of the Municipal Committee, would you alter the basis which exists to-day of one-third nominated and two-thirds elected, or would you keep that?—I would keep that.

40170. We were told by a witness yesterday that of the elected members the majority were not worthy of the position they hold in Lahore; would you subscribe to that?—Some of them are not, but I cannot say the majority.

40171. Would you say a substantial number?—I do not know; some of them, I know, are not really fit to be there.

40172. The point which the witness tried to make, was that the elective system has not worked very well, and that the best people would not stand because they would not demean themselves by resorting to the tricks which were necessary in order to get in?—That is one reason, but really they would not like to be snubbed by the official Chairman afterwards.

40173. Then he said that people would not object to be nominated; what do you say as to that?—I do not think that everybody would like to be nominated either.

40174. If they would not like to be nominated and would not like to be elected, what would they like?—They keep aloof.

40175. What do you suggest would happen in that case?—If the Chairman was a non-official, better men would certainly like to be nominated, because they would have a freer hand, and as to the elective system, my idea is that better men are coming to the front, because the electorate is getting more educated and appreciate the work done more than it did in former years.

40176. Do you think that the more responsibility there is thrown upon them the better they will realize it, and that they will feel more keenly the disadvantages of being represented by undesirable people?—Yes.

40177. So that your theory would be that it is only by giving them responsibility that they are likely to be able to bear it?—Yes.

40178. You said just now that members did not like being snubbed by the Chairman; is it such a common thing that the Chairman snubs people, that it deters them from going on these Boards?—It is more or less common; of course I could not give the exact number of people who are snubbed and how often they are snubbed, but I know it is pretty frequent.

40179. Perhaps they would retaliate?—I do not think so. I think the question is that we are so tied down by laws and interests that when the District Magistrate is Chairman, we have to quietly submit.

40180. Is not a fixed percentage of the income of District Boards or municipalities frequently ear-marked for certain purposes?—Yes.

40181. Is that a good principle?—It is a good principle so long as the budgets remain with the Commissioner or the authorities, but if it is left to the people themselves, I do not think it is good.

40182. Would you allow them to decide for themselves what they should spend?—Yes, and according to the circumstances of the time.

40183. You would leave it to their discretion, in fact?—Yes.

40184. In regard to the functions placed under these local bodies, would you say, if they are made to pay, that they should also be fully responsible for the carrying out of these works?—Yes.

40185. If they were told they had to provide money for education, is it a sound principle that they should be told in the next breath that they have got to hand it over to Government?—No; I do not like that; the man who pays ought to have the power of regulating the expenditure.

40186. If, in certain instances, a municipality decided on their own initiative to ask the Government to carry out a certain work for them, would you object?—No.

40187. But the initiative would have to come from them?—Yes.

40188. (*Mr. Dutt.*) You have been lately appointed a Member of the Legislative Council here?—Yes.

40189. And you are a banker, I believe, or a director of a bank?—Yes. I am a director of three banks—the People's Bank of India, the Amritsar Bank, and the Lyallpur Bank—and of several industrial companies.

40190. Have they branches in different parts of India?—Yes; the People's Bank of India has the largest number of branches of any bank—48.

40191. You say you are prepared to give borrowing powers to Local Governments for specific purposes; would a Local Government be able to borrow money at a lower rate of interest or at the same rate of interest as the Government of India does?—I think at the same rate of interest, but not lower.

40192. Would there be any difficulty in their borrowing?—No; within certain limits.

40193. Would you say that those loans should be contracted for a limited period and paid back within a limited time?—That would depend on the works that are undertaken. If the works are remunerative, I would certainly have them repaid within a specified time, but if they were not very remunerative, but at the same time paying a fair amount of interest, I would fix a longer period for repayment.

40194. But in all cases you would accept the principle that there should be a sinking fund to repay them?—Yes.

40195. Would you suggest that these loans should be contracted by Local Governments with the sanction of the Government of India or of the Secretary of State?—So far as the annual requirements go, and so far as the specified objects go, they should be sanctioned, but there should be some freedom of action as to the time and amount, with a sanctioned maximum.

40196. Should not some measures be taken to prevent these local loans clashing with those of the Government of India?—That might be done.

40197. So that the Government of India would have to sanction and regulate these loans?—Yes; to a certain extent. There should be no conflict of interest between the provincial Governments and the Government of India, but I would give them the authority to contract loans.

40198. Do you think that any capital would be forthcoming which is untouched by the loans of the Government of India in the Punjab, for instance?—Yes, I think so.

40199. You say that sanitation, education, municipal government and other things might be left entirely in the hands of the Local Governments, constituted on some more liberal lines, and assisted by an Executive and Administrative Council; do you make it a condition that Local Governments might be allowed all this independence when they are more liberally constituted?—Yes, I make that condition.

40200. You do not propose that a greater degree of independence should be given to Local Governments at present?—Not as at present constituted.

40201. At present you think a check is desirable and necessary?—It is very essential.

40202. You say that the canal rates were raised both in the United Provinces and in the Punjab, but are you aware that in the Punjab they have been reduced again recently?—Very likely that is so. They were postponed for one year, but I do not know whether they were postponed in the case of sugar.

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40203. In the United Provinces the increased rate for sugar irrigation has been again reduced, but you do not know if that is the case in the Punjab?—No.

40204. You have said that you would not curtail the present right of personal appeal to the Government of India or to the Local Government; what are your reasons for that?—The reason is that in most cases that has come to my knowledge it is not the judicial blend of mind that leads authorities to pass orders of dismissal or suspension, but more or less anger, and in that case I should certainly leave the appeal in the hands of a higher authority.

40205. Do you think that orders are sometimes passed without due consideration beforehand?—Yes.

40206. And if the right of appeal is withdrawn do you think that evil would increase?—Yes.

40207. Are you familiar with the working of District Boards at present?—No: I only know what I gather from the prints and friends.

40208. Is it your principle that when a District Board pays money for any institution, whether it is dispensaries or schools or roads, that the Board ought to have control over the management of that institution?—Quite so.

40209. Would you apply the same principle to municipalities?—Yes.

40210. Would you, in compliance with that principle, suggest that District Boards ought to have their own agency for supervising and controlling and managing primary schools?—Certainly, where they can afford it; if they cannot afford it I would go the length of joining two District Boards and giving them one staff between them.

40211. Should the same principle be followed with regard to roads and other things which District Boards pay for?—Yes.

40212. You say you do not see a possibility of working out a feasible scheme by which village communities can be empowered to dispose of their own local affairs; what do you mean by local affairs? Do you mean where there was a small village school the village authorities or the village panchayat should not have power to look after that institution?—In the Punjab, unless special effort is made, party feuds have gone so far that in most cases it would not be practicable to do it. From an economic point of view it might be tried, so that the people might get back to the old customs.

40213. Do these party disputes and factions prevail in all the villages of the Punjab?—I would not say in all of them, but in a very large number.

40214. And even where there are these factions, could you not trust them to look after a village school, or would they be fighting over it?—With increased education they might behave better, but I am not very hopeful of them.

40215. Might the experiment be tried in a few selected villages?—Yes.

(*The witness withdrew.*)

Rev. E. Guilford was called and examined.

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40216. (*Sir Frederic Lely.*) You are a Clergyman engaged in work in connection with the Church Missionary Society?—Yes; I have been in this country 26½ years continuously as a missionary at Tarn Taran, which is 14 miles from Amritsar. I have been President of the municipality at Tarn Taran for about 16 years. I also helped with regard to plague matters, and am Honorary Superintendent of the Leper Asylum.

It is in every way desirable that provincial Governments should be allowed the fullest scope to develop their administration on their own lines.

If there were but one race in India, general rules would suffice for all parts of the country. But India contains three distinct races, differing more widely according to every anthropological test than Swedes do from Italians, or Prussians from Portuguese, and within these races there are lines of cleavage as deep as those which separate any two nations in Europe.

I would make each provincial Government the final Court of Appeal for its officers.

The right of appeal should be granted only to officers of the Covenanted Service, and to the higher grades of the Uncovenanted Service, from the grade of Extra-Assistant Commissioner upwards.

I would give greater financial independence to Executive Officers by a system of block grants. The form of paternal Government, which was exercised by Deputy Commissioners 20 or 30 years ago, is now a thing of the past, and the Executive has suffered in consequence. In the case of Commissioners, the obstacle is the size of their several divisions. Formerly there were Commissioners for each district of the province, and they were able to keep in personal touch with their respective districts, but under the present system the division of a Commissioner comprises several districts; so that there can no longer be that close personal acquaintance with the people which is essential to good government in a country like India.

In the case of Deputy Commissioners the obstacles appear to be too much office work and want of continuity.

Executive Officers do not possess a sufficient knowledge of the Punjabi language. To remedy this, an examination in Punjabi equal to the Higher Standard in Urdu should be made compulsory.

It would tend to a great improvement of administration if the staff of Assistant and Extra-Assistant Commissioners were to be so enlarged as to afford an officer of one of those grades for each *tahsil* who should reside at the headquarters of the *tahsil* and not at the *sadar*.

The transfer of Executive Officers is far too frequent. There were no fewer than seven Deputy Commissioners of the Amritsar district in the short space of five years, and the administration suffered greatly in consequence. A thorough knowledge of the people is absolutely necessary on behalf of the Executive Officer, and this knowledge is impossible without continuity.

I do not consider that any further powers should be granted to district municipalities in the present stage of their development.

It would be a help to the Executive Officers of each district if an Advisory Board were created, consisting of *zaildars* and some of the leading men of the district who should be nominated by the Deputy Commissioner and approved by the Commissioner.

It is both advisable and possible to give village communities greater powers than they possess now in the matters of police, sanitation and the disposal of petty criminal cases. I would advise the revival of the old system of panchayats for each village. These panchayats should be held responsible for reporting and detecting of crime in their villages. To assist them in this there should be in the place of the present chaukidars (who at best are but the menials of the *lambardars*, and the slaves for one day in each week of the thanas), pensioned soldiers of the Indian army who would be induced to go straight for fear of losing their pensions. If this were adopted it would tend also to popularize the Indian Army. The panchayats should be empowered to enforce the sweepers of their villages to keep clean lanes, *gallies*, and open spaces. They should further be empowered to try criminal petty cases, with a lock-up and stocks at their disposal, such as were used in England when that country was more advanced in civilization than this country is at present. It seems absurd that a person should be dragged 15 or 20 miles to the *tahsil* for the petty crime of stealing a carrot or some other equally trivial thing, and thus waste the time of the tahsildar, when the case could be much more effectively dealt with on the spot by those who know already as much about it as can be known.

40217. What race are the people with whom you have come in contact?—Sikhs, almost entirely.

40218. What is your special language?—Punjabi.

40219. You have a good colloquial acquaintance with it?—I should have by this time, I think. I would rather the natives answered that question.

40220. Are there any of the agricultural class among your converts?—Yes; we have one Christian village

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composed of people owning their own land, altogether separate from any others—Hindus or Muhammadans.

40221. Have you other converts living amongst the other races?—Yes, we have Christians living amongst the Hindus and Muhammadans.

40222. Then you are brought not only into contact with the people generally, but with the agricultural classes mainly?—Almost entirely with the agricultural classes.

40223. During your residence in India, have you noticed any marked changes in the relations between the people and the Government in any way whatever?—I think there is a very marked change and difference. There does not seem to be the respect for Government now that there was, or the fear of the law.

40224. To what do you attribute that?—Partly to the want of contact on part of the Executive Officers with the people. They do not get to know their people sufficiently well, nor have they the opportunity, inasmuch as there is no continuity of persons, and consequently not so much continuity of policy as there would be with continuity of persons. When I came out, for the first 14 or 15 years I think we only had two Deputy Commissioners in the district, one stayed at least seven years, and the other almost equally as long, and the consequence was that they were in complete touch with the people, were trusted by them, and confided in by them.

40225. Would you also say there is not so much contentment among people with their present position?—I would not say that generally; I think the discontent exists only amongst a very limited class at present, but there is the danger of it spreading.

40226. Is that the chief, or the only, change which you have noticed?—I should say there was a very great change in the condition of the people generally.

40227. Do you consider it has improved or the reverse?—Vastly improved.

40228. You refer to a system of block grants as giving greater financial independence; what do you mean by that?—I would have each Executive Officer make an estimate of the probable works which would be required during the year, and their cost, and send in the estimate. A block grant should then be given to that district in accordance with the estimate, and a freer hand given to the Executive Officer than he has now in the expenditure of that grant.

40229. That is to say, you would have the grant by districts and by divisions?—Yes.

40230. What is your general opinion of the character and competence of tahsildars and their subordinates?—There are very great differences in them; there are some good and there are some very bad; there are some very fair and some not.

40231. Are you prepared to make any general statement as to their average character?—No; I think I would rather not.

40232. Is there a general opinion among the people that the average officers, speaking of the men who come most in contact with the people, are sufficiently paid?—There is a general opinion that they are more than remunerated, not from the pay which they receive from Government, but in other ways.

40233. I am speaking now of what they get from Government?—I think it is not considered that patwaris and others are sufficiently paid.

40234. Is there a general feeling that the inadequacy of their pay by Government induces them, and to a certain extent justifies them, in getting payment from other irregular sources?—There seems to be a general idea that they are paid a low rate because of the other sources from which they derive income.

40235. Is one reason for their low scale of pay that they are understood to make perquisites?—Yes; it is generally thought so.

40236. And the taking of perquisites so far as it goes is not deprecated by popular opinion?—Yes; it is deprecated.

40237. But does the man himself bear the odium of it?—Yes; he does, but it is not cried aloud by the town-crier.

40238. On the whole would it be a good reform to raise the pay of village officers, especialliy of patwaris?—It would, if you could ensure having the right kind of man.

40239. Do your people get access to Government officers when they have any grievance or anything to complain of?—No; not the access that is their due.

40240. Is there any difference between the past and present in that way?—Certainly they do not get the access they used to.

40241. Does that apply to the tahsildar as well as to the higher officers?—No; it does not.

40242. Can they generally get to the tahsildar?—They can generally get to him, but not to the Deputy Commissioner.

40243. If a man has a grievance who would he turn to above the tahsildar?—To the Deputy Commissioner.

40244. Is there no Assistant Commissioner?—No; except at the *sadar*, and if he goes to the *sadar*, he prefers going up to the chief man.

40245. Are they both to be found at the *sadar* only?—Yes.

40246. Do they see nothing of the Assistant Commissioner during the touring season?—Very seldom.

40247. Is the Assistant Commissioner a personality in a district in the same way that the Deputy Commissioner is?—No; nothing like it.

40248. Are Indian officers above the rank of tahsildar more or less accessible in the popular opinion than Europeans, or is there any feeling on the subject at all?—I have had no experience of officers above the rank of Extra-Assistant Commissioner, and think there is sufficient access to them; there is no complaint of want of access to them.

40249. Are they more accessible, on the whole, than European officers are?—I think so, for the reason that they get about the districts more than a European officer does, and they are more in evidence among the people.

40250. Is there any officer between the Deputy Commissioner and the tahsildar to whom the people look as a matter of course for the redress of any grievance?—No; not for the purpose.

40251. In your experience are Indian officials as frequently transferred as European officials?—I should say yes.

40252. Do they stay as short a time in districts, on the whole?—Yes.

40253. Do you attach very great importance to officers remaining longer in their districts?—I attach the greatest importance to that.

40254. From the point of view of good administration and the ruling of the country, is that about the most important thing there is?—I should say that it is of prime importance; one has seen a very great difference in the district since that touch with the people has disappeared owing to the frequent changes.

40255. Did you get to know the district in which you reside after you had been there, say, five years?—No; I should say it took me 15 years.

40256. Would you say that your knowledge of the people of the district is still growing?—Yes.

40257. And the longer you remain there the more likely you are to know the people better?—Yes.

40258. Therefore, from your point of view, it is no use talking about a man going to a place for three, four, or even five years and getting to know it, but he should substantially remain there all his life?—If he could do so, it would be better from the point of view of good administration.

40259. Have you known of any other clergymen who have remained for a long time in one place?—Yes; I know of two cases.

40260. Would you say they are apt to get into a groove and lose their efficiency by remaining a long time at one place?—No; as far as one's experience goes, I should say their influence would increase the longer they remain.

40261. From the point of view of the good order of the district, would it be better to have a man who was in sympathy with the people whom they knew well

and who was possibly somewhat in a groove, rather than having a succession of new brooms?—I would much prefer the man in the groove.

40262. Is it your experience that the members of a municipality take a keen interest in the work?—No; it is not my experience.

40263. Are any of the members of your municipality elected?—Yes; six out of nine.

40264. Is there any hesitation on the part of the better men in the town to come forward and stand for election?—Yes, and very few of them will come forward; they will very gladly occupy seats on the Committee if they are nominated, but not otherwise.

40265. Do the nominated members take a keen interest in municipal affairs?—Yes.

40266. We have been told that in the past the financial relations of municipalities and District Boards with the Government have been exceedingly complicated, that is to say, that there have been debits and credits on the one side or the other which have caused a certain amount of confusion; do you know anything about that?—That has been so in the matter of education and medical work.

40267. Is it still the case or have the relations been simplified?—They have been simplified to a great extent. Formerly the Municipal Committee paid for half the medical expenses and half the educational expenses, but that has been simplified by putting the medical management under the Municipal Committee entirely, and the educational under the District Board.

40268. Is your municipality obliged to ear-mark a fixed percentage of its income for fixed purposes?—Yes.

40269. Is that a sound thing?—Yes, I think it is.

40270. Do you think a fixed percentage can necessarily bear any relation to the requirements of a particular service over the whole province?—It might possibly do so at times.

40271. Would it be dangerous to leave it to a municipality to decide how much they might spend profitably on a certain thing?—In the present development of municipalities I should say it would be altogether unwise to leave it to their discretion on the ground of their want of interest in the work.

40272. Taking, for example, the case of education, supposing it were left to the municipality to spend as much or as little as they pleased, and even assuming they spent nothing at all, in the course of a year or two would they not learn by experience that they had made a false step and redress it?—I do not think so.

40273. How would you develop their sense of responsibility?—I have tried as President to give them responsibility, individually and in groups, but I have found it to be an utter failure.

40274. Is not the difficulty rather that if anything goes wrong the municipality can always take refuge behind some official?—Yes; the Deputy Commissioner.

40275. And therefore they have not got to stand or fall by their own virtues or vices?—No.

40276. Under those circumstances, will they ever get any sense of responsibility?—If they were left to their own responsibility and they failed, their failing would have no personal effect on the members of the Committee, but would affect the whole of the community, and I do not think there would be sufficient regard for the whole of the community on the part of the individual members of the Committee to make them feel aggrieved at all in the matter of the failure.

40277. Does it come to this, that the electorate are not sufficiently educated at present to be able to appreciate the benefits of good government and to appreciate whether the functions have been well or badly carried out?—I do not think education has gone far enough for them to appreciate that.

40278. Not even in a municipality?—No; speaking of course of the smaller municipalities.

40279. Before you could give any substantially wider powers to municipalities of the type you are connected with, must you educate the electorate up to taking a keener interest in public affairs?—Yes, I should say so.

40280. (*Mr. Dutt.*) What is the income of the municipality of which you are Chairman?—About Rs. 12,000.

40281. You say that the nominated members do take some interest in the work, but that the elected members do not. Can you suggest any reason why men who have taken the trouble to get elected cease to take any interest in the work?—With regard to those men who spend money over their election, there is generally a hope of some return.

40282. Would not that lead them to take some interest in the work?—Perhaps, because of their own personal interest.

40283. How is it that the men who are nominated take more interest in the work?—Because they are generally the best men who can be found.

40284. Are not good men returned under the present system of election?—The best men are not returned.

40285. Is that the case with regard to all municipalities, large and small, or is it only the case with regard to those municipalities which you are acquainted with?—I cannot speak from experience.

40286. Evidence has been given with regard to municipalities in other provinces, like Bombay and Bengal, that where there is a certain degree of self-government, and municipalities have been managed with a certain degree of success; can you speak in the same way of any municipality in this province?—I know of none; I know of one that was abolished because of the want of success.

40287. Are there many municipalities which have non-official Chairmen like yours?—Yes.

40288. In those municipalities is the work done fairly well or as well as it is done where there is an official Chairman?—I should say no.

40289. Is that because they do not take the same degree of interest?—Before the Municipal Act was brought into force, Tarn Taran, of which I am now the President, was infinitely better off than it is now, simply because the tahsildar managed the whole thing himself.

40290. But you would not lead us to believe that it has deteriorated under the present *régime* with you as Chairman?—I should say it is not equal to what it was.

40291. Do you think that in the Punjab the time has not come when municipalities under non-official Chairmen can get on so well as under official Chairmen?—I should say it has not.

40292. Are tahsildars, as a class, the sort of men we ought to expect for the pay that is given them?—Yes; I do not think you can expect better men.

40293. Is the present method of selection about as good as can be devised, or could the service be improved by selecting better educated men and men of better character?—I think it could.

40294. Is the method of selection susceptible of some improvement?—Yes.

40295. You are in favour I understand of an Advisory Board being appointed in each district to help the Executive Officer; if proper men were appointed, either by nomination or election, would that bring the District Officer and the district administration a little more into touch with the people?—I think it would be a step towards it.

40296. I infer that you think that is one of the most urgently needed reforms of the present day?—Yes, I think it is.

40297. (*Sir Steyning Edgerley.*) Is the knowledge of the vernacular amongst the superior Services adequate?—No; and I do not see how it can well be with the constant transfers which take place, and in addition the districts in the Punjab differ one from the other in the colloquial very largely; there is a difference between the language of the Manjha and the Rachna.

40298. How many languages are there in the Punjab which an officer might have to learn?—The two main languages are Urdu and Punjabi.

40299. Would a knowledge of those two languages carry him through his service?—I think so; he might

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find it a little difficult perhaps in Multan, but his knowledge of Punjabi in Multan would be of very great help in connection with his knowledge of Jatki.

40300. Have you any suggestion to make as to the selection of tahsildars?—No; I have none to offer at this moment.

40301. Has not the pay of the lower subordinates been very much what it is now for a great many years?—Yes; it has not differed.

40302. Have the minimum necessities of livelihood in that class increased?—Very much; they have more than doubled.

40303. Yet the pay remains the same?—The pay remains the same; in the case of a patwari for instance he does not get the pay now of a cooly.

40304. What pay does he get?—Rupees 10 or Rs. 15, depending upon his grade.

40305. What do you think he ought to get?—I should make that dependent upon the merits of the man.

40306. What do you think his pay ought to be to enable him to live honestly on his pay in the present day?—Certainly not less than Rs. 25.

40307. Do you think that if we do not give him as much as that, we have a right to expect dishonesty?—There is a temptation to be dishonest.

40308. Should you say that the official *morale* has improved or diminished, or that it is stationary?—I should say it is about the same.

40309. You suggest that chaukidars might be recruited from pensioned reservists, sepoys, and so forth?—Yes; for chaukidari work. I would not call them chaukidars.

40310. But is it not very essential that they should be actually residents of the village?—It is.

40311. Are there such residents in every village?—Yes; four or five deep, in my part of the country.

40312. You refer to the want which has grown up of necessary respect for the law, and so forth; to what do you attribute that?—To the general spirit of the age—there is unrest throughout the whole of Asia. The general spirit of the Oriental age, I think, is unrest and ambition.

40313. Does that mean that the people are becoming rather more educated?—Yes; it means that they are becoming rather more educated and more ambitious.

40314. Have you had a good deal to do with education?—Only with regard to primary schools. When I first came out I had charge of a high school for a short time.

40315. It has been suggested that there is a want of a sort of general manual which would teach principles common to all religions and which might be introduced into Government schools without offence to any particular religion; do you think that anything of that kind could be done at present?—If you mean a moral text-book without any reference to the source of morals, I do not think so. Bishop French was asked to draw up such a text-book by the Punjab Government, and he found it an impossibility.

40316. You say that the better people will not stand for municipal election?—The best people will not.

40317. What is the reason of that?—Because the people who stand resort to means which the best people do not approve of, in order to obtain election.

40318. Could that reason be removed?—Not at present.

40319. Is there any other reason?—That is the chief reason; they object to coming down to the hurly-burly of an election and all it involves.

40320. (*Mr. Meyer.*) You are in favour of village panchayats; but it has been stated that villages are honey-combed by factions, and that it is very difficult to make them work together for any common purpose; is there anything in that?—There is a little, but not much, so far as my experience goes of the Amritsar district.

40321. Are the people homogeneous there; are they mainly Sikhs?—They are mainly Sikhs.

40322. Have you had any experience of Pathans and other races?—No.

40323. Do you think the Sikhs can combine, and not quarrel amongst themselves much?—They quarrel but they would not quarrel to the extent that they could not arrange a panchayat amongst themselves for administering civil functions.

40324. Supposing they got grants from Government, or a portion of the cess levied in the village, to spend, might there not be quarrelling about the distribution of the money?—It would depend on what the grant was made for.

40325. On the whole, would they get on as well as an English Parish Council?—I do not think they would be quite a happy family, but they would do well enough. Their constituents would not be the same as the constituents of a Parish Council in England.

40326. Would you have them nominated or elected by the villagers?—I would have them elected.

40327. As regards the want of respect for the officers of the Government, and so on, to which you allude, is that not possibly due to the fact that the people see more of the officers of the Government than they used to, and find out that they are made of common clay after all?—No, I should say it is because they see less of officers.

40328. Do they not find out, at any rate, that they can appeal against practically everything the officers do, and get their decisions upset?—I should say the longer an Executive Officer remained in a district the more respect would be accorded him on the part of the people; that has been my experience.

40329. As a missionary, you have to deal with individuals in a small area; you take a few villages and work in them?—No; my policy has been to go over the whole district every year ever since I came out, and to visit every village in the district.

40330. Have you people who are subordinate to you in every village of the district?—No, we have only three or four villages where there are Christians, and we have subordinates in them, but I go to the other villages to proselytize.

40331. The Deputy Commissioner is not supposed to deal minutely with individuals; if he has a district containing over a million inhabitants he cannot possibly do so, but he has his subordinates and he is supposed to be the controlling authority for the whole district?—Yes.

40332. Taking that into account, would you say it was advisable that he should remain in the same district for the whole of his official career?—I should say the longer he remains there the better, especially if he acted on the principle that was practised by one particular Deputy Commissioner, and not by him only, namely, to make a tour regularly in the district, to stay at a village 3 or 4 days and hold a *darbar* every evening to which he invited all the people from the surrounding villages. In that way he got to hear what they had to say and got into personal touch with them. It is true a man cannot become personally acquainted with each individual of a million, but he can in that way get into touch with a very vast proportion of the people.

40333. What would you say with regard to Lieutenant-Governors? Do you think 5 years is sufficient for them to get an acquaintance with the provinces of India?—I should say it was sufficient if you choose your Lieutenant-Governors from officials of the province.

40334. And a Viceroy or Governor who comes out from home ought, according to your theory, to stay a life-time?—I would much rather see the Viceroy appointed from officials in the country.

40335. You are in favour of introducing a regular sub-divisional system—you would have an Assistant Commissioner or an Extra-Assistant Commissioner in each portion of the district, and make him the real local officer with the Deputy Commissioner above him as an inspecting and controlling agency?—Yes.

40336. Have you got this in the Amritsar district at present?—We have not at present.

40337. As regards the pay of patwaris, if you raised it by Rs. 5 or Rs. 10 a month, would they become more interested in the work and cease to take bribes?—I do not think so for a time, but you would attract better men, and gradually in that way you would improve the Service.

40338. Is there not, on the other hand, a tendency for a man to fix his bribe in proportion to his pay; and if you increase his pay will he not increase his scale of bribes also?—I do not know that that has been the experience among the patwaris of whom I am speaking at present, but it has been known, as you say, that in proportion to an increase of pay so have bribes increased, but that has not been the experience amongst the patwaris yet, as there has not been the opportunity.

40339. The patwari surely has opportunities for petty pilfering and taking bribes with regard to such matters as crop reports, and so on?—You will not possibly alter the present state of things if you increase the present pay tenfold with the present class of men, but if you increase the pay it will be likely to attract a different class of men in the future and in that way you would improve the Service.

40340. I see you say that there was once a Commissioner for every district in the province, but is that correct?—No; that is a slip of the pen; but there were double the number of Commissioners that there are at present, I think.

40341. Then as to the *zaildars*, whom you would like to put, in your district, on Advisory Boards, are they a sort of superior *lambardar*?—They have the oversight of about 15 villages on the average.

40342. Are they men of probity and of local light and leading?—Yes, for the most part.

40343. Do they tend to become hereditary?—No.

40344. Is there much competition for the appointments?—Yes; very keen.

40345. You say you want a District Advisory Board—would you have a Divisional Board?—I think it would follow.

40346. If you had an Advisory Board, would not the Commissioner need it rather more than the Deputy?—Yes, I should say the one thing would follow on the other.

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40347. (*Sir Frederic Lely.*) With regard to the administration of villages by panchayats you say that panchayats should be empowered to enforce the sweepers of villages to keep clean lanes and open spaces. Do you contemplate the engagement of a staff of sweepers?—No; the sweepers are really the paid menials of the whole village in the sense that each individual occupier of land in the village has his menial whom he pays in kind, and if you had a panchayat you could force the whole of the menials to take part in the work of the sanitation of the village without having a paid staff; a paid staff would be most impracticable.

40348. Would you employ a paid staff for the purpose of enforcing this duty you mention, that is to say, a staff of *chaprasis* or whatever you may call them?—I do not think it would be needed.

40349. Would it not also be exceedingly unpopular if you did; would not the introduction in village government of new taxation and the employment of an organized staff be exceedingly unpopular?—I think it would, decidedly.

40350. Would you agree that those two things are to be specially avoided?—They would be most unpopular.

40351. Would you leave the cleaning of a village then to be dealt with by the people themselves in the old way?—Yes, but it need not necessarily be done in the old way; I would leave it to them to control, but it would be done better after they had been educated more.

40352. But you would leave it to them to do it in their own way?—Yes, though I would have it enforced if necessary by a higher authority.

40353. That is to say, you would make the panchayat answerable?—Yes, to the Deputy Commissioner.

(*The witness withdrew.*)

Mr. A. Broadway was called and examined.

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40354. (*Sir Frederic Lely.*) What is your occupation.—I am a zamindar. I own an estate here of about 8,000 acres, with about 300 or 400 *raiyats*, who are mixed—Muhammadans, Hindus and Sikhs. I have been in the country since 1875.

Commissioners should be granted absolute powers to make suspensions and remissions of land revenue, and lease out Government land, whether irrigable from a canal or not, up to 100 acres. They ought also to have extended powers with regard to appointing and suspending or even dismissing subordinates in their divisions, say, from tahsildars downwards. This would increase their influence.

Outside revenue matters the Commissioner is practically unknown to the people. He acts as a connecting link between Deputy Commissioners and Government, but not between Government and the people. He has no practical influence in criminal and police administration.

Undoubtedly the opportunities possessed by officers for personal contact with the people are insufficient. Office work is one great obstacle, and the size of the district is another. Reductions in returns and reductions in size of districts are the two appropriate remedies.

Government officers generally possess a good knowledge of Hindustani, but an imperfect knowledge of local dialects, constant transfers being responsible for this.

I find that the people constantly ask for more European supervision. If that is barred on the ground of expense there should at least be an increase in the superior class of Indian employés. At present tahsildars, for instance, are quite unable to adequately supervise the work of their subordinates. Such supervision requires time, but more European supervision is what the zamindars would prefer.

It should be an understood thing that officers who took appointments even in undesirable districts should stick to them for a minimum period of at least three years. On the other hand, it might be arranged to grant officers who have held such appointments to get more desirable districts at the close of such an appointment.

I am not in favour of the creation of such an Advisory or Administrative Council. Generally there would be no suitable persons to put on them. They would only add to the difficulties of the Deputy Commissioner. At present it is perfectly open to him to consult anyone he may choose in the district.

I am entirely against granting any such powers as are enumerated to village communities. Such a grant would not be favourable to people, and they would never appeal to bodies so constituted. The experiment has already been tried in this district and failed.

40355. Have you anything to say to us about any changes that you have noticed in the relations between Government and the people during that time?—I do not think there is much change among the zamindars. There is amongst us a class that has now sprung up, who are not thought much of; they are simply the sons of shopkeepers and people of no standing at all; they get this education, and they get discontented, because every boy who goes up for examination and passes thinks he ought to get into Government Service; those who do not are disappointed. I do not think there is anything like that among the proper zamindars.

40356. I am now speaking of the agriculturists and the classes dependent upon them; do you think there is much difference?—No, I do not think so, not amongst the older people.

40357. Do you think, for instance, that they know less of the Government officer now than they formerly did—No; I do not think so.

40358. The Government officer still gives them opportunities of access?—Yes, every man who wants an opportunity gets it.

40359. Are you connected in any way with the Local Boards?—No, I am an Honorary Magistrate.

40360. Is your estate interested in the Local Boards at all; does it ever get any money or anything done?—No.

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40361. Do you consider that the working of the District Boards altogether meets the popular wants?—I do not know how else it could be worked.

40362. I suppose there are certain needs in your estate in the way of water-supply and roads; are any of them satisfied by the District Board?—Yes, I think so, according to the share of the district.

40363. But is that sufficient?—I think so.

40364. Is there sufficient money available from the district funds to supply your local wants?—The local wants are schools, roads, and hospitals, etc.

40365. But the drinking water?—The drinking water is not supplied by the Board at all; there are wells on estates or in villages, especially in villages, which may be common to all; everyone may draw water; there is no prohibition at all.

40366. There is no responsibility on the District Board to maintain the water-supply?—There has been no necessity for that, because these wells are worked steadily all the year round.

40367. But if a well falls out of repair, who is responsible for putting it right?—In the Punjab there are very few wells which are kept entirely for drinking purposes; they have all got a certain area of land which is cultivated by the water, so that the men are bound to keep them working.

40368. Is the District Board responsible for roads and schools?—Yes.

40369. Are those demands sufficiently met?—I think so.

40370. There is no complaint of want of funds for any necessary purposes?—In some of the very poor districts there may be, but as a rule there is always sufficient money.

40371. You are against granting any powers to village communities?—Yes.

40372. Is it important that the help of the people and the opinion of the people should be enlisted in the work of Government more than it is?—If there is anything which the Deputy Commissioner does not quite understand, as a rule he can always enquire from the people, and he can get at the best men. In a district there may be something necessary at one end which the people at the other end do not care about. For that particular purpose he can always get the best men from the part of the district concerned; if he does not understand the matter he can enquire from them and from his subordinates and can always find out in that way; it is much better that it should be left to him to do that.

40373. Do you find from your experience since 1875 that the average Collector does make such enquiries and does get facts?—I think the average Collector does.

40374. (*Mr. Meyer.*) Do you do much work as an Honorary Magistrate?—About six hours a day; I have a third of the district under me.

40375. Have you first class powers?—Yes.

40376. Do you hear second and third class cases too?—It all depends what the case is like: if it is a petty case I send it to the Subordinate Magistrates; if not, I keep it to myself.

40377. Have you jurisdiction over the Subordinate Magistrates?—The Deputy Commissioner has authorized me to send any cases I would like to send to the Subordinate Magistrates.

40378. Do you do civil work also?—Yes.

40379. Have you the powers of a Munsif?—I have the powers of a second class Munsif. I would not take first class powers because it means a much bigger business.

40380. What jurisdiction does the second class give you?—Up to Rs. 500.

40381. Are there many gentlemen like yourself who are doing honorary work for the Government in this way?—I am the only one in my district: I am not sure if I am not the only one in the Punjab.

40382. Is it long since you have had these powers?—Since 1883.

40383. Would you like to give Commissioners power to lease land whether irrigated or not?—Up to 100 acres.

40384. What are their present powers?—They have no powers at all now.

40385. Has it to go to the Financial Commissioner?—Yes, the Commissioner had powers formerly as far as 300 acres, but since the canals were started these powers have been taken away.

40386. Is it in respect only of canal land that they were taken away?—I think it was not known where canals would be started, and therefore they issued a general order.

40387. Three hundred acres under a canal may become a very valuable property?—Certainly.

40388. You would only give the Commissioner powers up to 100 acres?—I think he ought to have power up to at least 100 acres considering that he is the Commissioner.

40389. Would you give the Deputy Commissioner any powers?—The Deputy Commissioner would have to recommend. Formerly the Deputy Commissioner used to give up to 100 acres and the Commissioner up to 300 acres: now neither of them can give. As the Deputy Commissioner recommends, the Commissioner's decision should be final.

40390. Would you give Commissioners powers of appointing and dismissing tahsildars?—I think so.

40391. Would you allow them to post Assistant Commissioners and Extra-Assistant Commissioners within their divisions?—Yes.

40392. It has been suggested that we should break up the provincial Public Works budget, and give Commissioners sufficient funds from which to sanction Public Works themselves: would you favour that?—I would not like to answer that: I have not gone into it.

40393. As to education: would you give the Commissioner larger powers?—I do not know if he has any powers. If he has he certainly does not exercise them. It would be a good thing if he had to overlook education when he goes round in his districts.

40394. You find that the District Officer does not know Punjabi well as a rule?—No; all the District Officers, barring those who have just come out, know Hindustani, and if a man knows Hindustani he is understood anywhere in the Punjab; though he may not understand the man who is talking to him, if he talks in Hindustani, a Punjabi will understand him. These dialects out here are much the same as we have at home: one cannot possibly get to learn these dialects in a day. If a man is kept long enough in a district, he can get to master the dialect: in the Punjab if a man knows Hindustani and one of the Punjabi dialects, he can understand and be understood. In Multan and the Derajat it is a little different of course.

40395. Have there been many transfers in your district?—I think about two in a year.

40396. Have there been so many of late years?—Last year there were three transfers.

40397. Three different officers do you mean, or one man coming back?—There were three different transfers among Deputy Commissioners. That is to say, there were four different officers within a year.

40398. Then as to the Assistant Commissioners?—In the Jhang district we very seldom have an Assistant Commissioner: now and again an Assistant Commissioner is sent, but we have mostly Extra-Assistant Commissioners. It is a small district now since the Lyallpur Canal came in.

40399. The last witness told us that he was in favour of a sub-divisional system, letting each man live in a sub-division and exercising local powers there: would you be in favour of that?—All districts are divided off amongst the Extra-Assistant Commissioners or Assistant Commissioners. At present it is generally done in this way. In a small district the work is split up amongst the Extra-Assistant Commissioners in the same way, for instance, as I have a third of the district. There are three *tahsils* in the Jhang district now; I have one: I have the whole *tahsil* with three thanas in it, and there are two Extra-Assistant Commissioners who have the other *tahsils*, and all the work comes to us. It so happens that I live in my part of the district; the other men live at headquarters.

40400. But you are speaking now of case work, not the ordinary revenue work?—The ordinary revenue work is with the Deputy Commissioner and the Revenue Assistant.

40401. The idea was that you should have more assistants living in the sub-divisions and taking all sorts of work there, so as to be near the people and to relieve the Deputy Commissioner. Do you think from your experience that that would be a good system?—I have nothing against it; it would relieve the Deputy Commissioner to a certain extent, undoubtedly.

40402. And it would give the people shorter journeys?—Certainly.

40403. You say that the experiment of giving certain powers to village communities has already been tried in your district and failed; will you tell us a little about that?—The Deputy Commissioner who was responsible for the experiment has now gone to Jullundur; when he came to the Jhang district as Deputy Commissioner he started the system of having village panchayats; he got all the people together, and he asked me to attend too. I said it would not run, but I said he could try it. For every *zail*, that is, so many villages over which a *zaildar* is, they had a panchayat. The people did not take to it, for two reasons: one was that they found that the panchayat men were so likely to get people going to them and influencing them; another cause was that they found that when a panchayat gave a decision there was no appeal from it, and they did not like that. People have said to me over and over again "I would much rather not go there at all; I will go where I can appeal if the decision is against me," so that they did not make any use of the panchayat system, and it died a natural death.

40404. But suppose you took it a step lower down and had it in the village itself, where there is a certain amount of public opinion and a certain knowledge as to the real rights and wrongs of any particular dispute, might they not be more satisfied with the local panchayat there?—In most cases it would be useful, if a man were satisfied when he found that he was in the right and had got what he wanted; but in a lot of these cases a man does not care whether he has a right case as long as he wins it; he tries to get the case anyhow, and the consequence is that he will not go to the panchayat.

40405. It is a sort of game, and he must fight to the last?—That is it.

40406. (*Sir Steyning Edgerley.*) Are you brought into contact with a great many of the subordinate Revenue and Canal officials?—Yes, every day.

40407. Do the Revenue Officers administer their work honestly and straightly?—Very few of them.

40408. Up to what grade does that opinion apply?—Of course there are exceptions to every rule, but I do not think at present honesty has taken hold of the character of the people.

40409. You are speaking now of patwaris and the people in the lower grades?—Yes.

40410. Is the same true of kanungos?—Exactly.

40411. And of tahsildars and naib-tahsildars?—Yes.

40412. Extra-Assistant Commissioners?—Yes. As I say, the exception proves the rule: I do not think that the whole are like that, but I should say the majority are.

40413. Should you say that you have less trouble from that point of view now than you had 30 years ago?—No.

40414. There is no improvement?—None.

40415. You do not consider that it depends on the rate of pay?—No.

40416. What does it depend upon?—As long as there is a demand there will be a supply, and of course when the demand ceases things will improve. You cannot get any work done without working through the underlings. We have only one Deputy Commissioner in the district; it is impossible for him to control the whole thing; you go to him and he has to send the papers to his subordinates and find out from them how matters stand; it is only here and there that a Deputy Commissioner can check his subordinates.

40417. Is that true of all departments?—I do not know of any department where it is not done largely.

40418. What expenditure would you debit under that head in the course of a year?—I could not say, I think it must be enormous; there are so many ways of doing it.

40419. What is your remedy?—Supervision.

40420. For instance, would the Extra-Assistant Commissioner's supervision be adequate?—I do not think so. In many cases it would be, but there ought to be more European supervision. If you went through the districts, amongst the cultivating classes amongst the zamindars, that would be their cry—that they want more European supervision.

40421. Have you found that amongst your own employés the rate of wages has risen very much?—Yes. I heard one of the witnesses say that the patwaris' wages might be increased. I think so too: I think they ought to be increased, and there ought to be more supervision over them. At present a patwari can do almost anything he likes; he can fudge papers; he can go and give evidence in a case which is utterly wrong and contrary to the papers, and that is the way he makes his income.

40422. With his present wage is it fair to expect him to be much better than he is?—Hardly fair, but at the same time I do not think that by raising his wages at all you will prevent him, because he takes his appointment not for the pay, but for what he can make.

40423. What has been the rise of wages in the last 20 or 30 years?—I understand that you employ some 300 or 400 people?—I do not employ them in that way. I go on the Punjab system, where I have to take half the produce. I should say that where a man got Rs. 8 he is getting now Rs. 15 or Rs. 16.

40424. (*Mr. Dutt.*) Have you much knowledge of any other province of India?—No; I have passed all my time in the Punjab.

40425. We have had evidence before us in other places where witnesses have given a very high character to the Provincial Services generally. Have you any reason to suppose that the Provincial Service in the Punjab is worse and more corrupt than the Provincial Service in other provinces?—I would not say so: I should be sorry to think so.

40426. Did I understand you to say that the great majority even of officers of the rank of Extra-Assistant Commissioners were not straight?—Yes.

40427. We had contrary evidence with regard to the same class of officers in other provinces, so that you think that the same class of officers in this province is worse than in any other province: does it not come to that?—No; I do not hold that. It all depends from whom you got the evidence.

40428. We got it from high European officials. Suppose that evidence is correct, and that this class of officers in other provinces are generally perfectly straight and of high character, then it comes to this, that the officers in this province are worse than those in other provinces?—If your evidence is correct as to those provinces, that is so.

40429. Are your relations with your tenants regulated by the Tenancy Act of the Punjab?—Exactly.

40430. You do not receive rent in money from any of your tenants?—No.

40431. Has your revenue been settled by the Government?—Yes.

40432. Is it settled for 20 years?—The province is settled every 20 years: this is the second settlement I have had.

40433. Have you much experience of the canal colonies?—Yes; I have lands there too.

40434. What is the period for which the revenue is settled there?—I think it was 12 years when the canal was started.

40435. But as cultivation extends year after year I suppose the revenue is automatically increased?—As the cultivation increases it would increase too, but the way the Settlement Department increases the revenue is to see the condition of the land. Some land by constant cultivation improves: other land has not been worked up to the same extent and it has

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deteriorated; so that the Settlement Officer has to see what the condition of the land at the time of settlement is and put on or decrease the revenue accordingly. The revision begins at the end of every 20 years.

40436. Outside the canal colonies, what is the average area of each cultivator's holding on your estates?—Taking the lands that are worked by well cultivation, the individual holding would be at the very most 50 acres: that is the extreme.

40437. Is there generally a well in each holding?—Yes.

40438. Is the well sunk by the cultivator himself?—No, by the landlord.

40439. So that when you ask for half produce, it means that you ask for that as his rent, including the irrigation work which you have done for him?—Yes, but he has the lift.

40440. You sink the well for him?—I sink it for him and I have to keep it up.

40441. But he pays all the expenses of lifting the water and irrigating his own field?—Yes.

40442. (*Mr. Hichens.*) You have drawn a very gloomy picture of the subordinate Government servants here; does the same thing apply to members of a District Board?—In a certain way I should say that it does; that is, if they had entire powers to run the whole thing themselves.

40443. Would you say that public opinion would have very little confidence in the District Board if they were left to their own devices?—Certainly.

40444. Is there any public interest in the doings of the District Board?—It would be all right if the members worked in a public spirit, but there are very few that do that; as a rule they pull their own ropes: that is where the trouble comes in, and that is what would happen if you removed official supervision.

40445. Is public opinion very weak?—Very weak.

40446. It could exercise practically no control?—No control at all.

40447. Your remedy is, more European officers?—Certainly. That is the only remedy I can think of; I am speaking after consulting the big zamindars, and I always found that they came to the conclusion that there is not enough European supervision.

40448. But suppose you had more European officers, would the victims be prepared to come forward and give evidence?—I think they would. Just now the trouble is this. For instance, two years ago the cotton crop was destroyed by the boll-worm; Government arranged that all the crops that were destroyed should not be charged revenue; that was the general order. But in some cases some men put down other crops, for instance, fodder, at the same time; that was only in a few instances. When the order came for letting off the cotton crops, I was talking to a zamindar who has lands on the canals. He took out a postcard, and said "I have just received this from our agent. It is true Government have let us off, but my agent writes and says 'If you do not pay the *zilladar* at a certain rate, say, Rs. 2 a *kilda* (an acre), he will report and say that you had not only cotton, but this other crop, *dhol* or any kind of fodder there, and you will not be let off; so that it is advisable to pay him the Rs 2 and get let off, rather than have to pay the whole.'" I said "What are you going to do"; "Oh," he said, "I am going to pay." I said "I would not pay if I were you." He said "Sir, it would be reported against me, who is to check it: it will have to go through the Canal Department; it will have to go to the Colonization Officer; how can he come and inspect my fields; this man will stick out there was this crop, and I shall have to pay the higher rate; it is cheaper for me to pay the Rs. 2 now than having all this trouble of going up to the Colonization Officer, and in the end making an enemy of the *zilladar*?" And this zamindar ultimately paid up.

40449. The upshot of all that is that, if you have any European supervision at all, you must have a great deal more?—Yes, you must.

40450. It must be something really substantial?—It must.

40451. You are not in favour of Advisory Councils?—No, I am not. If the men would work in a public spirit, it would be rather a good thing, but I do not know of any such men, to my knowledge, who would not work for certain objects.

40452. You have had a pretty wide experience of Deputy Commissioners?—I suppose there are very few now of the older men in the Punjab that I do not know; since I have been in my district, there have been about fifty there.

40453. Would you say that they realize that it is their business to consult public opinion and that they go about and find out as far as they can what is the general public opinion?—There are men with different temperaments; but a man who has any interest in his district and in his work always will find out before he takes any steps.

40454. Is it perfectly possible for him to do that under existing conditions?—Perfectly possible.

40455. And a good man always will?—A good man always will.

40456. Under those conditions it would not be necessary for him to have an Advisory Council?—No; I myself think it would be very hard on the men themselves, because the native character is such that they do not know what they are to do when people come to them wanting them to work on their behalf, so that very often, when a man would work straight, and wants to work straight, he is pulled aside by these other influences that come and overpower him.

40457. So far from being an assistance to the Collector, an Advisory Council would be a possible hindrance?—I think it certainly would.

40458. (*Sir Frederic Lely.*) You tell us you have no connection with the District Board?—I did have connection for five years, but I resigned, because I could not always be at these meetings, and there was a rule that if a member failed to attend for five consecutive meetings, he was supposed to have given it up. The Deputy Commissioner said he wanted me on the Board, and that he would not stick to that rule in my case; but I did not think it was wise to make any exception, so I said I would rather resign.

40459. You resigned because you had not the time to attend all the meetings?—That is so.

40460. Had you any feeling that your membership was fruitless?—It was not that; it was simply because I could not always attend.

40461. Were you ever offered the non-official Chairmanship of the District Board?—No, and I would not have taken it. In the first place, it is a very difficult post for a non-official to hold. I think the Deputy Commissioner is the best man for it; there are lots of things that come up to him in different aspects which he can handle better than an outsider could, so that his advice and his action would be much better than that of an outsider.

40462. Have you any other reason for refusing, or is that the main one?—I have another reason. A District Board is very much like a municipality. I know in one municipality the President is a pleader; in that municipality he can get in by votes any man he likes; the major portion of the people are his men, and he has got them in for years. When they want to vote for a certain thing which his party wants, all he has to do is to look up, and every man will vote for him; if he does not want it, he keeps his eyes down, and there is not a vote from that party. So that the voting is not at all honestly done. Then, if there is anything to be carried out, very often it is not the case that a man disapproves of it, but just to show his power he brings forward hindrances. The matter may be carried eventually, but there will be hindrances. The case will be put off for further consideration, and so on.

40463. Do you mean that if a clique like that was always arrayed against a non-official Chairman, he would find it very difficult to overcome it?—He could not overcome it.

(*The witness withdrew.*)

Baba GURBAKHSH SINGH, BEDI, was called and examined (through an interpreter).

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40464. (*Sir Frederic Lely.*) You are a zamindar?—Yes. I have at this moment in my possession 6,900 acres. I am a member of the District Board and an Honorary Extra-Assistant Commissioner with first class magisterial powers.

There can be no doubt that the practical result of the system of Government as at present organized is to make the administration more and more impersonal from day to day. The change in the method of carrying on the work of administration now-a-days is specially felt by those whose memories of the days of personal Government have not yet faded away. The aim of the Government is to secure permanency of efficiency in the administration of the country. This is sought to be achieved by systematizing the administration. The central authority keeps before it the ideal it wishes to work up to. Rules and regulations calculated to realize that ideal are prescribed with a view to ensure uniformity of procedure. The minds of all who have to carry on the work under such circumstances are thus made to move in one groove. Another circumstance which by introducing routine in the work of administration has a marked tendency to make the Government of the day impersonal is the form in which evidence has to be collected in regard to the actual outturn of work being up to the standard required. Authority in matters administrative does not completely rest with those who carry on the actual work of the administration. It is distributed over a series of officers, with varying gradations in point of official position. Those who are in the subordinate ranks have to prove to those who are above them that the standard of efficiency is being fully maintained. That being the object, it is only natural that the mind should be withdrawn from the defects that may even be known to exist, and confined only to those features which would make the picture look rosy and beautiful.

It is because of this peculiar form of judging of the efficiency of work that considerations of revenue come to assume undue importance and override other considerations affecting the welfare of the people. The officials in the higher ranks of the Service, who have not the opportunities of forming their own judgment of the efficiency of work by direct daily contact with the people, have to be afforded proof of efficiency. It is therefore not unnatural that attention should be directed to such points of efficiency as would admit of easy demonstration. Increase in revenue is one of the indications of a successful administration. There may be circumstances in which increase in revenue may be the mark of the very reverse of a successful administration. But if the mind is taught to move in a groove, there is every likelihood of such contingencies escaping attention.

Executive Officers, though they can have opportunities of so doing, do not, generally speaking, come in close personal contact with the people. Here again it is the system that has to answer for the change that has taken place. The ordinary work of administration can be carried on, organized as it is on a system of clock-work regularity, without any intimate knowledge of the people. The necessity for such knowledge when not felt results in contact taking place with that portion of the community only, to know which is one of the routines of daily work. There are no insurmountable obstacles in the way of a more intimate knowledge of the people on the part of Executive Officers. The so-called difficulties are believed generally to be due to differences in religion, social life, habits and occupations of the people. They also in part involve considerations of personal inconvenience. This latter difficulty will disappear if Executive Officers come to realize that direct personal contact with all classes and sections of the people is an absolutely essential condition of their success in service. If the acquisition of intimate knowledge of the people comes to be regarded as the essential part of the duty of an officer, all the obstacles at present felt as such will disappear. An intimate knowledge of the people will make it clear that social and religious differences do not at all stand in the way of a better and fuller understanding of the people, and that there is much to interest and occupy those who make it a point to cultivate friendly relations with the people.

Executive Officers owing to a changed condition of things have not that knowledge of the vernacular now which their predecessors possessed.

I am in favour of the creation of Advisory Councils to assist District Officers. I would for the present have resort to a system of nomination which would secure on such Councils the representation of all the more important interest and occupations. I would suggest that such Councils should among other matters be consulted in regard to the following:—Matters affecting religions and religious ceremonies and observances; arrangements for suppression of crime; relief required in times of distress or failure of crops; proposals regarding assessments of revenue; proposals regarding taxation; measures relating to suppression and prevention of epidemic diseases; proposals regarding new legislation and changes in legislation; proposals regarding sanitary measures; proposals regarding means of communications and facilities in such communications; proposals regarding such measures of particular departments in the district generally as have a bearing on the welfare of the people.

40465. Have you anything to tell us about the use and functions and possible reforms in the District Board?—I have taken no interest in that. I cannot say anything about the reforms.

40466. (*Mr. Dutt.*) How long have you been a member of the District Board?—Seven years.

40467. Are meetings held every month or once in two or three months?—There are no fixed dates.

40468. Do you sometimes attend the meetings?—Seldom.

40469. Do you get rent from your cultivators in money or in produce?—In produce.

40470. In all parts of your zamindari?—It is the same in all.

40471. Is the settlement with you made for 20 years by the Government?—It is settled for 20 years.

40472. Do you know anything of the canal colonies?—Yes. I have got lands there.

40473. Are they settled for 12 years?—Yes.

40474. Who superintends the distribution of water there?—It is managed by the Canal Engineer and the Assistant Engineer under the supervision of the *zilladar*.

40475. Who makes the assessment and who makes the collection?—It is assessed by the canal patwari and collected by the *chahchelis*.

40476. Do they work under the orders of the Canal Engineer or under the orders of the Deputy Commissioner?—Under the Canal Engineer.

40477. So that both the assessment and collection work is done under the orders of the Canal Engineer?—The assessment is not done by the Canal Engineer; he makes a statement and sends it to the Deputy Commissioner.

40478. When the people have complaints to make about insufficient water-supply, do they go to the Canal Engineer or to the Deputy Commissioner?—To the Canal Department.

40479. Has the Deputy Commissioner any control over the distribution of water?—None.

40480. Would the people like the Deputy Commissioner to have some voice in the distribution of water?—It would improve matters if the Deputy Commissioner had a voice.

40481. You are in favour of the creation of Advisory Councils?—Yes; in my opinion there should be selected men of respectability and men on whom Government can put trust, otherwise there is no necessity for them.

40482. Who should select these men?—The Deputy Commissioner is the proper person.

40483. Should the Deputy Commissioner consult them in all matters relating to the welfare of the people?—Men of trust of course ought to be consulted.

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40484. Would the administration be made more popular if these men were frequently consulted?—If good selected men are appointed to the Advisory Council, it will be a good thing to ask their advice in all matters of administration.

40485. (*Mr. Hichens.*) You say that the Executive Officers are not in close personal contact with the people; do you allude to Deputy Commissioners amongst others?—It is very difficult to get access to the District Officers, and there should be more frequent visits.

40486. To what do you attribute the fact that the people do not come?—The District Officers have no time. If they like, they can see the people, but they generally say they have got too much work.

40487. Are officers transferred too frequently?—Some people are transferred soon, some are not.

40488. (*Mr. Meyer.*) You are an Honorary Extra-Assistant Commissioner: what work do you do in that capacity?—Civil and criminal.

40489. Do you try many cases?—I used to do a lot of work before the Land Alienation Act was passed, but now there is less work.

40490. Are there many appeals in this province?—Yes.

40491. Would not the work of officials be diminished, and would they not have more opportunities for mixing with the people if there were fewer appeals?—Yes.

40492. Might it not be a good thing then to reduce appeals?—Yes.

40493. Might not a Commissioner deal with a number of matters that now go to the Financial Commissioner or to the Local Government?—It would be better.

40494. Have you anything to say about village panchayats?—I am in favour of panchayats in the villages.

40495. What people are they in your part of the country?—There are few Sikhs. I live in Rawalpindi, but I have estates in Lyallpur and other districts.

40496. Are there factions in these villages?—There are all sorts of people in my villages—Muhammadans, Hindus and Sikhs.

40497. Do they quarrel amongst themselves?—Ordinary quarrels; they do not quarrel on religious points.

40498. Would they be able to work together in a panchayat?—There would be no trouble if there were Sikhs and Muhammadans and Hindus collected together in a panchayat.

40499. What sort of things would you give the panchayats to deal with?—Civil cases, cases in which there is any difficulty about water, and cases like that.

40500. Should they look after the village schools?—Yes; the village schools also should be included, and petty criminal cases.

(*The witness withdrew.*)

SARDAR BAHADUR PARTAP SINGH, was called and examined.

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40501. (*Sir Frederic Lely.*) You served for several years as an Extra-Assistant Commissioner?—Yes. I am now President of the Council of Administration of the Faridkot State. As such, I exercise the powers of the Ruling Chief, except that in capital sentences they have to be confirmed by the Political Agent.

Officers whose appointment is made by the Local Government should have a right of appeal to the Government of India. All others appointed by Heads of Departments should not go up to Government of India.

Sub-Divisional Officers may be trusted to sanction increases and decreases of revenue in fluctuating areas in their sub-divisions, sending up, for the information of the Deputy Commissioner, an explanation in case of extraordinary increase or decrease.

The appointments of tahsildars and naib-tahsildars, and their dismissal, should be in the hands of the Commissioner.

The appointment of *zilladars* of canals and of deputy inspectors of police, though left in the hands of their respective departments, should be approved by the Commissioner. But the dismissals of both may be placed in the hands of the Commissioner.

The appointment of superintendents of vernacular offices, head clerks, readers both in English and vernacular offices, *amlas*, *zaildars*, *sufedposhes*, *inamdars*, head *lambardars* and *lambardars* and their dismissal should be placed in the hands of the Deputy Commissioners, provided that recommendations made by Extra-Assistant Commissioners concerned, both in cases of employment or dismissal, should be honoured. Glaring mistakes or gross injustice may be corrected by the Commissioner whose order should be final.

Sub-Divisional Officer's recommendations in affairs in their sub-divisions should be trusted and honoured without any doubts by the Deputy Commissioners.

Canal patwaris should be made subordinate to Revenue Assistants of the district, and through the latter to the Deputy Commissioner. I would suggest to reduce the present *halkas* of the *patwaris* of *mal* and make them do the canal work in areas, of course irrigated by the canals. But if this be somehow impossible, the canal *patwaris* can be made to serve under the direct supervision of the Revenue Assistant.

Chaukidars, *lambardars*, head *lambardars* and *zaildars* are now serving both the Canal Department and the district authorities. If *zilladars* (canal) and patwaris be added to the common list, immense good will be done and considerable litigations will be avoided.

In Court of Wards matters, estates with income of Rs. 50,000 and more per annum may be considered worth looking after by the Financial Commissioner. Minor estates may be left to the care of the Commissioner. Deputy Commissioners may be trusted to spend up to Rs. 5,000 on improvements and Rs. 2,000 on family ceremonies. The Commissioner's order and sanction above Rs. 5,000 and Rs. 2,000 in case of minor estates may be final. In case of big estates, the Commissioner may sanction expenditure up to Rs. 20,000 on improvements, and Rs. 10,000 on family ceremonies, and the order and sanction of the Financial Commissioner above that should be considered final, provided that information be sent to the Local Government in case of extraordinary expenditure by the Financial Commissioner, and to the Financial Commissioner by the Commissioner.

In administrative appeals, a certificate from the authority passing the order is desirable where law or rules having the force of law is in question. I would allow one appeal without a certificate in case of executive practice to the next higher authority. In personal questions one appeal to an authority next higher to the authority passing the order of dismissal or fine will be sufficient.

Executive Officers have not sufficient opportunity of coming into contact with the people; the press of work is the chief cause. Caste prejudice is the other cause. No effort should be made to remove the caste obstacle. Every European officer going on tour should be provided with a "*shamiana*," and it should be ruled that on halt days the officer should hold *darbar*. He should talk freely and friendly to the leaders of the masses attending. Let the officer prove to the people that he is a "*ma-bap Sahib*" and tries to learn about the families of the leaders, and on learning calamities shows sympathy and expresses sorrow on public fate.

The knowledge of officers of the vernacular is with rare exceptions sufficient.

Much greater care in the selection of officers for Commissionerships and high commands will be imperative. Adherence to an educational test only in bringing out officers to India to begin with, if it be so, may be revised. Family claims and old connection with India may be preferred.

Transfers are very frequent. Five years' command of a district and five years' command of a *tahsil* may be fixed. If the officer in command of a district proves to be inefficient, give him one more chance, but after that he should never get a district. Attach him to complete service. If an officer in command of a *tahsil*

proves to be inefficient, give him one more chance, and after that he should never get a *tahsil* nor promotion, provided if the black mark be on account of bribes, turn him out for good. Occasional transfers may be made on account of bad health. Transfers on account of leave and furlough must be made.

I am not in favour of Advisory or Administrative Councils. Indirect recommendations are my fears. Let the Divisional or District Officers take advice from their subordinate Extra-Assistant Commissioners and trustworthy tahsildars and also Honorary Magistrates. If necessary, make these subordinate officers responsible for the commission or omission of a thing, and the result will be satisfactory.

The powers of village communities can be enlarged with advantage. It can be done with advantage. I give an instance—Mandi Abohar in the Fazilka sub-division of district Ferozepore is not even a "notified area," and is being worked up by the members of the District Board and residents of Mandi very handsomely. The little place is rising into a town. The Sub-Divisional Officer lays down simply lines of policy, but otherwise does not interfere.

I would introduce a system of panchayats, and would enlist all good and influential men from cities, towns and villages up to 20 men a panchayat, with a rule that any four members would sit and discharge business. *Thanawar* panchayats will be good to start. The headquarters of the panchayat should not be at the *thana*. No police nor pleader should attend the panchayat Court. Let panchayats be invested with powers as follows:—Criminal—sections 323 and 352, Indian Penal Code, with powers of fine up to Rs. 25 and no imprisonment at all. Civil—money suits up to Rs. 200 value. Revenue—produce cases up to Rs. 200 value. One *arzi nawis* with a license to sell stamps, and one *ahlmad* to do reader of the panchayat will carry on the work. Appeals from the orders of panchayat to go to Honorary Magistrates, and should there be none, then to the Deputy Commissioners. The appeal order to be final. I introduced the panchayat system in Faridkot State last year and the work is being done fairly well.

Only educational qualifications of candidates for Government Service do not produce truthful and honest workers as a rule. Indian schools and colleges have failed in turning out loyal students and to be trusted straightforward stuff as a rule. It may be that on account of want of religious education the result has been undesirable. Government cannot give religious education as there are so many religions in India. I would, therefore, suggest that new books on "truth and falsehood" and on "honesty and dishonesty" be composed and allowed to be taught in Indian schools and colleges. It may then be that the future turn-out will be hopeful. The test based on higher education should be less regarded than at present. Let candidates for Government Service be selected with regard to sufficient education, family claims, and loyalty to Government. The powers of Deputy Commissioners and Commissioners in granting rewards for good service during plague, famine and other calamities are very limited. I would suggest that the Commissioners might give rewards up to Rs. 200 and Deputy Commissioners up to Rs. 50.

40502. What are your general views as to the relations between the people and the Government; are they susceptible of improvement?—My view is that there has been a lot of improvement under the British rule.

40503. Is there still room for change for the better?—Yes.

40504. In what direction?—In educational matters they are improving much and there is a lot of hope; also in improving the wealth of the country there is much improvement, and it is hoped that there will be much more.

40505. In the Faridkot State have you anything corresponding to local self-government?—No; only that I have started panchayats there.

40506. Did you establish a panchayat in a single village or in a collection of villages?—It is a small State. There was no arrangement previously even of *zaildars*, so I founded *zaildaris* to begin with, then I combined *zaildaris* into panchayats.

40507. Then you have not a panchayat in each village?—No; I combined two *zaildaris* into one panchayat.

40508. How many villages would there be on the average?—One hundred and sixty in the whole State; so I divided it into 14 *zaildaris*, and I combined two *zaildaris* into one panchayat; I enlisted from 16 to 20 members in one panchayat.

40509. How did you constitute the panchayat?—I nominated the members, all good men, from their circle.

40510. One from each village?—No; sometimes two from each village; I had a *baniya*, or accountant, from a village, and a *zaildar* from the same village; in this way I enlisted all the good men of the circle; I got a quorum of four men who could sit and discharge business. I gave them criminal powers under sections 323 and 352 of the Indian Penal Code, but no powers of imprisonment. I ruled that they were not to pass sentences of imprisonment, only to have power of fining up to Rs. 25. In civil cases I gave them power in money suits up to Rs. 200 value, and in revenue cases also up to Rs. 200. Their work has been very good.

40511. Did you give them any power to spend money on Public Works?—No; I intend doing that after I see that they are working better.

40512. Did you give them any power over education?—Yes. There were no schools in the State, and I asked their help. The control was in my hands. I appointed a *nazim* of education, that is a director or inspector; and then I took help from these panchayats; I have been able to start fifty schools in places where there were none, and they are now helping.

40513. Have you as yet given them any power whatever in other matters?—They have given help in starting schools; they have given me free houses in the villages; they have asked their friends to help. I have said "I want a school *there*, and a school *there*"; they have asked the influential man in the village to give a house free to begin with; they have no money control as yet.

40514. Why did you not establish a panchayat in each particular village; why did you rather have a large body combining several villages together?—I say that I combined them in different villages because there were not enough men in the village, and there was no business for them in each village.

40515. You did not think it would have been successful?—Each village has no business for the panchayat.

40516. It could manage its school?—Once a teacher is appointed and his pay settled, then there is no work; it is only the work of the parents to send their boys to the school.

40517. Is that the only reason?—That is the only reason, and also that there are not so many men in every village.

40518. Not in a good size village of, say, a thousand people?—That would be called a small town; all small towns in the Punjab have either a municipality or a notified area. I am now answering only about the *mufassal* villages.

40519. I understand that this panchayat of yours is a Judicial Court, within certain limits, and that in other matters it advises you and advises the people?—Yes, as a mediator.

40520. But it has no other powers?—It has no other powers as yet, but I am intending to give it powers under the Cattle Trespass Act, and also in educational matters.

40521. Anything else?—No, not yet. I intend to have my own scheme about education, as I have a free hand in the State. I am not going to have all these books that are being taught in our schools in British India; I am going to start a system such as we had in old times—in my own time—just teaching to read and write, and to do little accounts to begin with, and to teach the true meaning of truth and falsehood, honesty and dishonesty.

40522. This is your own scheme that you are going to carry out, not the scheme of the panchayats?—That is so.

40523. (*Sir Steyning Edgerley.*) What exactly is your education scheme to be?—Just as I was sent to school. In my time, in the sixties, boys used to go to the teacher, and he used to teach them to read and write and do small arithmetic.

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40524. That is, purely primary education?—Yes; and I say that primary education is what the *mufassal* villages want. Of course I have a middle school in the Raja's palace at Faridkot, and, if I find any shining boy, he may come as a boarder and live there and get a classical education.

40525. Would you give scholarships or something of that sort to get clever boys on?—Yes.

40526. You suggest a sort of moral text-book; is that a feasible suggestion?—I think so. We have good religious stories illustrating honesty and dishonesty; we have plenty of stories, in books and from mouth to mouth, illustrating truth and falsehood; these can very well be compiled into a little school manual. I am going to do it in my State. I have already given instructions to get a book written on those lines, and I shall put it into our schools; it will not be "religious," but it will be a good thing to be taught.

40527. (*Mr. Meyer.*) What is a canal *zilladar*?—He is the lowest grade officer in whose hands there is the supply of water and also the power of stopping supply.

40528. Is he a bigger man than the patwari?—Yes; he has several patwaris working under him.

40529. What pay does he get?—About Rs. 80, with horse allowance, and so on; he is the great man in the Canal Department.

40530. You would like the Commissioner to be a bigger man than he is, to appoint tahsildars, and to have something to say to the appointment of these canal *zilladars* and deputy superintendents of police?—Yes.

40531. Would you give him a larger power of sanctioning Public Works?—I do not think the Commissioner wants particular powers in the Canal Department; the Canal Department is doing all right. What I meant by putting these officials under the control of the Commissioner was, to get it out of their heads that they have only their canal masters who will help them when their shortcomings are found out, when they are found out doing anything like bribery, and so on. These officers always think that they will be backed up by their officers. My experience is that the Civil authorities, whenever they catch a subordinate of theirs, try to punish him, but the Canal Department and the Police Department, whenever their men are concerned, try to help them, just like the Army people. In the Army, perhaps, they have some right, because they are men going to fight the enemies of the country, and it is a Service in which it is the tradition to back up subordinate officers; but the Canal Department and the Police Department are quite different, and the practice in such matters in those Departments should be rather like that in the Civil Service.

40532. Would you let the Commissioner post Assistant Commissioners and Extra-Assistant Commissioners within his own division?—I do not think there would be any harm. The Commissioner would be just like the Raja of a State (I have now the experience of a Raja's State); the Raja does a thing and the people like it. If the Commissioner were given more powers, his divisions would be like that of a small State; the Commissioner will willingly be recognised as a great man, but he is wanted to work up to his position.

40533. Might not the Commissioner deal with most of the matters relating to District Boards and municipalities?—Yes.

40534. Who appoints *zaildars* now?—The Deputy Commissioner appoints them.

40535. And *lambardars*?—They are appointed by the Deputy Commissioner.

40536. Might not the tahsildars or the Sub-Divisional Officers appoint these people?—I think not; the Deputy Commissioner should appoint them.

40537. You want to reduce certain districts because the work is too heavy; might it not be better to have a sub-divisional system, to divide the district into sub-divisions and let an Assistant or Extra-Assistant Commissioner work there, and let the Deputy Commissioner be simply a controlling and inspecting officer?—Yes, as we have now.

40538. You have only one sub-division in a district now: suppose you had all the districts divided into sub-divisions, you would give the Deputy Commissioner less work to do?—I have not considered it, but I think there ought not to be more than one sub-division. One sub-division has been working well. In one way it is good, because young officers have experience there and have learnt how to do district work; if you had more sub-divisions, the control would still be not good.

40539. Would it not be better for the people if you have one man who is close to them, and would not the tahsildar get better looked after?—We cannot manage these two particular districts by starting sub-divisions here. Ferozepore district was made up when there were no settled villages; it was hundreds and hundreds of miles of jungle, and there was no income practically. The Fazilka *tahsil* was only inhabited after the district was made; now the Fazilka *tahsil* gives 8 lakhs canal revenue alone, so that we want another district there. It is about 70 miles from the boundary of the Sialkot district to headquarters, and people have to go there.

40540. You say that Commissioners and Deputy Commissioners should have powers delegated to them in Court of Wards cases; have they not much power now?—No; I have been myself in charge of Court of Wards, and there is much delay in getting sanction. I suggest that if these powers are delegated, the work will be facilitated.

40541. Has every little thing to go up to the Financial Commissioner?—Yes, and when the matter goes up for his sanction, except perhaps that as to maintenance allowance, there may be some argument, everything else—matters of improvement, or marriage ceremonies, and so forth—is sanctioned.

40542. By maintenance allowance you mean the amount to be given to the ward for his education or to the widows?—Yes.

40543. You are against Advisory Councils?—I am.

40544. But might not the Deputy Commissioner consult the District Board about these matters?—The Deputy Commissioner, if he has trustworthy men to consult can always consult them; if you put a number of men into a formal Board, there will only be more complications.

40545. But if he has a District Board meeting about District Board matters, he can talk to the members about other matters?—Yes, and that is done now. I am against Advisory Councils, because it would be creating another department, and a lot of indirect recommendations would creep in; I do not think it would work well.

40546. You speak of panchayats dealing with revenue produce cases; what are those?—Revenue produce cases are cases between a landlord and a tenant; the tenant does not pay *malkanda* or the landlord's share of the produce, and the landlord brings suit against him for so much produce: those are called revenue produce cases.

40547. Do you think the panchayat would hold the scale fairly as between landlords and tenants; might not the members be landlords themselves?—Yes, but there are 20 men in my panchayat, and a case belonging to one panchayat would go before another panchayat.

40548. But one landlord would back up another landlord, or one tenant would back up another tenant?—You might say that all over the world, but it does work. The men in whom we put our trust do their work, and when any glaring mistake comes up there is the remedy.

40549. You have tried that successfully?—When I took up the charge of the Faridkot State there were nine Courts working in that small area. By starting these seven panchayats, only two are now working, and my Court hears appeals; the work is very much reduced now.

40550. Do you allow *vakils* to appear before the panchayats?—No; neither *vakils* nor the police.

40551. You say appeals go to the Honorary Magistrates?—To the Honorary Magistrates or to the District Magistrate.

40552. But if you allow appeals, do you not rather shake the confidence of the people in the panchayats?—No; there ought to be appeals; they perfectly understand that their work stands to be criticised, and they do not mind if their work is sent up on appeal.

40553. Are appeals very popular in this province?—Yes.

40554. It has been suggested to us that each village might be given some share of the land cess that is levied there, for the villagers to spend at their own discretion on wells or anything else?—The District Board is doing that, and it would be only creating work. I am a village man myself; everything in the village is owned by someone; so far as the village collectively has any obligations, there is the *malba*. We do not want any fund to be placed in the hands of the village panchayats to be spent on these works; all other properties are held by somebody.

40555. Is the *malba* levied in every village?—Yes. Saints and *fakirs* pay visits to the villages, and they are fed and even sometimes clothed, and the *malba* is perfectly understood; in fact it is put in the revenue papers, so that there is help from the Government, you may say, to the villages in that way in spending money on some common object.

40556. (*Mr. Dutt.*) You say that all the petty cases are now tried by these panchayats in Faridkot under sections 323 and 352 of Indian Penal Code, and that that has largely reduced the work of the Courts. Are there very many appeals from these panchayats?—No; there are a lot of compromises. I was told by my Treasury Officers that less stamps were being sold year by year.

40557. You think that is a good sign that people compromise their cases and settle their differences?—Yes. Much the same thing is done by the panchayats in these matters as is done in the Military Service. A man comes and says so and so has beaten him; the matter is gone into on the spot there and then, and disposed of in fifteen minutes. Panchayats have reduced the work, and in fact made the work more limited; there are no fights now, because the people think that when they go up to fight a case, they will have to compromise it, so they do not fight.

40558. Do you suggest that this system should also be introduced gradually in British India?—Yes.

40559. You think that in some advanced villages the system is likely to be successful?—Yes.

40560. Would one panchayat be able to do all the work within the *ilaka* of one thana?—Yes. The theory is this; our men go to the Courts, and if they come back the same day, there is nothing lost; they do not spend anything; they take their food and go to attend the Court and come back in the evening.

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40561. Will the members of the panchayat work without any remuneration?—They do it; there has been no complaint during the year-and-half I have been there; four men can decide the work, and they tell off their own four men; on such and such days such and such men will come up; they take their horses and ponies and sit in the place; I have even told them not to use chairs, but to sit down on *charpoys* and do the work there.

40562. When you have created panchayat in each thana, would you give the panchayats some power to inspect and supervise the village schools within the *ilaka* of the thana?—Yes, gradually. Generally there are 40 to 50 villages in the thana.

40563. Are there less or more than that?—More than that; Fazilka has 300 villages and 3 thanas and one police outpost. You may say about 80 villages in each thana.

40564. Do you think that one panchayat will be able to supervise all the schools in 80 villages?—Yes, because the distance will be quite reasonable; people will go to the village chosen and go back.

40565. Is it the general custom in the Punjab for tenants to pay their landlords in kind, *i.e.*, in produce, or is it the custom to pay in money?—It was the custom to pay in kind, but when the British rule came in, in some districts cash was settled, and it was put upon the rupee, two annas to the rupee, and so on; they now pay in cash and also in kind, but generally the tenants-at-will are paying in kind.

40566. The tenants who pay directly to the Government pay in money?—Yes.

40567. The assessment is made in cash, but I am speaking of those tenants who live in zamindaris?—They pay in kind; we call them tenants-at-will.

40568. Have you not also occupancy tenants under you?—Yes.

40569. Do they pay in kind or in money?—In the state there are cases now in which the tenants want to pay in cash and the landlords ask them to pay in kind.

40570. Do you find the tenants generally want to pay in cash and the landlords want to be paid in kind, because the price of produce has gone up?—Yes.

(*The witness withdrew.*)

Haji Nawab Fateh Ali Khan, C.I.E., was called and examined (through an interpreter).

40571. (*Sir Frederic Lely.*) What is your occupation?—I own about 6,000 acres of land here and about 20,000 acres of land in Oudh. I live in Lahore.

The income and expenditure of Local Governments is shared between the Government of India and Local Governments. I think it better to let all income and expenditure be provincial, and the debt of Local Governments to the Imperial Government for the Army, defence, &c., should be fixed. Local Governments should then be given greater power to sanction charges.

Giving borrowing powers to Local Governments would disturb the market if several provinces wanted loans simultaneously. I do not advocate any change.

The right of appeal should not be interfered with.

Executive Officers have not sufficient opportunity for personal contact with the people, probably due to heavy work. Deputy Commissioners are Presidents of District Boards and municipalities, and have revenue, judicial, political, treasury and miscellaneous duties.

The Police Department is also under them. Either districts may be made smaller or some work taken away. This would leave more time to mix freely with people and learn the vernacular well also by contact.

Some officers do not possess a sufficient knowledge of vernacular.

Transfers might be less frequent and might be reduced if officers settled in India and took less leave, or might be reduced by increasing the proportion of members of the Provincial Civil Service on the establishment.

I am in favour of advisory Councils.

I am not in favour of placing the supervision and control of smaller municipalities under District Boards.

It is desirable to give village communinities greater powers in the disposal of local affairs. The panchayat system should be revived. Law suits would be reduced.

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40572. Are you a member of the municipality?—I was a nominated member.

40573. Are you still?—No, I resigned. I have much work myself.

40574. Is the municipality popular in Lahore?—Not very popular.

40575. What is the reason why it is not altogether popular?—I do not believe much in those members who are generally elected; they are not the men of the stamp that there ought to be on the Municipal Committee.

40576. What is the defect in them?—They are uneducated; they do not command the same respect that they ought to have as members of the Municipal Committee.

40577. Is that on account of their want of character or want of social position?—Want of social position generally.

40578. Why is it that men of higher rank are not serving on the municipality, or, rather, men who would command respect?—They do not like to be elected. They would rather like to be nominated.

40579. Why do not they like to be elected?—They have to ask too many persons to back them up for the election, and they think it is derogatory to their position.

40580. Do the nominated members inspire the respect of the community?—Much better; when they are nominated they are generally suitable persons.

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40581. Do you think that the municipality should have more power than it has?—Certainly. They should be made responsible for certain work, and they should be given power to dispose of it independently.

40582. But are not they made responsible for the work they do now?—They are not. There should be less interference on the part of the Chairman and more powers in the hands of the members.

40583. Can you give any instances in which the Chairman has unjustly interfered, and so prevented the municipality from doing its work?—In many cases they have to say "yes" to every proposal of the Deputy Commissioner.

40584. Why have they to say "yes"?—They are not well educated.

40585. Would you like to see some other person than the Deputy Commissioner Chairman?—Yes.

40586. Is there any non-official person in Lahore whom you would like to see President of the municipality?—There were non-official Presidents here before.

40587. Why is the President not non-official any longer?—My own uncle was President of the Municipal Committee; I cannot tell the reason why there have been no non-officials afterwards.

40588. Did he resign?—Yes; his time was up, and he resigned; he did not want to be re-elected.

40589. Why did he not want to be re-elected?—On account of the press of work.

40590. (*Mr. Hichens.*) You say that elected members of the municipality are not very desirable, and yet you want to give them more work and more responsibility?—If selected; if there were a form of selection, they would be useful obviously.

40591. Should they abandon the principle of election and go back to nomination?—No; I think there should be election as well as nomination.

40592. Would you maintain the present situation?—Yes.

40593. How would you improve the present state of affairs which you say is bad?—They are every year getting better, and things will improve of their own accord.

40594. Is it wise to give them further powers until they are more educated in regard to these matters?—If they are made more responsible, they will work better; they do not work well now, because they do not consider themselves responsible.

40595. Would you like to give more powers to District Boards too?—Yes.

40596. Would you give them a non-official Chairman?—A non-official Chairman would be better.

40597. Could you find men who had time to take up the work?—Yes; there are a lot who could find time.

40598. Have you ever heard any complaints as to the financial restrictions imposed on municipalities?—Yes; there are complaints about financial restrictions.

40599. Have you any suggestions to make as to that matter?—No.

40600. (*Mr. Dutt.*) You do not recommend that borrowing powers should be given to Local Governments?—No; I think the power should be in the hands of the Government of India and not of the Local Governments; if borrowing powers are given to Local Governments, they will be overfree in expenditure, and they will not be able to borrow on good terms.

40601. You have also said that the right of appeal should not be interfered with; what are your reasons for that?—Because the right of appeal is considered by the people as a blessing, and the people consider that that blessing should not be taken away from them; if they fail in one Court they may possibly get benefit in another.

40602. Then you say that you are in favour of Advisory Councils; what are your reasons for that?—I think Advisory Councils would be very useful, because at times they would be of some help to the Deputy Commissioner. I do not think that Advisory Councils should have any powers, but that they should simply give advice, and their opinions should be put forward.

40603. You heard the opinion of the last witness as to the creation of village panchayats, or a panchayat within each thana for the disposal of simple cases; do you agree with him?—Yes.

40604. Would it be of great benefit to the country?—Yes.

40605. Would you like to have one such panchayat in every thana, or would you like to have a panchayat for a group of 5 or 10 villages?—It would be better to have a panchayat for a group of 5 or 10 villages.

40606. Would you give them small civil and criminal powers?—Yes; the system has been in force with us for a long time, and it is a good thing to have petty cases settled in the village itself.

40607. Have you any other suggestions to make for delegating powers to the people?—The panchayat system is enough; I have no further suggestions to make.

40608. Besides the disposal of petty cases, would you gradually entrust panchayats with the management of local affairs in villages?—The system is already in force.

40609. Who would select the members of these panchayats, the villagers themselves, or the Deputy Commissioner or the tahsildar?—The members of the panchayats should be selected by the Deputy Commissioner in my opinion.

40610. Should he take the opinions of the villagers in making the selection?—Yes.

(*The witness withdrew.*)

Khan Bahadur MUHAMMAD SHAFI was called and examined.

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40611. (*Sir Frederic Lely.*) Are you a native of Lahore?—I belong to a village about 5 miles out of Lahore. I reside in Lahore at present, and practice as a Barrister in the Chief Court.

40612. Do you wish to put before us certain views on behalf of the All-India Muslim League?—Yes.

The principles underlying the enactment of the law relating to the Court of Wards have the hearty support of the Muhammadan community. The extension of the scope and powers of the Courts of Wards embodied in the Punjab Court of Wards Act (No. II of 1903) as compared with the provisions contained in the Punjab Laws Act (No. IV of 1872) constituted a change in the right direction. But while section 6 of the new Act empowers the Courts of Wards, of its own motion, to assume the superintendence of property of certain persons in the cases specified therein, in all other cases it rests with the Local Government alone to make an order directing that the property of a landholder be placed under the superintendence of the Court of Wards. The Local Government is thus burdened with an amount of work which, at least in the majority of cases, it may well be relieved of. Moreover, a reference by the Deputy Commissioner to the Commissioner, by the latter to the Financial Commissioner, and by him again to the Local Government, involves an amount of delay which is often calculated to defeat the very object for which this most salutary enactment is intended. In cases where the Financial Commissioner agrees with the recommendations of the Deputy Commissioner and Commissioner in this respect, it should be open to him to place the property of a landholder under the superintendence of the Court of Wards without any reference to the Local Government, such reference being necessary only in cases where the Financial Commissioner disagrees with the proposals made by the local authorities.

Again sections 11 and 12 of the Punjab Court of Wards Act empower the Deputy Commissioner in certain cases, specified therein, to take the estate of a landholder, with respect to whom he proposes to move the Local Government or the Court of Wards, as the case may be, to take action under section 5 or section 6 of the Act into his own custody and to pass certain orders specified in the said sections. But according to section 13 (1) the property of such landholder becomes

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vested in the Court of Wards only upon the publication of a notification under section 9, and it is after the publication of such notification that the law makes it incumbent upon a creditor or other claimant to give notice to, and implead, the Court of Wards as a defendant in a suit against the person whose estate has been placed under the management of the Court. Now, between the date of an order by the Deputy Commissioner under section 11 and of the date of taking of possession by him under that section and section 12, and the date of the final decision by the Local Government and the issue of a notification under section 9, very often a long time must elapse. The result is that a creditor, such as a mortgagee of a portion of the estate, coming to hear of the intended step, may launch a suit against the landowner personally without making the Deputy Commissioner or the Court of Wards party to the suit, may rush the case through or get an *ex-parte* decree, and obtain a decision in his favour before the notification under section 9 is actually issued. Meanwhile, the property has been taken possession of by the Deputy Commissioner, and as the Act does not make it necessary that a notice of action must, in such cases, be given to the Deputy Commissioner, or that he be made a defendant in the suit, the obvious result is that a decree is obtained behind his back to the prejudice both of the landholder and the Court of Wards in cases where the Local Government finally decides to take the estate under the protection of that Court. Such a case has actually occurred and was heard on appeal by the Punjab Chief Court some eight months ago. The Deputy Commissioner should, therefore, be empowered, in such cases, to give notice of his having taken charge of the estate of a landholder to the Court of the District Judge and require stay of proceedings in any suit which may have been instituted before, or might be instituted after, he assumes charge of such estate, pending the issue of a notification under section 9. This extension of power herein seems to me to be essential for the realisation of the object which the Act has in view.

I am not in favour of curtailing the right of appeal to the Local Government in the cases contemplated in these questions. Under the existing political and other conditions it is advisable, in the interests of the general public as well as of the subordinate branches of the Service, that the right of appeal to the Head of the Government, which has hitherto worked satisfactorily, should not be taken away from those who may have cause to feel aggrieved with the action of any Government official. The very existence of such a right is calculated not only to create a sense of security in the minds of those who value it so highly, but is also likely to prevent the frequent occurrence of causes of complaint, and to check arbitrary or high-handed acts on the part of the officers under the Local Government. Nor do I consider it desirable to lay down that no such appeal should be admitted unless accompanied by a certificate from the authority passing the order appealed against that reasonable grounds of appeal exist.

Under the existing conditions European Executive Officers do not get sufficient opportunities of personal contact with the people, and, in consequence, are not in possession of that knowledge of the feelings and the customs of, and other conditions of, life prevailing amongst the various Indian communities, which is essential for a sound administration of the affairs of this country. The obstacles in the way of the acquisition of such knowledge may be summed up as follows. Absence of social intercourse between the Executive Officer and even the leading Indian gentlemen, resulting in want of touch between those who ought to be better acquainted with each other than is unfortunately the case at present. The existence of this social gulf between the rulers and the ruled is often productive of heart-burning and mental irritation which, in the interests of Government, it ought to be the duty of all Executive Officers to avoid. The prevailing notion that social intercourse between the two classes is detrimental to the prestige of Executive Officers is entirely erroneous, and has given rise to a state of comparative isolation which is highly injurious to the best interests of both the Government and the people. Greater opportunities of intercourse between the official and non-official classes will not only help to remove many of the existing misunderstandings, but will be found to be an effective remedy for a great deal of the dissatisfaction which unfortunately does exist amongst certain sections of the Indian population. Moreover, this social gulf between the Executive Officer and even the leaders of the people placed in his charge stands in the way of his acquiring knowledge of the customs, the social and religious usages, and the feelings of the people.

Experience has shown that the Executive Officer does not, in the majority of cases, possess that knowledge of the vernacular language which is absolutely essential for the satisfactory discharge by him of the duties attached to his responsible office. The majority of the people under his charge are uneducated and innocent of any knowledge of the English language—a state of things which is bound to continue for years to come, and the Executive Officer must, in consequence, be well conversant with the vernacular language. This will not only enable him to obtain first-hand all that he ought to know, but will enhance his prestige in the eyes of the masses. A Deputy Commissioner who knows the language of the people and is able to talk to them direct, and not through some subordinate ministerial officer, is sure to get at the root of things, and is bound to be popular amongst the people over whom he rules.

Young and inexperienced Civilians—sometimes of not more than three years' standing—have not infrequently been placed in charge of districts. Entertaining peculiar ideas of the dignity of their position and being ignorant of the language, the feelings, the customs and manners of the people, their treatment even of the better class of Indian gentlemen, both official and non-official, is often extremely objectionable and leads to consequences seriously affecting the popularity of the British rule in India.

The constant transfer of Executive Officers from district to district is another cause which not only prevents the acquisition by them of a thorough knowledge of the people of the district they may be in charge of, but often has a most injurious effect on the efficient and satisfactory working of the administrative machinery. The circumstances of Indian society being somewhat complicated, it takes a little time for the District Officer to make himself well acquainted with the local conditions, and by the time he acquires an insight into these conditions, and is thus in a position to administer the affairs of his district satisfactorily, orders are issued for his transfer to another place, resulting in serious injury to the cause of sound administration.

The District Officer is burdened with multifarious duties which occupy most of his time and leave him little leisure to acquaint himself with the social and other conditions prevailing amongst the people and to cultivate personal relations with even the leading Indian gentlemen in his district.

The following are some of the means which may be adopted in order to remove the obstacles mentioned above :—All European Executive Officers should be required to possess a knowledge of the vernacular sufficient at least to enable them to carry on ordinary conversation, and no officer should be placed in charge of a district unless he has passed a vernacular examination of a fairly high standard.

No officer should be placed in the executive charge of a district or a sub-division without having first gone through a regular settlement training. Officers taking active part in settlement operations have opportunities of coming into close contact with the agricultural population, of making themselves thoroughly acquainted with their customs and manners of studying their feelings, and of cultivating personal relations with them which those who have not done any settlement work cannot obtain.

The Executive Officer should be relieved of purely judicial work in order to enable him to devote more time and attention towards the cultivation of personal relations with the people in his charge, and to study their feelings, customs, and manners. He should be made to understand that this is an essential and integral part of the duties connected with the responsible position which he occupies.

Civilians of less than seven years' standing should not be placed in charge of at least the more important districts, and instructions should be issued to all District Officers to be careful in their treatment of the educated and the more respectable portion of the Indian communities.

Another remedy is the establishment of District Advisory Councils.

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The grant of larger powers to Commissioners, Collectors and other local authorities will undoubtedly necessitate greater care in their selection. The automatic promotion of members of the Indian Civil and Provincial Services to offices of responsibility merely on the ground of seniority, regardless of their knowledge of the people, tact and administrative ability, is, even under the existing circumstances, often productive of injury to the cause of good government, and less regard will have to be paid to mere length of service if the officers mentioned under this head are to be invested with enhanced powers.

In the absence of special circumstances, an officer posted to a district should not be transferred therefrom for a reasonable period, and in cases where he has given proofs of ability and efficiency in the discharge of his duties, and has made himself popular with the people, he should be left in charge of that district as long as possible. Whenever short leave is granted to an Executive Officer, things should be so arranged as to avoid the necessity of filling up the temporary vacancy by bringing out an officer from another district.

I am of opinion that, under the present circumstances, it would not be advisable to invest municipalities, District and Local Boards with powers larger than those already enjoyed by them under the existing law. As regards this province, it may safely be laid down that the time has not yet arrived when a forward step can be taken in this direction, the existing system having hardly passed the experimental stage. Local self-government in the Punjab has, hitherto, not proved an unqualified success, and the contests for seats on the municipalities and District Boards of this province have not, in the majority of cases, attracted the better class of educated and respectable Indian gentlemen.

But the system of promiscuous election as at present in vogue almost all over the country is one which absolutely fails to make these bodies thoroughly representative of the various communities having a material stake in the affairs of the country. This is particularly true of the Muhammadan community. Experience has shown that wherever the system of election is not based on the principle of class representation, Muhammadans have failed to secure their due share of representation on these bodies, and the number of their representatives on the municipalities, District and Local Boards is entirely disproportionate to their numerical strength and political importance. Nay, instances are not wanting where Muhammadans, in spite of constituting a fairly large portion of the population of a town, have failed to secure even a single seat on the local municipality. The instance of Poona has already been cited at Bombay. To take another example from a different part of the country. The Muhammadan residents of Mathra form about $\frac{1}{5}$th of the total population of that town. Yet since the introduction of the elective system three years ago, not a single Muhammadan has ever succeeded in securing a seat in the elections for the local Municipal Committee. On the other hand, of the 12 elected members of the municipality, five are Dhosars, a community which, according to my information, consists of about one hundred persons only. Before the introduction of the system of election the Government used to nominate three Indian members on the Committee, one of whom used to be a representative of the Muhammadan community of Mathra. In the Punjab the system of communal representation has been introduced in Lahore, Ambala, Hoshiarpur, and in certain other towns, and is working most satisfactorily. A definite number of seats on these Committees is set apart for each of the two communities, and the Hindu and Muhammadan electors vote for their own representatives. Not only are the two communities thus adequately represented on these bodies, but the adoption of this system has resulted in the removal of all friction between them which often arises in cases of mixed elections. In other municipalities, however, where this system has not yet been adopted, the Muhammadan community, in spite of its constituting 53·3 per cent. of the entire population of this province, has invariably failed to secure that representation to which it is equitably entitled.

One more reason in support of this reform may conveniently be mentioned. The privilege of electing a representative on the provincial Legislative Councils has already been conceded to these bodies in some of the Indian provinces, and there is some likelihood of its being extended to other provinces as well. And as it is absolutely essential for the cause of good government, as well as just and proper, that the Muhammadan community should be adequately represented on the Legislative Councils of the country, it follows that unless the Muhammadans are given their fair share of seats on the Municipal and District Boards they will fail to secure on the Legislative Councils that measure of representation to which they are undoubtedly entitled.

Another aspect of this question is worthy of attention. Not only would the general adoption of the system prevailing in the Punjab towns named above secure due representation of the two communities on these Local Bodies, but it would also help to reduce a fair share of the burden which now falls on the shoulders of the higher authorities. Due representation of the various communities being, in this manner, secured, their interests would be properly safeguarded within these Committees, and, in consequence, the number of appeals and petitions to the higher authorities would be appreciably reduced, leaving them time to attend to more important work.

For the reasons given I am of opinion that the time has not yet arrived when the functions of the municipalities, District and Local Boards can be suitably extended.

The establishment of District Advisory Councils would, in my opinion, be a step in the right direction. If properly constituted, these Councils would prove a source of immense benefit to the proper administration of district affairs. The functions of the Council would, of course, be purely advisory and consultative, and the liberty of action of the District Officer would in no way be hampered or curtailed. But he would, through the medium of these Councils, keep himself fully acquainted with local circumstances, as well as with the views and the feelings of the people as regards any administrative measure which may be contemplated. Moreover, the District Officer will be in a position to make use of this agency for the purpose of removing any misapprehensions that might exist in the minds of the people with regard to the intentions and motives of Government in connection with a proposed administrative or other reform. These Councils should be so constituted as to be thoroughly representative not only of all the dominant agricultural and other interests, but of the various communities as well. Thus constituted, the Councils may be consulted by the District Officer in questions relating to sanitation, education, police arrangements, plague measures and other matters concerning the general administration of the district.

I am strongly opposed to the grant in this province of powers to the District Boards of supervision over the smaller municipalities.

The time has arrived when a system of village panchayats may be introduced for the regulation and administration of purely village affairs. But the experiment needs considerable caution and will have to be closely watched. The members of the panchayat should be *nominated* by the responsible officer from amongst the various communities inhabiting the village, and all the local interests should be properly represented. Thus constituted, the panchayat may be invested with power of disposal of local affairs relating to the collection and distribution of village dues and cesses, police, sanitation and education, &c. Morover, in view of the fact that petty civil suits, as at present fought out in courts, involve an amount of trouble and expenditure out of all proportion to their value, and that existing system is one of the causes of the indebtedness which prevails amongst the lower strata of the agricultural classes, village panchayats should be invested with power to decide all simple money claims not exceeding Rs. 50 in value, and their decisions should be considered final. As things stand at present, I am not at all in favour of investing the village panchayats with any criminal jurisdiction whatsoever.

As representative of the Muslim League, I would invite attention to one of the main grievances of the Musalmans of India relating to the conditions at present prevailing in the various departments of British Indian administration. The Muhammadan

community is not in possession of that share of appointments in the British Indian Service to which it is by reason of its numerical strength and political importance fairly entitled. Even in those provinces where Muhammadans constitute the majority of the population, the greater number of appointments are held by non-Muslim communities. From the highest to the lowest posts in the Judicial Department, in all the grades of the executive branch of the administration, in the Police, Railway, Irrigation, Educational, Postal and other Departments of Government Service, and even on the clerical staff of these departments, the Muhammadan community is so poorly represented, and the situation thus created is full of such grave complications and difficulties, that the sooner the necessary steps are taken to make an equitable adjustment in this respect the better it will be both for the Government and the country. Not only does the existing condition of affairs, in which one of the largest and the most influential minorities in the country has practically gone to the wall, so far as a share in the official administration of the affairs of the country is concerned, constitute a grave political problem, requiring an early solution and settlement, but the practical exclusion of Muhammadans from some departments, and their deprivation of a due share of appointments in others, is detrimental to the smooth and satisfactory working of the administrative machinery itself. This is one of the causes of the higher authorities being burdened with more work than need fall on their shoulders, for the want of proper representation of various important interests in the departments of Government Service must often give rise to complaints, complications and unsatisfactory situations which the higher authorities have to enquire into. On administrative as well as political grounds, therefore, it is absolutely essential that this most unsatisfactory state of things should be put an end to, and the Muhammadan community be awarded a share in the British Indian Services proportionate to its numerical strength and political importance.

40613. At present the Financial Commissioner is the Court of Wards. Do you approve of that or not?—Under the old law as it existed before Act II of 1903, the Deputy Commissioner was the Court of Wards subject to the control of the Commissioner and the Financial Commissioner. I would propose that it should be half-and-half, and would make the Commissioner the Court of Wards for each division.

40614. And allow him to delegate large powers to the Deputy Commissioner?—Yes.

40615. Have you personally any knowledge of the working of the Court of Wards?—I have appeared as counsel on behalf of the Court of Wards in some cases, and I have appeared as counsel against the Court of Wards in others.

40616. Have you gained thereby any knowledge of the working of the Court of Wards?—I have a little.

40617. Is the institution generally popular in the country?—Certainly.

40618. Are the efforts of Government to save important estates appreciated?—Certainly.

40619. Should the Commissioner have the initial power?—I think so.

40620. And should all the details of management be entrusted to the Deputy Commissioner?—Yes.

40621. You have nothing to do personally with the municipality?—No.

40622. As a citizen and a rate-payer, are you satisfied with the management of the municipality?—I am afraid I am not. The defects are mostly centred in the *personnel* of the members of the Municipal Committee.

40623. Do you mean that the right people are not elected?—Yes.

40624. Are the right people nominated?—Sometimes, not always.

40625. With regard to nominated members, what is your objection to the nominations?—Sometimes nominations are made purely with reference to the social position of the person without sufficient regard to his personal qualifications, but in other cases the nominations are perfectly good.

40626. Still even those people who are selected for their social position are men who command a certain amount of respect?—No doubt.

40627. What class do the elected members generally come from?—More than one-half of them are almost illiterate.

40628. How do they manage to get into the municipality?—All sorts of trickeries go on in election times in order to win votes; the voters do not realise their responsibility, and in consequence these people succeed in getting seats.

40629. What remedy would you suggest?—There ought to be, so far as the members of municipalities are concerned, some educational qualification laid down for the elected members.

40630. Then if a man honestly wanted to vote for a candidate who did not come up to your standard, would you say, "I cannot allow you to return this man because I do not think he is fit"?—Of course there are towns which are not so advanced as Lahore, but even in those towns it would be advisable to get educated members on municipalities, because they would understand their responsibilities better and discharge the functions attached to their office better; but in a town advanced like Lahore, where people are educated, an educational test would be useful.

40631. Have municipalities enough power?—I think so; I would not increase their power at all.

40632. (*Mr. Meyer.*) You refer to a system of class election which has already been introduced into Lahore and other places—how has that worked?—Very satisfactorily.

40633. How long has that system been in force?—In some places it has been in force 12 years, and so far back as 1892 it has been in existence in Lahore. In Ambala it has been in existence four years and more.

40634. Do the people like it in Lahore?—Yes.

40635. Nevertheless, it does not prevent them from electing what you consider unsatisfactory people?—That is a different matter. From the point of view of the educated portion of the community I have reason to be dissatisfied with the class of men, but the communities are satisfied with their own respective representatives.

40636. Are any members of the District Board elected?—So far as I am aware, not now. I believe some years ago there were about one-half of the members elected, but I have not seen any election for the District Board for years past.

40637. Is it actually necessary that the Local Government should sanction every case in which property is taken up by the Court of Wards?—No.

40638. But is that done now-a-days?—Yes. There are two sections; section 6, empowering the Financial Commissioner on his own authority to take charge of the property of wards in certain cases, and in all other cases the matter must go to the Government of India. Section 6 relates to minors and lunatics, and the Financial Commissioner has the power on his own authority to take charge of the property of those people.

40639. And the other cases mean embarrassed estates?—Yes.

40640. I understand you are opposed to the curtailment of any right of appeal for Government servants as well as everybody else?—I am.

40641. Are you aware that in other provinces a man who is drawing less than Rs. 50 has not a second appeal beyond the Head of the Department?—I was not aware of that personally; but in spite of that I should say, in the Punjab, the right of appeal should not be curtailed.

40642. Are the people in the Punjab specially contentious and very fond of appealing?—I cannot say they are very fond of appealing, but they like to fight things out so far as safeguarding their interests and rights is concerned.

40643. Do you know much about the system of district administration?—I have been at the Bar now very nearly sixteen years, and I think I know something about district administration generally.

40644. Are you in favour of an extension of the sub-divisional system?—I should say in those districts

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where there are more than three *tahsils* there would be no harm in introducing a sub-divisional system, but in districts where there are three or a less number of *tahsils* there is not the slightest necessity for it at all.

40645. Do you mean that with a district of three or less *tahsils* is small, and that the people can go to headquarters?—Yes.

40646. Is it necessary for a Deputy Commissioner, as District Magistrate, to hear all criminal appeals?—In the majority of districts that is the case, but in some districts where the work is very heavy appellate powers have been given to additional District Magistrates to hear appeals from orders of Magistrates of the second classs.

40647. In Bombay and Madras, for instance, the Sub-Divisional Magistrate has appellate powers; would you be in favour of that here?—I should say that if care was taken in the selection of Sub-Divisional Magistrates there would be no harm in giving them power to hear appeals against orders of tahsildars and naib-tahsildars.

40648. Have you had much experience of village life, and can you say how factions would militate against your panchayat proposals?—My own idea is that factions prevail much less in villages than in towns, and I think in the villages the panchayat system would work smoothly on the whole.

40649. You say that they might deal with civil suits below Rs. 50. Would you allow *vakils* to appear before them?—No.

40650. Would you allow appeals against their decisions?—No.

40651. Might they have power to deal with petty criminal cases?—No; my experience is that it would be dangerous to invest them with criminal powers in the Punjab.

40652. But are not some of the criminal charges of a very petty nature?—That is so, but there is no tyranny like the petty tyranny of a *lambardar* in a village, and if you were to invest them with criminal powers it would be only the *lambardar* and his nominees who would get into the panchayats, which would probably bring about a state of things which would be hardly satisfactory.

40653. You speak of the grievance of your community with regard to Government appointments, but do you not get a fair share in this province?—Certainly not. The Muhammadan population is 53·3 per cent. of the total population, and the share of appointments which have fallen to the Muhammadans is very much less than that proportion.

40654. (*Sir Steyning Edgerley.*) Does your evidence contain your own views or does it contain the views which you are instructed to put before us by the Muslim League?—I think you will find that it contains the views of the majority of the school to which I belong.

40655. Has it been actually before them?—Yes, and some of the views embodied in it were discussed at the League meeting held on the 18th and 19th March last at Aligarh.

40656. Can you tell us which those matters were?—All matters relating to the claims of the Muhammadan community, the question of representation on Legislative Councils and in the departments of the Service, and so on.

40657. Suppose Government take up an estate which they cannot clear and have to relinquish it, have you ever heard any complaints against the Government for having failed to clear it?—No; and I actually know of two instances which did happen at Multan, but I have not heard any complaints against Government; in these cases the estates were so heavily encumbered that the Government could not do anything with them.

40658. And it was recognised by public opinion that they were practically hopeless?—I think so.

40659. Would you say in such circumstances that the failure on the part of the Government became a matter of obloquy.—No.

40660. (*Mr. Dutt.*) You say, "In the Punjab the system of communal representation has been introduced into Lahore, Ambala, Hoshiarpur and in certain other towns, and is working most satisfactorily." Was that by any Act of legislation or by an executive order?—By rules framed under the Act.

40661. At present you say in Lahore the representation on the municipality is on this communal system. What is the proportion of the Muhammadan population in Lahore?—I think it is just a little over one-half; it is about equal.

40662. And do the rules lay down that one-half of the members shall be Mussalmans?—Yes.

40663. Are the elections held separately?—Yes; and the proportion is eight Muhammadans, eight Hindus and four Christians.

40664. Those are the elected members, and then the Government have power to nominate the other members?—Yes.

40665. Does a similar system prevail in other districts under the rules?—Yes.

40666. Do you lay it down as a maxim that the number of appointments held under the Government should always be in proportion to the population?—Yes; as far as possible.

40667. Does that relate to high appointments or to all classes of appointments?—To all classes of appointments.

40668. Where you find a particular sect or community, like the Parsis for instance, holding a larger number of appointments than would be justified by their proportion to the total population, would you gradually reduce that proportion?—Yes; if competent men from the other communities were forthcoming.

40669. You would make no allowance then for a higher standard of education or a lower standard of education in a community?—Of course a certain allowance has to be made, but there is a limit to that allowance, and there are other considerations which have to be kept in view.

40670. Is it your opinion that appointments should be according to the extent of the population, modified by the extent of education?—Yes.

40671. You are in favour of the establishment of Advisory Councils for every district. What is your reason?—I think the Deputy Commissioner would then be in a position to consult the leaders of the Indian communities, and in that manner would get to know the feelings and opinions of the people with reference to any measure that was in contemplation, and, on the other hand, in reference to any measure that was in contemplation if there was any misunderstanding as to the motives and intentions of the Government, the Advisory Council would be a very effective medium for dispelling it.

40672. And if any section of the people had any representation to make, would you allow them to make it in a meeting of the Council?—Yes; I have pointed out that the Council should be merely advisory, and that the opinions of its members would not be binding on the Collector, but still I think they ought to have a chance of expressing their opinions.

40673. With regard to village panchayats, you have said that you would give them some civil powers, but no criminal powers at present; would you also allow them to manage the village schools, and generally to look after their own villages?—Yes.

40674. Would you have one panchayat in every village, or would you group a number of villages together?—I think every large village of sufficient size should have a panchayat of its own, but in the case of small villages I would group several of them together.

40675. And you do not think the different factions would prevent the success of such an experiment?—No; I am hopeful that the experiment will ultimately prove successful.

(*The witness withdrew.*)

Adjourned.

SIXTY-NINTH DAY.

LAHORE, *Wednesday, the 15th April*, 1908.

PRESENT :

Sir FREDERIC LELY, K.C.I.E., C.S.I., *Presiding*.

Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Diwan NARENDRA NATH, M.A., was called and examined.

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40676. (*Sir Frederic Lely.*) You are a Deputy Commissioner?—Yes, I am a Statutory Civilian. I have had twenty years' service. I began as Assistant Commissioner; my experience as a Deputy Commissioner begins from 1895. Before that I was an Assistant Commissioner or a District Judge.

Rules framed under Acts having special application to the Punjab, such as the (1) Land Revenue Act, (2) Tenancy Act, (3) Municipal Act, (4) District Boards Act, (5) Punjab Laws Act, (6) Punjab Courts Act, need not require the sanction of Government of India.

Certain administrative actions done under these Acts, now requiring the sanction of the Government of India, need not be subjected to that sanction. I would suggest changes in the following :—(1) Section 49 of the Land Revenue Act: (2) section 39 (*c*) of the Punjab Laws Act: (3) sections 51 and 55 (I-(*b*)) of the District Boards Act; (4) section 182 (1) of the Municipal Act. I think that a special amending legislation to effect decentralization may be passed, incorporating all these changes. References to the Government of India under sections 2, 15, 17, 18 and 31 of the Criminal Tribes Act also appear to me to be unnecessary.

Appeals both in administrative and personal questions are not numerous, and I would not curtail the right. I cannot think of any case in which such right of appeal has been abused.

In addition to sums to be placed at the disposal of Commissioners and of some Deputy Commissioners for entertaining Indian gentlemen, I would place some funds at the disposal of Commissioners, out of which they may be authorized to grant rewards for good work done by officials or non-officials. The sum at present allotted to each Deputy Commissioner for rewards in connection with good work done for police may be increased, and may be made to cover work in other departments too.

The influence of the Commissioners in Departments other than Land Revenue is very weak, and adequate weight is not given to their views.

Executive Officers have sufficient opportunities for personal contact, and many of them have a very good knowledge of the people and of the vernaculars. No royal road can be suggested for acquiring acquaintance with the people. All depends on the personal idiosyncracies of the officer. I would, however, suggest the grant of sumptuary allowances to Commissioners and the Deputy Commissioners of some important towns, which they may be required to spend in entertaining the notables of their respective jurisdictions, not merely in *darbars*, but in *conversaziones*.

The clerical and the menial staff needs to be strengthened everywhere.

Commissionerships are already given by selection and not by seniority. I do not suggest such extensive delegation of authority to Collectors as would necessitate any marked deviations from the existing mode of appointing them.

As regards the functions of municipalities and District Boards, I am unable to propose any material changes, but the suggestions about treating district funds as Excluded Local Funds, and not making it obligatory on District Boards to spend all their balances on plague and famine, will make these bodies independent to some extent.

As regards Municipal Committees, if it were possible to relieve them of the contributions for the police, executive interference would be lessened. The election by unanimous vote of the President should not require the sanction of the Commissioner or Local Government. In the case of second-class municipalities, this validity may be given even to election by an overwhelming majority.

At headquarters of divisions, and in important districts, Advisory Councils may be appointed, by nomination, with the object of associating in the work of Government men who do not care to be appointed *zaildars*, members of the Municipal Committee, or District Board. I would use these Councils for the purpose of disseminating amongst the people correct information about administrative questions. I would also ascertain through them the views of the people on matters relating to administration.

In selected villages where competent men are forthcoming I would have panchayats—(1) for the disposal of the petty civil cases, the decision of the panchayats not being final; (*ii*) for village sanction, and (*iii*) for the supervision of bad characters, giving information to the police about their movements, now very inadequately done by *lambardars*, and for exercising proper control over the village watch and ward. In matters (*ii*) and (*iii*) I would empower these panchayats to impose petty fines, which may go to a fund to be utilized on objects mentioned under (*ii*). I would also empower the panchayats to look after religious or other charitable institutions to which *muafis* and *jagirs* are attached. The entrusting of the disposal of petty civil cases must be tried only as experiment. The panchayat system has been worked to advantage in some Native States.

I consider all schemes for decentralization to be incomplete if steps are not taken to bring into greater relief the benevolent character of the absolute systems of Government that must prevail in India. I advocate the grant of enhanced powers to the head of the Local Government in the way of granting life *jagirs* and of land in proprietary rights on the perennial canals. But inasmuch as Crown lands are limited and larger powers of grant proposed in respect of them would soon exhaust them, I would set apart areas in districts irrigated by canals for the purpose of grants for a fixed term varying from 20 to 10 years, and bringing to the grantee an annual income of Rs. 4,000 to Rs. 5,000. I would give these lands to deserving men who have rendered useful honorary work. The first grantee who reclaims the waste may be given a lease for the maximum period, and the subsequent grantee a lease for a shorter time. The lands to be lightly assessed and a sufficient supply of water to be maintained for them.

40677. As Deputy Commissioner how many Assistants have you?—I have at present, including the District Judge or Extra Judicial Assistant Commissioner, four. The number varies with the districts. It depends on the amount of work.

40678. But take your own district that you have at present?—I have a District Judge, a Treasury Officer, a Revenue Assistant, and an officer for purely judicial work.

40679. Is the District Judge your subordinate?—As a Magistrate he is.

40680. What is the Revenue Assistant?—He is a general assistant for revenue work.

40681. Is your district divided into *tahsils*?—Yes. There are three *tahsils* in the whole district.

40682. Is there an officer in charge of each *tahsil*?—No; there is no one over the tahsildar, not at the

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tahsil headquarters, but we have thanas; they generally go according to the *tahsil*; there is no officer, even at headquarters, in charge of the *tahsil*.

40683. Do all these four assistants of yours live at headquarters?—Yes.

40684. Is their work allotted to them territorially or by the subjects?—By subjects.

40685. What would be the average area of each *tahsil*?—I cannot give you that; the area of the district is about 1,800 square miles. They are nearly of equal size; 600 square miles perhaps for each *tahsil*, you may say.

40686. Is the 1st class magisterial work of the district done by the District Judge?—Yes, with the Extra-Assistant Commissioners.

40687. Including the Treasury Officer?—Yes, and they also do civil work.

40688. Do they take up the cases that you allot to them, or does each man take up the cases for a special area?—So far as the criminal work is concerned, thanas are assigned to each Magistrate. If I am at headquarters I send the cases over; if I am not at headquarters they take them themselves.

40689. Then there is no need for you to take any action at all in the matter, is there, even if you are at headquarters?—At times there is. For instance, there are certain cases that must be put before me. According to executive orders given by me and my predecessors all cases against previous convicts and all cases against *lambardars* or village officials must come before me, and I must decide to whom they are to go.

40690. That is so far as regards the criminal work. Then does the Revenue Assistant take all the revenue work?—He does the whole of the revenue work.

40691. It is not the case here, as in some parts of India, that each assistant is responsible for a certain area and exercises in it powers similar to those of the Collector?—No, that is not the case in the Punjab.

40692. Would it not be a good thing to make each man responsible for a certain area?—I do not think so.

40693. Would it not stimulate him to better work?—I do not see how it would; it would be dividing responsibility unnecessarily.

40694. Do you recognize any duty regarding primary schools?—Yes; I visit them.

40695. Do any of your assistants visit them?—The tahsildars do and the Revenue Assistant does; the others do not go out in camp.

40696. The only man who is concerned with the general administration of the district besides yourself is your Revenue Assistant?—That is so, except that he has nothing to do with the District Board or the municipalities. I myself deal with them.

40697. What is the population of your district?—About 7 lakhs.

40698. Are you able to keep a hand on the whole of a district of that size?—Quite, and even a bigger size.

40699. For how many months in the year is the Revenue Assistant expected to travel?—Under recent orders he is supposed to travel seven months in the year. In some districts where civil work is very heavy the District Judge is not given any criminal work, and therefore he is a Magistrate only nominally; he does not do any criminal work; but in his executive capacity he is subordinate to the Deputy Commissioner. The Deputy Commissioner may call upon him to do any administrative work of importance.

40700. Who hears appeals from his magisterial decisions?—The Sessions Judge; he is a 1st class Magistrate.

40701. Is the District Judge distinct from the Sessions Judge?—Yes. The District Judge means what the Subordinate Judge means in the United Provinces, and in what are called the Regulation Provinces.

40702. Has the Sessions Judge jurisdiction over more than one district?—Yes; generally over two or, at times, one. The District Judge is the Court of Special Original Jurisdiction. Besides that, he has also the executive control of the Judicial Department. He is different from what is generally known as a Subordinate Judge in the Regulation Provinces, in that he has control for one thing over the judicial *amla*, the judicial staff, the *muharrirs*, the clerk of Court, the *nazir*, the *naib nazir* and men of that sort. I believe that Subordinate Judges in the Regulation Provinces have not got certain powers under certain Acts which belong to the principal Court of Original Jurisdiction; for instance, under Regulation XVII, and things of that sort.

40703. As I understand, the District Judge is judicially subordinate to the Sessions Judge, and in his executive capacity he is subordinate to you?—Yes.

40704. Have you many forests in your districts?—I have a few.

40705. Are you directly responsible for the management of the forests?—For the management of three or four of them. The rest are under the Forest Department; and those under the Forest Department are also indirectly under me.

40706. What is your relation to the Forest Officer; is he your subordinate in any sense?—In this sense, that all the annual leases of forest produce are conducted under my supervision.

40707. For instance, have you a potent word as to the terms on which grazing is given to the people?—Yes.

40708. Have you enough control over the forests?—I do not think I have enough control. Where the technical points come in I have to accept the advice of the district forest officer, but where the requirements of the agriculturists and the zamindars are concerned my voice is heard.

40709. Have you full control in all matters relating to the people?—Yes, unless they clash with technical matters. Then of course I have nothing to say.

40710. The case does not go on to the Commissioner?—No.

40711. Do you mean that in case of a difference of opinion the forest officer's opinion prevails?—I should think it would, where he has certain technical objections to raise. No conflict has arisen, and I imagine that even a Commissioner would not interfere in matters in which the forest officer gave his opinion as an expert.

40712. But a question might arise affecting the interests of the people and the forest officer might have technical objections to them—sound objections so far as they go—but still it does not follow that those objections should not be overruled in the interests of the people.

40713. Who decides whether they should be overruled or not?—No such conflict has arisen within my experience, but I should think the matter would have to be referred to Government.

40714. (*Mr. Dutt.*) You have told us that your Revenue Assistant does all the revenue cases, and that your other Assistants do both civil and criminal cases. So far as their civil work is concerned are they under you or under the Judge?—They are under the Judge.

40715. (*Mr. Meyer.*) Do you mean under the Divisional Judge *quâ* Civil Judge?—They are under the District Judge in certain matters, and they are under the Divisional Judge in certain other matters. There are some cases in which the appeals would go to the District Judge, and there are other cases in which appeals would go to the Divisional Judge. The power to transfer cases from one Court to another vests in the District Judge primarily.

40716. (*Mr. Dutt.*) The District Judge himself, so far as the civil cases are concerned, is under the Sessions Judge?—Yes.

40717. Is there one Sessions Judge in one Commissioner's division?—No, there may be more.

40718. There is not a Sessions Judge in each district?—No.

40719. Does this arrangement work well?—I think it does.

40720. There is no friction because your Assistants are partly your Assistants and partly Assistants of the Civil Judge?—I have had no experience of any conflict; of course it all depends upon the officers; if they want to smoothe matters and work harmoniously, they can do so under the most difficult circumstances.

40721. Is not this arrangement rather difficult?—In some districts disputes have arisen about civil work.

For instance, about ten years ago the Divisional Judges were anxious to give civil work to Revenue Assistants, and the Revenue Officers wanted to save them from civil work; the matter had to go up to Government, and they decided that the Revenue Assistants should not do civil work. If a Sessions Judge insists, I have to refer him to those orders of Government.

40722. You have told us that rules framed under certain Acts should not require the sanction of the Government of India, and in those Acts you include the Land Revenue Act, the Tenancy Act, the Municipal Act and the Districts Boards Act. Are not the rules framed under the Land Revenue Act very important?—They are.

40723. And the rules framed under the Tenancy Act are very important; they affect the welfare of large classes of the agricultural pepulation?—Yes.

40724. Therefore is there not some reason for requiring the sanction of the Government of India?—No; the sanction is a purely formal business, and the matter is purely provincial.

40725. But suppose the provincial Government take certain views with regard to the relations of the tenants with their landlords which might not be in keeping with the general policy pursued in the Empire. Ought not the Government of India to have something to say in that matter?—I do not thiak so.

40726. Similarly with regard to the Municipal Act and the District Boards Act?—No; even those are purely local matters.

40727. Do you sometimes find in provincial Governments an inclination, or a tendency, to minimize the actual powers of these local bodies; take the power of the District Boards as regards education or Public Works?—The policy of the Local Government for a long time has been sympathetic. I entered the service in 1888, and all this legislation dates from a few years before. In the last 20 years I do not think the attitude of the Local Government towards local self-government has been other than sympathetic.

40728. Take the question of primary education, which has been delegated to the District Boards; do you find that there is a tendency in the Local Government to give the Education Department a large degree of control over the primary schools?—That tendency is noticeable, but it is not due to any want of sympathy. There is specialization in every department, and, just as Excise or Land Records and Agriculture and all these Departments are being specialized, in the same way the Education Department is being specialized. That tendency towards specialization is, I believe, encouraged by the Imperial Government rather than by the Local Government.

40729. If the Imperial Government think that primary education should be more directly in the hands of the District Board, should they not have a voice in revising the rules framed under the District Boards Act by the provincial Government?—When the Imperial Goverment say that more voice should be given to local bodies in matters of primary education, the Local Government will revise the rules in that light.

40730. You think that general instructions from the Imperial Government will be quite enough, and that the rules need not be sent to them for revision or alterations?—I think so.

40731. You say "Special amending legislation affecting decentralization may be passed incorporating all these changes." Is it your idea that when some legal powers have to be delegated by the Local Government to subordinate officers that delegation should take place by amending Acts, and not by Gazette notifications under a general Act of delegation?—My idea was that instead of amending all these Acts it would be better to pass one Act. Probably notification will not serve the purpose; it seems to me that mere notification will not do, because these are amendments of sections themselves.

40732. You think that, when certain powers which are vested in the Local Government have to be delegated to Commissioners or Collectors or subordinate officers, that delegation ought to take place by amending Acts or by an amending Act, the powers being shown in a schedule?—Yes. There may be certain delegations of authority which may need only notification or perhaps mere executive orders; but so far as these matters are concerned, I think the Act would have to be remodelled, and instead of remodelling all the various Acts, it would be better to pass one Act embodying all the amendments required.

40733. Are tahsildars and Extra-Assistant Commissioners generally taken now from the Ministerial Service, or are they appointed direct upon their educational qualifications?—In both ways.

40734. Are the majority taken from the Ministerial Service or appointed direct?—I think you may say half and half; I am speaking of Extra-Assistant Commissioners.

40735. Do you find any difference so far as integrity and honesty are concerned between the men who are selected from the Ministerial Service and those who are appointed direct?—Those men who have come in by competition are distinctly superior in integrity, honesty and ability in every way.

40736. So you are in favour of that system?—Certainly.

40737. In order to raise the standard of that Service, would you like more men to be appointed in that way?—Yes, but I would not discourage men who have rendered long and meritorious service in the lower ranks; I would not keep them off altogether from promotion; the present proportion, half and half, is a very fair one.

40738. (*Mr. Hichens.*) How many municipalities are there in your district?—Four.

40739. Are you Chairman of them all?—No; I am Chairman only of the one at headquarters.

40740. Who are Chairmen of the others?—Non-officials.

40741. Is that usual in the province?—It is generally the case with regard to outlying municipalities.

40742. Do you find any difficulty in getting men to take up the post of Chairman?—They are very anxious to get the post; they consider it a great honour. Those that are on the municipalities are doing the work fairly well, but there are not a large number of competent men to draw from.

40473. Speaking generally, do they do the work satisfactorily?—Fairly satisfactorily. They do the work better than an official would do who does not live there and has to go to outlying stations in order to hold meetings; whenever that arrangement is resorted to, it is worse. It is better to have a man on the spot responsible for the Committee and President of the Committee; he does the work better than an official would do who has to go once in three months to hold meetings.

40744. Is there any objection to extending that principle to headquarters?—If you find good men, I do not see any objection.

40745. Are you not more likely to find good men at the headquarters town than in the outlying districts?—Yes, there is a greater probability, but at the same time you want a more competent and a more influential man to control the municipality at headquarters than to control outlying municipalities.

40746. What roughly is the population of the headquarters municipality?—19,000.

40747. Their income would be roughly what?—Including house-tax, which was specially imposed to meet a drainage scheme, it is about Rs. 30,000.

40748. Is much of that ear-marked for special purposes by order of the Government?—No.

40749. You have a free hand in the distribution of it?—Quite free; Government has not tied us down to any special expenditure. Of course, we have to make our contributions to the police.

40750. What does that amount to?—About Rs. 4,000.

40751. (*Sir Steyning Edgerley.*) Has that not been abolished?—I have heard that it is going to be abolished; it is on the *tapis*, but it is not done yet.

40752. (*Mr. Hichens.*) Then the Government do not compel you to spend a certain proportion of your income on primary education?—They do; a minimum percentage is fixed for education and medical.

40753. So that you are not altogether free?—Not in that way; subject to those limitations we are.

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40754. Is it desirable that a municipality should be free to spend their own money as they please?—No; it is better to lay down rules for general guidance in that way. Possibly a municipality may spend too much money on, say, increase of establishment,—keeping up more establishment than is necessary, or giving more salaries to its officials than is necessary, or things of that sort. It is always good for a Local Government to lay down certain general principles of guidance.

40755. Is the percentage uniform for all the towns?—Yes.

40756. Would you allow the Government of India to lay down similar principles in regard to provincial Governments for the same reason?—There is not the same necessity; the Local Government is less likely to go wrong; there is not the same necessity as there is in the case of municipalities.

40757. On the other hand, the money in the case of the municipality is perhaps even more clearly local?—Yes; it is their own money.

40758. But you think it is not desirable to allow them to spend it as they like?—Not without some guiding principle.

40759. Does the same principle apply to the District Board, that a considerable percentage is deducted for various purposes?—Yes, but the money for primary education is spent by the District Board itself.

40760. What are the proportions?—Medical is $18\frac{3}{4}$, education $12\frac{1}{2}$, that is with regard to the District Board; I believe it is the same proportion with regard to municipalities.

40761. Is there any fixed percentage ear-marked for anything else?—No, except when special grants are made.

40762. Does the Government deduct 20 per cent. of the income of the Board for services rendered out of the local rates?—I think it does.

40763. So that at least 40 per cent. of the District Board is ear-marked?—Yes.

40764. Is that sound?—I do not see any unsoundness in it.

40765. What is the 20 per cent. that goes to tne Goverment for?—I believe this is for the help given by the officers of the Imperial Government. For instance, there is the Civil Surgeon, the Deputy Commissioner, the Public Works Officer, and so on; they all give help to the District Board, and it seems to be only fair that the Imperial Government should be re-imbursed for that. The Deputy Commissioner gets his pay from the Imperial Government, and he gives his services to the local body; either he gives his advice, or he personally presides over the meetings and guides the whole show. Then there is the Civil Surgeon who guides the Medical Department, and there are the Public Works Officers. It is only fair that the Imperial Government should get a proportion from all the local bodies for that assistance.

40766. (*Mr. Meyer.*) You spoke of having a Treasury Officer; is he kept on treasury work always or can you change him?—I can change, but it is not desirable to change.

40767. In other places they have what they call a Treasury Deputy Collector and he is practically kept to treasury work; do you have that here?—That is the case here too. The Deputy Commissioner is authorised to change if he finds it necessary to do so in the interests of the work of the administration, but it is not desirable to change.

40768. Is the Treasury Officer generally an Extra-Assistant Commissioner?—Yes.

40769. Who takes the criminal appeals in the district?—From Second or Third Class Magistrates, I take them.

40770. Who represents you at headquarters when you are absent on tour?—If the District Judge is at headquarters, he represents me as senior officer; if he is not there, then the senior Extra-Assistant Commissioner.

40771. Suppose you had an Assistant Commissioner there?—If he was an experienced officer, not under training and had first class powers, I believe he would be considered the senior officer.

40772. But is it left to your discretion, when you leave the station, to say that *A*, *B*, *C*, or *D*, according to your choice, shall be your *locum tenens*?—There are no standing orders interfering with my discretion, but it is generally understood that the senior officer present ought to be the man to represent the Deputy Commissioner.

40773. How do you discriminate between, say, a junior Assistant Commissioner and a senior Extra Assistant Commissioner?—I have not had occasion, but if the senior Assistant Commissioner is a First Class Magistrate, and is not purely under training, I should consider him to be the senior officer.

40774. You speak of these officers doing civil work, but have you not got full-time District Munsifs?—Yes.

40775. Then is it necessary for your Extra-Assistant Commissioners to do civil work?—It is; as a matter of fact, under the standing orders of the Chief Court, land cases are generally taken up by the Extra-Assistant Commissioner.

40776. You mean land cases under the Civil Procedure Code, not under special Acts?—No.

40777. It is said that the existing staff are overburdened with work, and have not sufficient time to know the real needs of the district and to mix with the people. Could you not relieve the executive staff by disassociating them from civil suits and giving those over to full-time Judicial Officers?—I think I would.

40778. Do your tahsildars do civil work?—Yes; about 30 cases a month.

40779. Do the *naibs* do any civil work?—No. They do criminal work.

40780. What are they generally?—Third Class Magistrates.

40781. Is a *naib* generally at the *tahsil* headquarters or at some outlying station?—He is stationed at headquarters, but he goes out in camp.

40782. Does the tahsildar do the same?—Yes. In some districts the naib-tahsildar is stationed outside, but these are very few.

40783. As regards these specific sections of certain Acts which you refer to, section 49 of the Land Revenue Act, section 39 (*c*) of the Punjab Land Act, sections 51 and 55 of the District Boards Act, and section 182 of the Municipal Act, what, roughly, are they all about?—I do not remember without referring to the book.

40784. You spoke of the progress of specialization, and the necessity for different departments, but is it not desirable also that there should be some authority to co-ordinate all these departments, and see that they work for the common good and do not carry technical matters too far at the expense of the general administration?—There is that authority, and that authority is the Local Government.

40785. Would you go lower? It has been suggested by one very eminent authority that co-ordination should begin in a district with a Deputy Commissioner, and that all outside departments should be under his control?—I think the specialization of departments has gone too far to admit of that change.

40786. Would you go a step higher, and give the Commissioner general co-ordinating powers?—It might be given, but I am not very clear about it, for the reason that with regard to certain departments, the Commissioner has got to carry on only correspondence; he has not got officers present by him to advise him. For instance, taking land records; if centralization were to be effected with regard to the Commissioner, then who is the man on the spot to advise the Commissioner with regard to matters relating to land records? He has only to decide matters by correspondence, and that is why I am doubtful. It would necessitate having some one on the spot at headquarters who could advise him.

40787. You mean you would require a Divisional Land Record Officer ?—Yes.

40788. But apart from any such objection as that, would you be in favour of the Commissioner having the threads of administration in his hands ?—Yes ; that would be a better arrangement so far as I can see at present, it would be fair.

40789. You say the panchayat system has been worked to advantage in some of the Native States ; in which of them ?—The Patiala State.

40790. Have you any knowledge of the way in which it is worked in Patiala ?—I have no personal knowledge, but I have read a report by Major Popham Young on the subject.

40791. What powers have those panchayats got ?—They decide petty civil cases, and they decide land cases too, and their decisions are not final.

40792. Are they village panchayats or *zail* panchayats ?—I believe they are village panchayats.

40793. Would it be your idea to have village panchayats with petty local case-power, but subject to appeal to a higher authority ?—I would give an option to the parties of taking their cases before regular tribunals.

40794. If you gave that option, would the village panchayat be able to work ; would not all the parties want to go to the regular tribunal ?—The report as to the Patiala State shows that they do not all go, and I suggest that a similar experiment might be tried here. I am not quite sure what the result would be, but, judging from what that report says, it is an experiment worth a trial.

40795. Would you go further, and give the village panchayat power to look after village schools and local sanitation in the village, and possibly the police ?—Yes ; I am strongly in favour of giving them powers with regard to sanitation, but not with regard to schools, because I think village panchayats in all cases would not be competent enough to look after schools.

40796. Would they be competent enough to look after chaukidars ?—Yes.

40797. Would you allow *vakils* to appear in cases heard before the panchayats ?—No.

40798. (*Sir Steyning Edgerley.*) Have you full authority over the Police Superintendent ? — Yes, except in purely departmental matters.

40799. Is there any provision in the Police Act of the province giving you actual authority over the Police Superintendent ? — The Police Act says that the District Magistrate is the Head of the Police.

40800. So far as using the force goes, can you do fairly well as you like ?—Yes.

40801. But you do not touch the details ?—No.

40802. With regard to grants of land, is your suggestion that you should make a grant for life and then take the land away and give it to somebody else ?—I would give it for a certain number of years rather than for life.

40803. And then take it away or charge the full assessment ?—I would take it away.

40804. Would you compensate for improvements or anything of that sort ?—No ; my idea is that the first grantee who has to make any necessary improvements may be assessed very lightly, and that light assessment may compensate him for any improvements he makes. After that the assessment may be increased, but not up to the highest pitch.

40805. For what length of time would you make these grants ?—Twenty years.

40806. When the 20 years was at an end, would there not be a great deal of discontent at the eviction of the holder ?—There would be, but there is no other remedy ; the land is limited, and if the people are made to understand from the outset that the term is only for 20 years, they would gladly reconcile themselves to the idea.

40807. Has the pay of all your establishments been raised, making the minimum now Rs. 20 ?—Yes, of the clerical establishment.

40808. But the other district salaries to patwaris, and so on, are low ?—Yes.

40809. Is the pay sufficient for a patwari ?—I do not think it is sufficient.

40810. Ought they to have the benefit of the Rs. 20 minimum ?—I should think so.

40811. Would that be sufficient for their work ?—I think it would be, living as they do in villages.

40812. Has there been a great rise in prices in the Punjab in the last 20 years ?—Yes.

40813. So that pay is relatively lower than it was 20 years ago ?—Yes, it is.

40814. With regard to the Delegation Act, have you studied the question at all ?—I have said what I could say on the subject.

40815. You have not looked into the question of a general Delegation Act as against specific legislation ?—My idea was that to amend each and every Act would be inconvenient.

40816. But have you studied Act V of 1868 to see how it works ?—No, I have not.

40817. You say there are certain minima for expenditure laid down for the municipalities. As a rule do you spend more than those minima ?—We do spend more, but sometimes less ; for instance, at present our District Board is spending more on education. In the municipalities we spend sometimes less and sometimes more.

40818. Are you at liberty to spend less ?—Objection is raised if we spend less. The department has a right to demand expenditure up to the limit.

40819. But if you give a moderate explanation, does it pass ?—I suppose it would.

40820. Has it the kind of effect that the municipality gradually says : "This is the amount we have to spend ; we need not spend any more." Do the municipality take it as a maximum as well as a minimum ?—Yes, there is that tendency.

40821. And from that point of view, it may do harm ?—From that point of view it may, but there is the other point of view, that the other departments would suffer, and there would be greater harm in that way.

40822. The money which the municipalities spend is after all not raised by subscription, but by powers of taxation given by the provincial Government ?—Yes.

40823. And therefore you can only call it "their own" money in a very modified sense ?—Yes.

40824. It is really money raised under powers, for the giving of which the Local Government is responsible ?—Yes.

40825. What are your relations with the Executive Engineer ?—Certain estimates beyond a certain limit go to him for scrutiny.

40826. Have you any irrigation in your district ?—No.

40827. Have you a full-time Engineer in the district, or do you only share one ?—I only share.

40828. Can you send him orders ?—Yes ; I can send an estimate to him to check and report upon.

40829. But if you want a work done, can you say, "please take up this work at once," if the funds are there ? Does he do your local work ?—He helps me. With regard to provincial work, I cannot do that, because he finds the funds and the supervision ; of course I can always complain if anything is badly done. I cannot direct at all.

40830. Is that a very satisfactory position ?—I have not had any difficulty.

(*The witness withdrew.*)

Mr. M. W. FENTON was called and examined.

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40831. (*Sir Frederic Lely.*) You are a member of the Indian Civil Service?—Yes. I was Officiating Commissioner of the Multan division until a week ago; I am now in transit to Jullundur.

I would not give Local Governments borrowing powers, but they might be permitted to guarantee loans raised in the market by Municipal Committees and District Boards, if by such guarantee these bodies could secure a lower rate of interest than they would otherwise be compelled to pay.

Instead of providing, as so many Acts do,* that rules made by the Local Government must obtain the previous sanction of the Governor-General in Council, or that rules shall be made by or powers exercised by the Governor-General in Council which might advantageously be made or exercised by the Local Governments, it would be more convenient to have a section in the General Clauses Act, similar to sections 107 of the Punjab Tenancy Act and 156 of the Punjab Land Revenue Act, to the effect that the power to make rules is subject to the control of the Governor-General in Council, with an addendum to the same effect as regards the exercise of powers.

There is a very distinct tendency in the Secretariats, imperial and provincial, to snub reform suggestions emanating from below. A reform proposal has little chance of being adopted unless a Secretariat Officer or the Head of the Administration takes it up and makes it a child of his own. Provincial Governments are responsible for reforms in matters which they are empowered to dispose of. All other proposed innovations must be referred to the Imperial Secretariat. Whether it be the Provincial or the Imperial Government that gets the credit for the reform, it will often be found that the initiative is referable to a much more humble source. As to the second part of the question, provincial Governments are, as it is, allowed a very wide latitude in developing their administration on their own lines,—witness the Punjab Land Alienation Act, the Colonization Schemes, the Minor Canals Act, Punjab Customary Law, the Frontier Crimes Regulation, and the distinctive features of the Punjab Land Revenue and Tenancy Acts and rules. I do not think that there is much reason for complaint in this province of failure on the part of the Government of India to recognise the need for differential development where such need exists. It is only right that uniformity should be observed in matters which are not affected by local peculiarities, *e.g.*, the Criminal Procedure, Contract, Evidence, and other such Acts of general application. The Civil Account Code and Civil Service Regulations may also be cited. There is no demand for differential local development in matters relating to coinage, the post office and telegraphs. Where uniformity is possible there is a presumption that it is desirable.

Under the Punjab Laws Act, 1872, the Deputy Commissioner was the Court of Wards. We should revert to that arrangement which was in force and worked well for 31 years. The legislation which five years ago substituted the Financial Commissioner for the Deputy Commissioner as Court of Wards, was thrust upon the Local Government by the Government of India. If this reform be carried out, the principle will be that the Deputy Commissioner is empowered to do everything that is not covered by rules or orders limiting his powers.

I would give Commissioners and Collectors greater financial powers, (*a*) by making budget allotments for specified heads of expenditure and reserve budget grants for unforeseen contingencies; (*b*) by extending the present contract system and providing that grants shall not lapse at the end of the year; (*c*) by delegating powers of sanction under the Civil Service Regulations and Civil Account Code.

* *Vide* Section 50 A, Punjab Laws Act, 1872.
Section 77, Indian Forest Act, 1878.
Section 155 (3), Punjab Land Revenue Act, 1887.
Sections 77 and 79, Registration Act, 1877.
Section 26, Forest Act, 1877.
Section 11 (2) (*a*), District Boards Act, 1883.
Act XXXI of 1871 regarding weights and measures.
Section 39 (*e*), Police Act, 1871.
Section 10, Act XX of 1876.

The following classes of appeals to the Commissioner against the orders of Collectors should be disallowed: — Orders transferring officials; orders declining to promote officials; orders declining to appoint candidates or removing names from list of candidates; orders suspending *lambardars* for not more than six months; orders transferring, suspending or dismissing village chaukidars; orders dismissing *chaprassis* and other officials in inferior service; orders suspending for not more than three months officials whose pay does not exceed Rs. 20; and orders requiring the retirement of officials who have reached the age of 55.

The extent to which the Heads of Departments, such as Public Works, Education and Medical, are able to assert their departmental views depends upon the personal equation both as regards the Head of the Department and the Lieutenant-Governor. There have been a few exceptions, but on the whole I do no think Civil Officers have any reason to complain tha the departments are too strong for them. There are some standing orders that require revision. I have served under six Lieutenant-Governors, and I do not think that it can be said that the rule of any of them was impersonal. I can quite conceive that the rule of a Governor or Lieutenant-Governor "in Council" would be impersonal. The Local Government is not dominated by considerations of revenue. John Lawrence perhaps was, when he confiscated *jagirs* wholesale, but I doubt if any of his successors have followed in his footsteps. On the contrary, I can call to mind two instances in which the Government of India, rightly, in my opinion, had to call the Local Government to account for sacrificing revenue.

I have generally found that the officers of other departments, including the Heads of Departments, welcome criticism from the Commissioner and desire to enlist the sympathy and interest of Civil Officers in their work, provided that they have no reason to apprehend infringement of their departmental prerogatives. In the case of a difference of opinion it ought to be a rule that a Head of a Department shall not overrule a Commissioner without a reference to the Local Government. The Chief Engineers, the Director of Public Instruction, and the Inspector-General of Police also occupy the position of Secretaries or Under-Secretaries to Government, and the Head of the Medical Department has also direct access to the Lieutenant-Governor. A Commissioner is never quite sure whether overruling orders have emanated from the Lieutenant-Governor or from the Departmental Head. I have had occasion to address a letter to a Chief Engineer as Secretary appealing against his own orders to the Lieutenant-Governor. The position of the Legal Remembrancer is much too strong. I have sent up many cases in which an appeal against an acquittal was recommended by the District Magistrate and supported by myself not without careful consideration. But never in my experience has it happened that such a recommendation has been accepted. Invariably the reply is that the Legal Remembrancer does not recommend that an appeal be instituted, and when I have applied for a copy of the Legal Remembrancer's opinion in order to ascertain the principles followed in such cases, I have been told that his opinion is confidential. But there is one general indictment which most Civil Officers would be prepared to press against the departments, *viz.*, lack of sympathy with the people. When a Collector knows that a canal *zilladar* or patwari is notorious for bribery and extortion, or when, owing to faulty distribution of water, he sees the most promising crops withering before his eyes, he may call the attention of the Executive Engineer to the matter, but he cannot take any further action or ensure redress. The position of the Commissioner in this respect is no better than that of the Collector. The departmental officers are not, like Civil Officers, trained to investigate complaints, and depend too much on the reports of their subordinates. In a division like Multan, where the canal administration, if regard be had to the material welfare of the people, is more important than the civil administration, it is impossible for a Commissioner not to feel strongly about this matter.

It is the fashion to complain that the District Officer is tied to his desk and has no time to get into

touch with the people. I do not believe it. My experience was that the more work I had to do the more I was brought into contact with the people of the district. In trying criminal and revenue cases, in attending District Board and municipal meetings, in appointing *zaildars*, *inamdars*, and village headmen, in inspection work of all kind which necessitates visits to the interior of the district, in hearing petitions and inquiring into them, and in consulting local opinion whenever Government invites the District Officer to submit his views on some contemplated measure of reform—in all these incidents of the Deputy Commissioner's daily routine he is brought into direct contact with the people of his district under circumstances which lay bare to his view their motives and their actions, their difficulties and their aspirations. Report writing is generally blamed as imposing an undue tax on an officer's time. It *is* a tax if a report has to be written without materials, if bricks have to be made without straw. But it is now generally accepted that if an officer has nothing to say, he should say nothing. The officer who has something to say and knows his subject will feel a pleasure in saying it.

As to language, frequent transfers militate against picking up particular dialects, but the majority of Civil Officers inevitably acquire a good working knowledge of the vernacular.

Greater care is required in the selection of the higher Executive Officers, but any change of policy in this respect should be accompanied by the concession of salary rates equal to those enjoyed by the corresponding officers in the Regulation Provinces, more especially as in the Punjab the range of duties of Revenue Officers is wider, work is harder and expenses of living have increased in a greater ratio than elsewhere.

Owing to the increase in the strength of the Punjab Commission transfers are not so frequent as they used to be. I do not believe that there are any unnecessary transfers. The chief cause of transfers is the taking of leave. If officers could be induced to allow longer intervals to intervene between their leave absences, transfers would be reduced. The Lieutenant-Governor might be empowered to sanction special monthly allowances for each month after three years during which an officer serves on in his district without taking leave. These allowances might be confined to the less favoured districts.

The Punjab Municipal Act is about to be amended, and the question of granting further powers to local bodies will, I think, be adequately dealt with by the local Legislative Council. There are now, I believe, no Local Boards in the province.

The provisions of section 29 of the District Boards Act and articles 811 and 814 of the Civil Service Regulations applying the regulations to Service under Local Funds entail frequent references to Government to remove audit objections. The Commissioner should take the place of Government in such cases. The Commissioner should also have power to pass final orders on the claims of the departments to increase grants from the District Fund. Some schemes should be devised which will prevent the bankruptcy of District Funds by reason of the charges for famine and plague being thrown upon them.

I am *not* in favour of *standing* Advisory Councils. I am in favour of occasionally consulting bodies of individuals of particular classes in reference to matters affecting their own interests or in regard to which they possess a special knowledge. For instance, I have recently instructed the Deputy Commissioner of Jhang to consult a Council of the Muhammadan notables of his district in regard to a proposed scheme of marriage registration for Muhammadans. In the Jullundur district I assembled a Council of *Darbari* Jat *lambardars* to concert measures for the suppression of female infanticide, which is rife in their villages. The Ambala *jagirdars* assembled in Council would be able to give excellent advice in Court of Wards matters, or in regard to the much disputed question of commutation of *jagir* shares. In the Ferozepore district the Grey Canals are, I believe, managed in consultation with a Council of principal irrigators. In all such cases a standing Council consisting of pleaders or other educated Indians, *Sardars* and *Raises* and similar prominent men of the district would contain a majority of members without either knowledge of, or interest in, the subject under consideration. I give below a fairly exhaustive list of the subjects with which the administration of a Collector is concerned. I omit criminal and police matters, in regard to which no one would presumably suggest that the advice of a Council is necessary. I also omit the District Board and municipal branches of administration for which Councils have already been constituted by Law.

Assessment of Land Revenue.—Fluctuating assessments. Alluvion and diluvion.

Collection of Land Revenue.—Remissions and suspensions. Coercive processes. Continuance and resumption of revenue assignments.

Registration of titles.—Village records. Registration Act. Partition.

Tenancy Act.

Charge of Government property.—Leases of land. *Nazul* property. Forests and waste lands. Buildings (existing and new). Roads. Mines and quarries. Treasure trove. Government litigation. Treasury. Stamps.

Collector's office and establishments.—Appointment and control of establishments in all branches. Leave, pensions, travelling allowance, transfers, suspension and dismissal, promotion. Contingencies. Stores and stationery. Books and maps. Library. Record-room. Grant of copies. Tents.

Statistics.—Arrangements for collection. Reports and returns. Crop forecasts.

Rewards.—Jagirs and succession thereto. *Darbar* privileges. Pensions. Titles. Grants of lands. Other rewards.

Village officers and servants.—Zaildars, *inamdars*, *lambardars* and watchmen. Their appointment, control, suspension and dismissal.

Assistance to agriculturists.—Takavi. Agricultural Banks. Introduction of new staples and agricultural experiments.

Work done for Military Department.—Supplies and carriage for troops. Prices current. Verification of recruits. Compensation for damage by camps. Deserters. Correspondence.

Court of Wards.

Minor Canals Administration.

Excise and Opium.

Arms, Explosives and Petroleum Acts.

Land Alienation Act.

Plague and Famine.

Miscellaneous.—Land Acquisition. Factories. Budgets. Colonization. Transport Animals Registration. Trade. Execution of decrees of Civil Courts.

I am unable to name any of the above subjects upon which a standing Council could with advantage be consulted. Plague perhaps is an exception, but the District Board, the Municipal Committee and the *zaildars* would be the most useful advisers. I am entirely in favour of consulting individuals with special knowledge or special interests. This is generally done.

It would not be expedient to invest District Boards with powers of supervision and control over the smaller municipalities.

I am decidedly opposed to investing village communities with powers which would involve in ultimate resort the calling-in of the official to enforce criminal penalties or to carry out civil distress.

The most crying evil in our administrative system is the corrupt subordinate official. Whichever way we turn we are brought up face to face with him. The verdict of the Police Commission on his character and conduct is set forth in a passage of their report which deserves the study of everyone concerned with the problems of Indian administration. The Colonization Commission has been deluged with evidence of the misdeeds of the species which flourishes under the ægis of the Irrigation Department. His cousin in the Forest Department is well versed in the arts of blackmail. The railway goods clerk, when wagons are scarce, as is perennially the case in export districts, enjoys a position of wealth and affluence. We see these harpies and parasites growing rich, investing in lands and houses and wives, and spending on a marriage or betrothal ceremony more than a year's salary. Their reputation is notorious. And yet we can do nothing. The Penal Code is full of pains and penalties. They are no more efficacious than the moral precepts at the head of a copy-book. Inquiries and trials sometimes do take place. For days and days the time of public officials is taken up with the recording of evidence. As often as not justice is defeated. Bribe-giving witnesses fear to confess their own share

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in the corruption, and tremble for the vengeance of the accused should he escape. Clever and unscrupulous pleaders, stimulated by handsome fees which the profits of corruption can well afford, devote their abilities to the perversion of truth and the manufacture of falsehood. The standard of proof exacted by the highest Court in the province is exceptionally stringent. All these conditions combine to render the successful prosecution of these miscreants a task of such difficulty that overburdened officers may well be excused for shrinking from it, and for preferring to tolerate what they cannot prevent. But why should we have to submit to this evil? No mercantile firm would retain for a single day an employé whose acts and methods were bringing loss and discredit on the business. The Police Commission recommended that a power should be given to dismiss such black sheep on the evidence of general reputation for corruption. But the Government of India would have none of it. Theoretically it is right that a man should be presumed to be innocent until he is proved to be guilty. Let the theory by all means hold sway in the Criminal Courts, but do not extend its application so as to saddle ourselves with the odium of perpetuating corruption and extortion by retaining in our service the bribe-taker and the extortioner. Loss of pension need not evoke pity on behalf of one whose illicit accumulations suffice to compensate for many pensions. In doubtful cases retirement on a proportional or reduced pension would offer a reasonable solution. The difficulty of getting rid of the notoriously inefficient official who has not qualified for pension also formed the subject of a representation made by the Police Commission, but in this case the Government of India did not assume a wholly *non possumus* attitude. A promise was made that the matter would be considered. We await the redemption of that promise.

40832. You mention that the salary rates in the Punjab are not equal to those enjoyed by corresponding officers in the Regulation Provinces. What are the chief differences to which you refer?—There is only one officer in the United Provinces who is getting Rs. 1,500 a month, and the lowest grade is Rs. 1,800, whereas the lowest grade in the Punjab is Rs. 1,500.

40833. Are the majority of Deputy Commissioners only drawing Rs. 1,500?—There are three grades of Deputy Commissioners, first, second and third, and the largest number is in the third grade, that is to say, more than in either the second or first.

40834. Do not Deputy Commissioners get only Rs. 1,500 in Oudh?—I asked the Secretariat for a return, and they only showed one in the United Provinces who got Rs. 1,500. Our rate of Rs. 1,800 corresponds to their Rs. 1,833, and Commissioners here get Rs. 2,750 as compared with Rs. 2,916.

40835. Except the Financial Commissioner?—The Financial Commissioner is never called a Commissioner; he is not like a Settlement Commissioner; a Financial Commissioner is often spoken of as the Board of Revenue.

40836. What do your Assistant Commissioners get?—They get Rs. 500, Rs. 700 and Rs. 900.

40837. With reference to the Civil Service Regulations as applied to District Boards, would you advocate a special and simplified code for District Board purposes?—Yes, because the tendency of Audit Officers is to apply the Civil Service Regulations as far as possible, and again and again we have to go up to Government to get their sanction because of some action which seems to the Audit Officer to contravene the regulations.

40838. And the special provisions of the Government regulations are not necessary?—They are not. The Government has begun to delegate powers to the Commissioners to sanction for local bodies what, under the code, requires the sanction of Government in the case of Government officers.

40839. But would not the most complete and simple method of treating the difficulty be to frame a simple code for the guidance of District Boards?—Yes, I think so.

40840. You remark that the Commissioner should have power to pass final orders on the claims of departments to increased grants from the district funds, but is that not a right of the District Board itself?—The rule about percentages is this: certain percentages have been laid down as what are called enforceable minima; they are not enforced unless a dispute arises, and even then they are not always enforced, but they are regarded as a sort of counsel of perfection.

40841. You refer to the claims of departments to increased grants; if a department requires more money, would it not be fair to leave it to the District Board to determine whether it should get it or not?—The District Board almost invariably resists these claims of a department, and it becomes a question of a dispute between the District Board and the department; what I advocate is that instead of going to Government the Commissioner should decide.

40842. Would you not still further prefer to leave it to the Board; if their authority is to be anything more than a name, surely they should have the power to say whether they will give so much to education and so much to something else?—Yes, but it very often happens that a school goes to ruin for the sake of a grant, and a District Board does not altogether appreciate the claims of a department, and does not see the necessity probably for scientific teaching, and therefore refuses the money.

40843. If they do not see the necessity, is it not possible that the necessity does not exist, in so acute a form at any rate, as is supposed by the department?—There is an educational departmental code which is framed on recommendations made from time to time by a conference of experts which meets annually in Lahore—a provincial educational conference at which all educational interests are represented—and it is not merely the Local Government, it is the Local Government on the advice of this body which lays down these requirements, and if any particular requirement is in accordance with the views of this body and is embodied in the code, the assumption is that the expenditure should be incurred.

40844. It might be desirable from a departmental point of view, but would you not say that to impose all those rigid requirements on the Local Boards makes local self-government more or less a farce?—My sympathy in these cases is generally with the Local Boards.

40845. And you would be inclined to give Local Boards more say in the matter?—Certainly.

40846. You refer to fluctuating assessments, and the evil of the corrupt subordinate official; do you think that fluctuating assessments are to be recommended?—They are inevitable in the south-west of the Punjab.

40847. In spite of all that has been said about the incapability of the local official?—Yes, and if it was put to the people they would undoubtedly vote for i Of course, there are cases in which it is doubtful, ut in certain cases it is unavoidable.

40848. In the Punjab the Inspector-General of Police can deal with his own subordinates and in any case of doubt or necessity he can go straight up to Government himself?—Yes, he is Under-Secretary to Government.

40849. And so can the Chief Engineer?—Yes.

40850. And the Inspector-General of Civil Hospitals and the Director of Public Instruction?—Yes.

40851. But the Commissioner on the other hand if he takes any action has to run the gauntlet of the Financial Commissioner and the Chief Secretary?—The Financial Commissioner in revenue cases, but in regard to Local Board and District Board work he would not.

40852. Is there any reason for making that difference between Heads of other Departments and the Commissioner?—Except that the Commissioner of Lahore cannot be at headquarters, and I do not know that it has ever occurred that they should be summoned from time to time to consult the Lieutenant-Governor.

40853. Is there any reason for interposing between him and the Government two other steps, that is to say, the Financial Commissioner and the Chief Secretary?—The Financial Commissioner is necessary in order to co-ordinate revenue work, and if it all fell on the Lieutenant-Governor, the Secretariat would be overburdened.

40854. Is not the result of the present system that the Heads of Departments are enormously more powerful than the Commissioner?—It never occurred to me to make the comparison, and I do not think any Commissioners resent the interference of the Financial Commissioner; I believe they think it very salutary.

40855. You say a Commissioner is never quite sure whether overruling orders, that is, orders overruling his well considered opinion, emanate from the Lieutenant-Governor or from the Departmental Heads?—I am referring to Public Works, Education and other Departments—not to the Financial Commissioner.

40856. I am comparing the Commissioner with the Heads of those special Departments also?—It is always stated when orders are the orders of the Financial Commissioner, and there is no doubt about it.

40857. I am not at present dealing with the Financial Commissioner; I am comparing the Head of a special Department, as a power in the land, with the Commissioner. Is it not the fact that under the present system the Head of a Department has enormously greater power than the Commissioner?—We feel he has the last say in a matter, which counts for a great deal.

40858. Would you say that the action of a Departmental Head is directed more towards the success of his own narrow department, whereas the key-note of the action of a Commissioner is the general welfare and contentment of the people?—I would not accept that statement. The Heads of Departments are generally selected men, and they have a broader outlook than you suggest, namely, that they should consider only the good of their own department.

40859. But you must take the training of the two men. Is it not almost inevitable that a man who has been brought up, say, in the Police Department, and who has never been accustomed to view matters from any other point of view, must look at things from a narrower outlook than the man who has been trained generally in various departments?—Narrower, no doubt, but not necessarily what you call narrow in the abstract.

40860. Then you think that the system of giving the Heads of Departments enormously greater power is, on the whole, a sound system?—I would not call it enormously greater power; it is more a personal matter. If the Commissioner is overruled ultimately, in consequence of the Head of a Department having the final say, possibly the overruling is right, and he is at a slight disadvantage in the matter, that is all.

40861. As a general rule, would it not be better that a Commissioner should have views prevailing on questions of administration rather than on questions pertaining to departmental matters?—On the whole, I must say that I cannot complain of his powers. I have had to appeal against the order of a Chief Engineer to the Lieutenant-Governor, and I have addressed the Secretary to the Government in the Public Works Department, who was the Chief Engineer concerned, and in that case my appeal was accepted. I give that as an instance of the relations between the two capacities of the Departmental Head—the capacity of the Secretary to the Government and the capacity of the Chief Engineer.

40862. Generally do you prefer to run the Government by departments than through the Commissioner?—I consider that departments are necessary in the interests of efficiency.

40863. I am not arguing against the departments; I only suggest whether it is not possible that they have too great a predominance?—What I would like would be that the Commissioner should have the right to put his finger upon anything going on in any department and say, "I do not think this is in the interests of the people," that he should have a right either to call upon the Departmental Officer, whoever he may be, to report the matter with the Commissioner's view, or himself report it without being told to mind his own business.

40864. You would give him a say in every important point of administration?—I would give him a say in every important point of administration, but not a final say; I would give him a right to raise questions and to call attention to any abuses which he might see.

40865. And you do not see anything objectionable in a system which gives Departmental Heads direct access to Government, and excludes the Commissioner practically from all say in these matters?—It is a disadvantage, but it is almost inevitable that it should be so.

40866. But we find it nowhere else in India; we do not find that separate departments have direct access to the Government or at least only in isolated cases, such as Public Works for instance? The Police and the Education Departments have not direct access?—No; they all go up to Government through a Secretary who is supposed to take a more general view of things.

40867. (*Sir Steyning Edgerley.*) I understand that some recent orders have been issued relating to the powers of Commissioners and Deputy Commissioners with regard to the police. Do you know what they are?—Some 10 years ago the powers of Commissioners and Deputy Commissioners were greatly enlarged, but more recently they were restricted, and I do not think there is any difference in their position in this province as compared with other provinces; I do not recollect any specific orders lately.

40868. What are your actual powers as regards the police of a division?—The weekly diaries of every Superintendent come up to the Commissioner, and he may note upon them and call attention to any matter; they go up to the Inspector-General, who would naturally lay before the Lieutenant-Governor or the Chief Secretary any special question raised by the Commissioner. That is the way in which the Commissioner is kept acquainted with what is going on with regard to the police in each district, and it is for him to take the initiative if he wishes to call attention to any special matter.

40869. Is all he can do to call attention to anything; cannot he send an order to a District Superintendent of Police on his own account?—It all depends; if it is an order affecting the Criminal Procedure Code, he has no power. For instance the Chief Court recently took exception to a District Magistrate having ordered the police to investigate a case which was at the time engaging the attention of a Criminal Court as being contrary to the provisions of the Criminal Procedure Code.

40870. Has he no voice in appointments or promotions or punishments?—His opinion would be undoubtedly regarded as entitled to consideration if he wished to give it.

40871. Then practically he is purely advisory?—Yes; and it is so as regards a Commissioner's decision generally; his statutory powers are very few, and it is chiefly by way of advisory powers that he keeps Government acquainted with facts.

40872. He is hardly an Administrative Officer at all then?—Of course he has appellate powers under the Land Revenue and Tenancy Act. Every order passed by a Revenue Officer is appealable to the Commissioner.

40873. Not in other departments?—The only case I can call to mind is an order passed by a Canal Officer imposing a fine—that is appealable to the Commissioner.

40874. Mr. Maclagan rather suggested that the position should be altogether reversed and that the outside Departmental Officer should be advisory to the Deputy Commissioner and the Commissioner, and that the real orders should issue from those authorities; would a change of that sort be advisable?—I do not think the Deputy Commissioner would bless a reform that would hand over to him the working of the Education Department, for instance, or that would impose a greater obligation upon him in the matter of police.

40875. For instance, you do not care for the theoretical relations with regard to the forest officer whereby he is responsible to his departmental superior for technicalities, and under the orders of the Deputy Commissioner for the ordinary outside work, or for any relationship of that sort in other departments. It apparently does not exactly exist in practice in the Punjab?—Taking the Public Works Department, for instance, all repairs are done *suo motu* by the Executive Engineer. They put the money into their own budgets, and expend it, and if we wish for any new buildings

or special repairs or anything of the kind, each Commissioner gets a grant for what is called minor works, and on the Deputy Commissioner's recommendation he can sanction these works, direct the Public Works Department to prepare plans, and when the plans are approved, he can direct them to carry the works: but it is entirely a matter of money.

40876. (*Sir Frederic Lely.*) In his own department or any other department?—In his own department. For instance, with regard to education a certain amount is put into the budget each year, and that is distributed at the headquarters of Government on the advice of the educational authorities. Most of the education buildings are carried out by District Boards and Municipal Committees.

40877. (*Sir Steyning Edgerley.*) As regards the subordinates, steps have been taken to raise the pay of the clerical establishment; is anything going to be done for the outside subordinate establishments, the patwaris, kanungos, and so forth?—Patwaris have only recently become Government servants since the abolition of the Patwari Cess, but if the pay is regulated by the supply and demand, one would say that at present it is undoubtedly sufficient, because there is not the slightest difficulty in getting any number of patwaris.

40878. Is that due to the pay or to the indirect advantages of the position?—I should say it is due partly to the indirect advantages of the position.

40879. Is that a position for Government to be content with?—I do not think that raising the pay to Rs. 20 would affect that at all.

40880. You do not think you could require trustworthiness?—We do our best to require trustworthiness.

40881. But can you justly require if you do not give them a living wage?—I am not prepared to say that it is not a living wage.

40882. You do not agree with the other witnesses that it is not a living wage having regard to present prices?—You see besides the Rs. 14 or Rs. 15 which they get, they get their mutation fees and fees for copies, and no record is kept of what those fees amount to. We never can say what they are, and there are many little services which a patwari does by which he has the means of making money legitimately. Therefore, taking all these extras into account I think he does get a living wage, and there is no necessity for his being dishonest.

40883. Would it not be a desirable thing to cut off the extras and raise the pay?—But these services must be rendered and these copies made.

40884. Quite so, but might not the fees go to Government?—That would require the interference of the Audit Officers and that kind of thing.

40885. Then you suggest you ought to have greater power of removal of either inefficient or dishonest servants?—One Deputy Commissioner of the Multan division reported to me recently that during the past year there were 27 patwaris who had been reported for dishonesty; of these 6 were prosecuted in the Criminal Court to conviction, the Sessions Judge upset 5 of the convictions and the Chief Court upset the 6th, and it is the same story in other departments. It is the fact that after officiating as Commissioner for three years I have sent up recommendations for appeals against acquittals in criminal cases, and the reply was in every case that the Legal Remembrancer did not consider an appeal should be lodged.

40886. And you have no idea what his grounds were?—No; I was told that they were confidential.

40887. You are strongly in favour of the old Court of Wards Act rather than the Amending Act?—We were all accustomed to the old Act, and it was at the last moment in amending our Act that the Government suggested that the North-West Frontier Province principle should be adopted.

40888. Were there any cases of failure here owing to lack of control over the Deputy Commissioner?—Sometimes Deputy Commissioners are inclined to do foolish things; for instance, one would start a horse-breeding establishment without considering whether it would pay or not, but the Commissioner could deal with matters of that sort and keep them in order.

40889. Have you been acquainted with any case where Government have had to give up the management of estates owing to their inability to clear them?—No, I do not recollect in all my Secretariat experience any case of that sort.

40890. Can you say whether there was any case in which great discontent was caused because Government gave up an estate which they could not clear?—No; the Court of Wards is very popular, and it is approved of by the minor's relatives and so on.

40891. It has been stated that it is a cause of great obloquy to the Government if they fail to clear an estate when they have taken it up; would you agree with that?—I should say it would be a cause of obloquy if they failed, but I have never known of an instance in which, even if the debts have not been fully cleared off, they have not been greatly reduced.

40892. (*Mr. Meyer.*) The Court of Wards takes over not merely estates belonging to proprietors who are disqualified, but also embarrassed estates?—Yes, when the proprietor is prepared to declare that he is unfit to manage them.

40893. But supposing a proprietor says that he is fit to manage his estate and all the rest of the family says that he is not, can you, on their requisition, take it over?—I should not like to say without the book, but I do not think so.

40894. When your Deputy Commissioners were Courts of Wards, Mr. Younghusband states that they were still under the control of the Financial Commissioner, and had to get his sanction to schemes of management, and so forth?—Yes, but more goes up now than then, because a series of detailed rules has been issued by the Financial Commissioner since the Act was passed, and many matters which would not have been submitted before have to be submitted now.

40895. The Financial Commissioner had powers of control: did not the Act legalize them and give the control to him in law as well as in fact?—The previous Act consisted simply of two or three sections, merely saying that the Deputy Commissioner should be the Court of Wards; when you say the Financial Commissioner's control was legalized it did not take the form of standing orders.

40896. Still was it not the practice that the Financial Commissioner put his oar in somehow or other?—He did undoubtedly, but not so much as now.

40897. The Act makes the Financial Commissioner the Court of Wards, but does it follow that because he is the Court of Wards he need issue detailed instructions, and require every petty reference to come up to him?—It does not, and during the past three or four years delegations have been issued, and more are coming.

40898. And if there is any criticism to be made, might not one say that the centralized control was rather through the cussedness (if I may use the word) of the Financial Commissioner than of the Government of India?—Yes; but we never saw the theoretical reason for a change.

40899. Have you any material powers now?—Yes; the Commissioner has considerable powers; so has the Deputy Commissioner.

40900. What sort of things go up to the Financial Commissioner?—Expenditure over a certain amount, or establishment costing over so much, and recurring charges.

40901. What sort of establishment cases go up to him?—I think appointments of over Rs. 20.

40902. Is that necessary?—I do not think it is necessary.

40903. In Bengal, for instance, Commissioners are allowed pretty full management of all estates which have an income of less than a lakh of rupees. Could you apply the same sort of criterion here?—I do not think that there are more than two estates in this province which have an income of more than a lakh of rupees.

40904. Who has to decide whether any estate shall be taken over by the court?—The Government itself; it is notified in the Gazette.

40905. Has that always been so?—I think so, when there is a question whether a minor belongs to the

landholding classes. With regard to the commercial classes it is not the policy of Government to undertake the management of estates.

40906. The Government having laid down its policy, might the Financial Commissioner have the decision as to whether an estate should or should not be taken over?—He might.

40907. And the Financial Commissioner having decided that, and approved of some general scheme of management, might not the details of management rest with the Commissioner, and be passed on, in regard to most matters, to the Deputy Commissioner?—Certainly.

40908. Would there be anything in the law as it stands to prevent that being done to-morrow?—No; it would have to take the form of rules.

40909. But if it was carried out, would it not mean a very considerable step in the way of decentralization?—It would. But the Court of Wards is a minor department in this province as compared with other provinces.

40910. But still it would be decentralizing?—It would.

40911. As regards getting rid of men on suspicion, which I gather you are desirous of doing, would that not materially diminish the attractiveness of Government Service? Is it not one of the reasons that we can pay men lower salaries in the Government Service that it is looked upon as very secure?—I think it would take a great deal more than that to diminish the attractiveness of the Government Service.

40912. Would it be possible that a prudent man, who thought he was likely to be removed, might make some sort of insurance for himself in certain ways?—I should say that if he did so, that would probably hasten the process of dismissal.

40913. In this province have you any limitation of appeal, or, as regards Government servants, can a *chaprasi* even appeal up to the Lieutenant-Governor? There are no rules whatever. If a *chaprasi* is regarded as an official appointed by a Revenue Officer then there is a limitation. When the Deputy Commissioner dismisses, an appeal lies to the Commissioner, and if he rejects the appeal, the Financial Commissioner can only revise.

40914. Is it regarded as an appeal under the Revenue Code?—Under the Revenue Act any order passed by an officer in his capacity of Revenue Officer is subject to appeal.

40915. What is the rule; are dismissals of *chaprasi* or Deputy Commissioner's clerks treated as appeals under the Revenue Act?—As a matter of fact they do appeals in exactly the same way. There is some general provision with regard to Deputy Commissioners appointing establishments, and that general provision brings every official so appointed under the Land Revenue Act. It is an absurd rule, and we are very much hampered by the Land Revenue Act covering every order that is passed.

40916. Still if a Deputy Commissioner dismissed a clerk receiving Rs. 20, and you upheld the dismissal on appeal, it would be final unless the Financial Commissioner chose to revise it?—It would, but the revisions really take the form of appeals.

40917. Are revisions so frequent that it may be said they constitute another appeal to the Financial Commissioner?—Certainly.

40918. Might one say the same with regard to the Local Government?—No one can prevent anybody from presenting a petition to the Local Government, and if, on the face of that petition, it should seem that some injustice has been done, a report will be called for. It never takes the form of an applicant coming before the Local Government and stating his case.

40919. There are two ways of dealing with revision applications; you may refuse to intervene unless you think there has been a flagrant case of injustice or illegality, or you may treat it as a regular appeal, and intervene whenever you disagree with the opinion of the authority next below you. What are the tendencies of the Local Government in this province?—The Local Government very seldom intervenes in these matters in cases of dismissal, and it probably would only seriously regard an appeal from a tahsildar or a naib-tahsildar or some superior officer.

40920. As regards the Revenue Code generally, what is the tendency of the Local Government as to these revisory powers? Is it to exercise them very rarely, or is it to practically twist them into another appeal?—The Local Government very seldom interferes; the Financial Commissioner takes all that work.

40921. Does the Financial Commissioner practically make himself into an Appeal Court, or does he exercise his powers very rarely?—From the statistics with regard to revision cases disposed of by the Financial Commissioner he decides a very large number, but the proportion in which he upsets an order is very small.

40922. But still he has gone into them?—Yes; that is to say, the clerk of the court gets the files and notes on cases.

40923. In other provinces there is a definite limit with regard to Government servants, and a man on less than Rs. 50 cannot put in a second appeal to the Local Government. Would you be in favour of such a thing here?—Yes.

40924. Can you tell me anything about the Weighment Cess which is levied in certain villages?—It is entirely unofficial and outside Government rules and regulations, except possibly in the Chenab Colony, where assistance is given; some villages have it and some have not. In some places a village cess is levied, and they put it into the *malba*.

40925. Is it a sort of octroi?—It is rather a tax on sales called *dharat*.

40926. Is it general?—In some districts it is; for instance in the Rawalpindi division it was fairly general.

40927. What does it go to?—It goes to the village *malba* to defray the expenses of the villages, but there are a great many complaints that the *lambardar* does not account for it.

40928. Would negotiations with a settlement patwari or a settlement kanungo come from the *malba*?—I do not think that the patwari enjoys much of the *malba* fund; he has his other methods.

40929. If the villagers can deal with these funds, is it not rather an argument in favour of giving them other matters to deal with and allowing panchayats to deal with local sanitation, schools, and so forth?—There is nothing to prevent them dealing with local sanitation as it is, and they do deal with it. They prescribe the places at which manure heaps are to be put, and so on, but they have no power of inflicting a criminal penalty and, once you give them that, it means calling in the police and creating powers to enforce those penalties.

40930. If you give them power to deal with petty civil and criminal cases and to punish by fines, could they not also have power to enforce their awards?—But how would you enforce them.

40931. I suppose by attachment of property?—But you would have any amount of rioting. Many of the villages in the Punjab are full of faction, and you would have one part of a village against the other; most of the criminal cases occur amongst members of the same village, and one generally finds that there is some faction dispute at the bottom of it all.

40932. Then is it your opinion that factions are too strong for any such thing?—Undoubtedly.

40933. Have you any acquaintance with the experiment which has been made in Patiala?—I have no acquaintance with it, but I should say that if the guiding hand were withdrawn, it would probably collapse. One sees so much of this sort of thing in the shape of agricultural banks which are started by some particular officer, and while he is there they go on all right, but when he goes away the whole thing collapses.

40934. Are we to understand that the Patiala panchayat system is a kind of exotic and is being tended by an energetic officer?—That is only an *à priori* opinion of mine.

40935. You say that fluctuating assessments are inevitable in the south-west, is that where there is

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direct river irrigation and the land cropped alters materially from year to year?—Yes. It depends entirely on the state of the flood in the river.

40936. But in other places where the irrigation is more certain and the area cropped does not alter much, have they started the fluctuating assessment system?—They have it in the new Canal Company and there evidence was presented to the Colonization Commission in favour of fixity, where the conditions favoured fixity.

40937. Is it not an objection that it gives very much more power to the patwari?—Of course it does.

40938. (*Mr. Hichens.*) Does the Executive Engineer prepare the Public Works Department budget of the district?—No, it is prepared at headquarters.

40939. Does he not send up a preliminary forecast as to what amount is required?—It is generally well known what the expenditure for repairs on public buildings in each district will amount to in a year. For new works, it is the various departments which make the proposals. In the case of roads, certain officers state periodically what roads are required in a district or division, and all these proposals go up to Government, who decide the question of order of urgency, as to which are the most necessary; and then in the provincial budget so much is allotted each year for new roads, and grants are made according to the order of urgency, which may have been settled some years beforehand.

40940. So that the District Officer has no say about it?—He has an opportunity of representing the claims of his district to share in any grant made for roads.

40941. To whom does he represent that?—To the Commissioner, and the Commissioner represents the claim of the division.

40942. Does he represent the claim in respect to all Public Works?—He is principally concerned with revenue buildings; the Executive Engineer and the Superintending Engineer have nothing to say whatever to them. So many lakhs are allotted to the Financial Commissioner for revenue buildings, and the District Officer has to inform the Revenue Commissioner as to the necessity of those buildings, and he keeps a list in order of urgency.

40943. Has the Commissioner or the Deputy Commissioner a list with regard to other works which they might think desirable, such as roads, buildings, or irrigation works?—Yes, the Commissioner has the control of what are called minor buildings, and he can decide the urgency of them and allot funds, because a grant is made to him each year.

40944. Does that plan work satisfactorily?—Yes, I think it does; I do not see how it is possible to improve it.

40945. Would it not be better, for example, in framing the budget, for the Executive Engineer and Deputy Commissioner to put their heads together and make out a Public Works budget in regard to the district, and to send it to the Commissioner, who, in consultation with the Superintending Engineer, would settle the whole thing and send it in, with comments, to the Chief Engineer?—That might result in a man saying that five lakhs were wanted, and it being found that for a certain division only two lakhs could be spared; all the work would have to be done over again.

40946. But would it not be possible to put down the works which were required in the order of urgency?—But there are certain big works with regard to which it is desirable that the Financial Commissioner should decide whether they should be constructed or not, having regard to the requirements of the whole province.

40947. But that would not be prevented in any way, by this system which is carried out in some other provinces?—I am not sure what it is, but our system is that we get a grant first, and then decide how to expend it, because, after all, the Public Works Department is the residuary legatee of all grants, which vary considerably from year to year, so that it is useless to draw up detailed schemes with regard to buildings which it is not possible to construct.

40948. Speaking quite generally, is the Executive Engineer or the Deputy Commissioner in a better position to say how money could be best expended on roads in the interests of his district?—The Deputy Commissioner, because he knows more about the requirements of the district, undoubtedly, with regard to roads.

40949. From that point of view, ought he not to have a substantial say?—I consider that he has.

40950. In practice, his advice would not be rejected?—His advice would be considered more valuable than that of the Executive Engineer; in fact, I do not think the Executive Engineers are consulted at all about new works.

40951. Can the Commissioner advise about anything he likes?—With regard to a revenue matter, it would not be etiquette to pass over the Financial Commissioner; but, with regard to any other matter, he can.

40952. Would it be considered a lack of etiquette on his part, supposing he differed with a certain department on a matter, if he represented it to the Lieutenant-Governor direct?—Sir Denzil Ibbetson introduced the system of a monthly letter by Commissioners to the Lieutenant-Governor (entirely in an informal way) in which they might mention any matters of interest in the administration, and any matters of that sort could be mentioned and permission might be asked to refer them officially. In the case I referred to, with regard to appealing against an order of the Chief Engineer, I obtained permission from Sir Denzil Ibbetson to appeal.

40953. In practice would that never be refused?—It would not.

40954. You refer to district funds; and you say that "Some scheme should be devised which will prevent the bankruptcy of district funds by reason of the charges for famine and plague being thrown upon them." Is it a fact that charges for famine and plague are made a first charge upon district funds?—In practice they were, taking the district I know about best and where I was Deputy Commissioner at the time (Jullundur). When I went to the district, I found the expenditure on the repair of roads, which for years averaged about Rs. 35,000, had been reduced to about Rs. 15,000 or Rs. 20,000, with the result that there were complaints from all quarters that the roads were going to rack and ruin, and that this was due to the fact that the District Fund was being exhausted, owing to the plague expenditure being charged to it until the balance had disappeared.

40955. Who prescribes the expenditure—the Government?—It was a standing order in a Resolution of Government that plague and famine expenditure was chargeable to the District Board, and that the minimum balance need not necessarily be observed.

40956. Is that still the standing order?—Government is more liberal in the matter of plague expenditure now; it was only a question, I should say, of the Deputy Commissioner having taken up the matter in time, and calling the attention of the Government to the fact that other services were being neglected; and if he had not done so, I think Government would not have come to the rescue as they did, because, when I represented the case, they gave a special grant to that district of Rs. 25,000 to pay for repairs to roads.

40957. Do you think that famine and plague charges are provincial charges?—I think the District Fund is too small a unit to impose such a heavy charge upon, because it might wipe out all the savings of years which had been collected for some special purpose; similarly in the case of a municipality.

40958. Would you make them entirely a provincial charge?—Yes.

40959. We have been told that there are a variety of limitations to the general principle that a district cess should belong to the District Board; is that so in your division?—It belongs entirely to the District Board since the famine cess was abolished.

40960. Is nothing abstracted and given back to the provincial Government?—Yes, there is what is called a 20 per cent. contribution for the services of Provincial Officers.

40961. Are there any other amounts which are deducted before the proceeds of the district cess are handed over to the District Boards?—The district cess is, as a matter of fact, when realized, credited to the District Board in full, and any contributions to Government are charged as contributions for specific

purposes. For instance, the Government recently made a provision as to high schools at district headquarters, and at the same time said that the municipalities were not to be relieved of the expenditure which heretofore was charged against them for those schools, so that the amount is adjusted by an annual contribution representing the net expenditure which the municipalities previously had to bear.

40962. That is with regard to municipalities, but, with regard to District Boards, do they not pay over 20 per cent. contribution of their income to the provincial Government for services rendered?—It is called a 20 per cent. contribution, but, as a matter of fact, it does not amount to that. It was 20 per cent. some 20 or 30 years ago, when it was fixed, but I believe now the amount is actually fixed, in the Secretariat, according to some rules which have the result of making it less than 20 per cent., although it is considerable.

40963. Is that the annual sum which they are bound by law to pay over to Government, or are there any other sums in addition?—There is a provision in the District Boards Act that District Boards shall contribute to the cost of the provincial Government establishment; the amount is not fixed by the Act, but the principle is contained in the Act; there may be Assistant Surgeons and establishment for vaccination, towards whose pay contributions are made, or there may be members of a provincially organized establishment, who cannot, having regard to the interest of the Service, be placed under specific Local Boards; and Local Boards simply contribute to their pay, and Government pays them. It is all a matter of adjustment.

40964. That is to say, that the vaccination work is carried out by the Government, and paid for by the District Board?—With regard to local vaccination, yes.

40965. Would the matter of increasing salaries of vaccinators or of Assistant Surgeons be done without consulting the District Board?—They go according to their grades, and if a man according to his grade was entitled to promotion, the District Board would have to contribute accordingly.

40966. Were not some of these officers made pensionable recently?—I do not recollect that.

40967. At any rate, if they were made pensionable, would the District Board be consulted first, or would the charge be levied against the District Board without their being consulted?—The charge would be levied against the District Board. Sometimes a protest might be made with regard to an officer of a high standing being posted to a municipality which could not very well afford to pay him, and such protests would sometimes be accepted and sometimes not.

40968. Would the same thing apply, to some extent, to municipalities? For example, you said just now that the high schools were managed by the Government and paid for by the municipalities?—They are not paid for, but the net cost of the high school prior to the provincialization is a charge against the municipality as a contribution.

40969. Would it be desirable to give District Boards greater freedom in regard to the expenditure of their revenue?—I do not see that they can complain of restrictions. If the principle that existing schools are not to be abolished, and that existing hospitals must be maintained is to be observed, the money is practically earmarked. Government only lays down principles saying that they must not abolish existing institutions. For the rest, they have full powers.

40970. (*Mr. Dutt.*) We have been told by some witnesses that it is a good principle to charge to the District Board the cost of such departments over which they have actual control, and not to charge them for work over which they cannot have control?—Sometimes there are works—for instance, a large bridge—made by a Government Engineer, because the local Engineer, probably, is not supposed to be professionally able to supervise it; and, in that case, there is no reason why the District Board should not pay the Government bill.

40971. In that case, might not the District Boards themselves ask for the assistance of the Government Engineer, and, thereby legitimately pay for it?—That is practically what they do.

40972. Therefore, if you admit, generally, the validity of that principle, would it not be fair to take away vaccination work altogether from the District Board and make the Government pay for it?—I see no objection to Government paying for it.

40973. You have told us about the 20 per cent. contribution made by District Boards for Government supervising establishments. Are you aware of such large contributions being made by District Boards in any other province of India?—No, I have not studied the District Boards Acts of other provinces, but I may mention again that it is not 20 per cent., although it is called 20 per cent.

40974. Are you aware that in some provinces the Government do all the supervising work without charging anything to the District Board?—I would not call that inequitable.

40975. With regard to famine and plague, is the money debited to the District Board under any section of the District Boards Act?—Yes, it is one of the objects on which the District Board funds may be expended; plague, of course, was not mentioned when the Act was passed, but medical relief is mentioned.

40976. Looking at the great importance of famine relief and plague relief operations, should not the charges be borne by Government rather than by District Boards?—It is rather that the District Board finances never were established in contemplation of such heavy charges.

40977. Therefore, is it not equitable that the Government should bear those charges rather than the District Boards?—If they are not borne, the existing District Boards establishments may severely suffer, in the way of upkeep of schools, hospitals, and other things.

40978. Is the cess 1–12th of the land revenue?—It is Rs. 10 and some annas—it is about Rs. 5 on the annual value.

40979. (*Mr. Meyer.*) Is that so, now that you have taken half the famine cess?—It is Rs. 8–5–4 now, I think, and it used to be Rs. 10–6–8, and the famine cess was about a fifth.

40980. (*Mr. Dutt.*) Is the cess realised with the land revenue?—Yes.

40981. How are the Public Works of the District Board done; are they done generally by the Public Works Department or by Engineers and Supervisors employed by the District Boards?—They are done generally by the District Board's own Engineers.

40982. Is it only with regard to important Public Works that you go to the Public Works Department?—Yes.

40983. In those cases, is any percentage paid to the Government for the services of the Public Works Officers?—There is a charge for establishment and plant, but in as many cases as not it is waived, and generally it is not charged.

40984. With regard to the Provincial Revenue Service, do you agree with the last witness that Extra Assistant Commissioners who have been appointed to the post direct for their educational and other qualifications are generally abler and more honest men than those who have been taken from the Ministerial Service?—No, I think it is hardly fair to say so. The number of Extra-Assistant Commissioners appointed by competition is two per annum, and the number appointed otherwise is five or six per annum. Before the competition system was introduced they were all recruited from the Revenue Service, so that if dishonest men have been found out occasionally amongst those promoted from the revenue establishment, it was because they were immensely larger in number. I do not think you can judge yet from the numbers of the two classes. Those men who are promoted from the revenue establishment are picked men, picked tahsildars and Munsifs, and on the whole I should say the ranks of our Provincial Service are a very worthy and efficient body.

40985. You would not bring a charge of dishonesty or want of intelligence against them as a class?—No.

40986. Or against the majority of them?—No.

40987. And it might only be a very small minority that is affected?—Yes.

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40988. From what you have seen with regard to their ability and integrity would you be inclined to give preference to one class over the other?—I would not say that the best men are the competitioners, but that there might be fewer failures among them.

40989. In the course of time is it likely that this system of appointing them according to educational qualifications will extend more and more?—I think we get very good educational qualifications as it is in regard to the promoted men—men promoted from the ranks of tahsildars and Munsifs.

40990. Do the tahsildars and naib-tahsildars begin as humble ministerial officers?—Tahsildars are mostly promoted naib-tahsildars. Naib-tahsildars are of two classes:—(1) young men of good zamindari families who must have passed the University Entrance Examination, and (2) kanungos. Of these there are probably about two kanungos to three of the other class.

40991. So that you would not say they have gone through what might be called a demoralizing training?—No.

40992. You say that when a Collector knows that a canal *zilladar* or patwari is notorious for bribery and extortion, he may call the attention of the Executive Engineer to the matter, but he cannot take any further action to ensure redress; would you recommend some sort of check, or some sort of controlling power, being given to the Collector over the work of the Irrigation Department?—If it could be devised. I have not thought of any system, but it would be very salutary if he had some power of bringing to the notice of the higher authorities such cases that come to his notice without his being told he ought to mind his own business.

40993. With regard to the Forest Department, is the district forest officer under the control of the Deputy Commissioner?—Very much so in the case of what are called unclassed State forests, but in the case of reserved and protected forests, where everything is regulated by rule, there is not the necessity, because it is all cut and dried.

40994. Are not people given grazing and other rights even in reserved forests?—That is provided for by working annual plans which go to the Collector and the Commissioner who have power to suggest, and in fact order, that more grazing facilities shall be provided for the year.

40995. So that in those matters the Deputy Commissioner has some power?—He has.

40996. With regard to the unclassed forests we have had some evidence that there would be no objection to transferring their management entirely from the Forest Department to the Revenue Department; would you be inclined to support that opinion?—The Deputy Commissioner has not always the time to manage them; he may have in some districts, but in others he might not, but the forest officer is regarded as his assistant for the purpose and he is a useful assistant as a rule.

40997. Are not unclassed forests mostly waste lands unfit for growing valuable timber?—In the plains there are lands as you describe them waiting for canal irrigation. For instance, the whole of the Montgomery district, or a large portion of it, is unclassed until the new canal comes, but in the hills there are areas left outside the protected and reserved forest area for the use of the people, and a certain amount of tree growth is found on them which has to be carefully looked after.

40998. But where there is no valuable timber land, is there any objection to transferring them altogether to the Revenue Department so as to avoid either the administration of the Forest Department or the dual control which exists in some provinces. I do not think it is really a dual control in this province, but I cannot give an opinion on the point.

40999. You refer to the misdeeds which flourish under the ægis of the Irrigation Department; is there any possible way of stopping that which you can suggest, beyond giving control to the Deputy Commissioner?—The counsel of perfection in the case of the Chenab Canal was to introduce what is called a module for regulating the amount of water supplied, and having gauges with which the subordinates cannot interfere, but so long as the amount of water supplied is a variable quantity and the *zilladar* can increase or diminish it, it is very difficult to devise any means.

41000. Do these misdeeds prevail only amongst the subordinate Canal Officers, or do they extend higher up?—One hears of subordinates not being called to account by the higher authorities—by the Sub-Divisional Officers.

41001. And you cannot suggest any other method of stopping that?—It is one of the matters which engaged the attention of the Canal Commission, but I do not know whether any remedy will be suggested.

41002. (*Sir Frederic Lely.*) You mentioned just now that a Commissioner had a grant for minor works; do you mean minor works in the Land Revenue Department or all over the Division?—I mean minor works in the Land Revenue Department.

41003. And nothing to do with the requirements of other departments?—It would not include roads, because roads are chiefly the business of the District Boards, and it is only the larger main communications which Government undertakes the responsibility for, and the Commissioner is only an advisory authority with reference to them.

41004. If a re-appropriation is made in the Public Works budget during the year, is it done with the previous sanction of the Commissioner; if money is transferred from one work to another does the Commissioner have to sanction it?—In minor works the Commissioner can sanction; the Public Works budget is not made out separately for divisions, but for the province as a whole.

41005. Taking the provincial budget, what would happen?—What happened last year was that after sanction, orders were issued that certain works which had been sanctioned and for which funds had been allotted, should be struck out, the allotment being withdrawn.

41006. Can the Public Works budget be manipulated during the year without even the cognizance of the Commissioner at headquarters?—Yes.

(*The witness withdrew.*)

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41007. (*Sir Frederic Lely.*) You are Commissioner of the Lahore division?—Yes. I was Junior Secretary to the Financial Commissioner for some years.

The powers of Local Governments generally are unduly restricted, especially in the Civil Account Code. I refer particularly to the restrictions imposed by chapter 17 of the Civil Account Code and articles 76 and 77 of the Civil Service Regulations. So also the powers of the Government of India under articles 368 and 740 of the Civil Service Regulations might properly be delegated to Local Governments. But what is of even more importance than actual delegation of powers is a relaxation of the extreme strictness and rigidity with which the code and regulations are at present interpreted by the Accounts Department. More respect should be paid to orders actually passed by Local Governments, and where an official has drawn an increased salary under the orders of Government, he should not be required to refund the excess actually drawn, even though Government exceeded its powers in granting the increase. There was a case in my division in which the manager of wards estate (a Government official whose services had been lent) was granted an increase of salary by the Punjab Government. After he had drawn the increased salary for 18 months, it was discovered that the increase was not admissible under the Civil Service Regulations, and he was ordered to refund the amount which he had drawn for a year and a half under the orders of Government.

I do not know of any case in which an appeal to Government is prescribed by law, in which the law allowing the appeal should be repealed. I do not think that the right of appeal allowed in the Land Revenue Act is excessive. But I think that the Commissioner and Financial Commissioner when hearing

appeals from executive orders of Deputy Commissioners should be careful to interfere with those orders as little as possible except where real injustice appears to have been done.

The demand for reports and returns has increased, and is so great as to impair the quality of the administrative work of Executive Officers. The increase is due both to the action of the Secretary of State and to that of the Government of India. The requirements of the Secretary of State are constantly increasing. As regards the Government of India, the increase in numbers in the *personnel* of the Secretariats and the creation of new departments and new Directors and Inspectors-General is bound to cause an increase of work. What is required in my opinion is that all authorities should remember that the unit of the administration is the Deputy Commissioner, that the amount of work which he can get through is limited, and that the more he is called upon to report progress, the less progress is it possible for him to make in the real work of administration. The more writing that he has to do, the less time he has to get and keep in real touch with the people.

The position of the Deputy Commissioner or Collector as the Executive Head of the district is recognized in the Land Revenue Act and Rules, and I have no specific suggestions for delegating more authority to him, except in a few matters of detail, *e.g.*, he should be given authority to select his own district kanungo, *nazir* and excise *daroga*.

There are many provisions of the rules under the Punjab Court of Wards Act (II of 1903) by which powers which might properly be exercised by Deputy Commissioners are retained in the hands of the Commissioner or Financial Commissioner. In my opinion the passing of Act II of 1903 was a mistake. Previous to the passing of Act II of 1903 the Deputy Commissioner was the Court of Wards for his district, subject to the control of the Commissioner and Financial Commissioner in certain specified matters. He had to obtain the sanction of the Financial Commissioner to the scheme of management for each estate, but subject to the sanctioned scheme the Deputy Commissioner was generally responsible for the management of the estate. Now the Financial Commissioner is the Court of Wards, and the Deputy Commissioner and Commissioner only exercise such powers as are delegated by the Financial Commissioner. The change should be rectified ; it has increased the work and correspondence very considerably.

The intervention of the Commissioner is in many cases of finance and accounts unnecessary. Instances of what I mean are the following :—

(*a*) Every budget signed by the Deputy Commissioner comes to the Commissioner for countersignature. This is in most cases sheer waste of time. The only budget in which any useful check can be applied by the Commissioner or in the Commissioner's office is the Land Revenue budget, but even it is subjected to a much closer scrutiny in the Financial Commissioner's office than it is possible for the Commissioner to apply ; and I would let all budgets go straight from the Deputy Commissioner to the Head of the Department.

(*b*) Some budgets, such as the Court of Wards budget and the Cutcherry Fund budget are passed finally by the Commissioner. I consider that these might be passed by the Deputy Commissioner.

(*c*) The Commissioner's countersignature of the Deputy Commissioner's contingent bills serves no useful purpose.

(*d*) In many cases departmental rules unnecessarily require the Commissioner's countersignature to refund statements. For instance, a Colonization Officer or Deputy Commissioner imposes a fine, which is realized, and subsequently he reviews his order, remits the fine, and directs it to be refunded ; or an Executive Engineer (Irrigation Department) remits land revenue or *abiana* which has been realized and has to be refunded. In these cases refund statements have to be prepared and under the Land Revenue Rules (256–59) have to be signed by the Commissioner, although the actual order of remission has been already passed by the Deputy Commissioner or Executive Engineer, and in the latter case is passed by an officer who is entirely independent of the Commissioner. Or again, take the case of unclaimed cattle which are sold and the price credited to Government. Subsequently the owner identifies the cattle and the District Magistrate after inquiry passes an order for the refund of the price. Although the District Magistrate is competent to order the refund of the price, the refund statement requires the countersignature of the Commissioner.

(*e*) Another matter in which the Deputy Commissioner might be given authority is the striking-off of petty sums (up to a limit of say Rs. 10) under objection, at all events in cases in which the objection is a technical one and there is no question of Government being defrauded.

I should be glad to see the language of rules like Article 98 (*m*) of the Civil Account Code altered. I have known this rule interpreted in such a way as to require the sanction of Government to be obtained to a fixed charge of a rupee a month paid to a watchmaker for attending to the office clock. Article 98 (*m*) might well be struck out of the Code altogether, and in any case rigid language of this kind is out of place. Article 5 of the Civil Account Code is another instance of too great rigidity of language. If a Commissioner or Deputy Commissioner takes the responsibility of ordering the payment of an advance in order to meet a sudden emergency, the Treasury Officer should be permitted to comply with his order.

The order of a competent officer not below the rank of Deputy Commissioner regarding the acceptance of a person's name on a list of candidates, or the appointment or promotion of officials, should be final, and no appeal should be allowed. As regards punishment and dismissal, I offer the following suggestions :— The Deputy Commissioner's orders should be final in the case of officials in "inferior" Service, and others drawing salaries not exceeding Rs. 20 a month. Officials drawing salaries exceeding Rs. 20, and not exceeding Rs. 100, should be allowed one (but not more than one appeal), *i.e.*, from the order of the Deputy Commissioner to the Commissioner, or from an original order passed by the Commissioner to the Financial Commissioner. Government officers drawing salaries in excess of Rs. 100 should be allowed to appeal to the Local Government. Gazetted Officers should be allowed to appeal to the Government of India. These suggestions apply only to officials employed in the general line.

The Government would, no doubt, admit that the tendencies towards rigidity and undue consideration of revenue always have some force and require to be checked. It is essential, first, that the Secretaries, and the Lieutenant-Governor should have practical and varied experience of executive work ; and, secondly, that the Secretariat should not be too strong in numbers. A numerically strong Secretariat always means additional work for Executive Officers.

I do not think that any hard-and-fast rules can be laid down for increasing the influence of the Commissioner, although we can, no doubt, all give instances in which the over-ruling of the advice of the Commissioner in departmental matters has been a mistake. It is difficult to bring the Commissioner into much closer relation with the departments than he is at present without adding to work and delaying progress. It rests with the Government and the Financial Commissioner to consult the Commissioner before important changes are made, and the influence of the Commissioner depends very much on the extent to which they do this and the importance which they attach to his views.

Executive Officers have not as much opportunity for coming into personal contact with the people as they should have. District Officers are too much hampered by calls for reports of all kinds. The multiplication of departments leads to additional calls for reports and to a tendency on the part of the officers in charge of those departments to interfere too much in details which should be left to the Deputy Commissioner. In some exceptional cases districts are too large ; in other

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cases, the extension of irrigation makes the work of a district too heavy, and districts require to be subdivided. These matters are duly taken up by Government when they are properly represented.

Deputy Commissioners, as a rule, have a good knowledge of the vernacular of their districts.

I do not advocate any change in the Punjab practice, under which promotion to the grade of Deputy Commissioner is regulated by seniority subject to the rejection of the unfit, and promotion to the grade of Commissioner is made by selection, due regard being had to seniority. An extension of the principle of selection would be very apt to lead to jobbery, or at all events to the suspicion of jobbery and favouritism and to resulting discontent, from which the Punjab Commission has hitherto been happily free.

In the case of some of the more unpopular districts, an officer (in this case a junior officer) is appointed to the charge of the district on condition that he stays there for three years. I should be glad to see the principle extended, although I know that there are difficulties in the way. In the case of Assistant and Extra-Assistant Commissioners, I have sometimes thought that changes are too frequently made. Criticism of this kind is very easy, and District Officers do not always realize how difficult the work of appointment is; on the other hand, it is desirable that Secretaries should realize how much the work of a district is hampered and delayed by transfers of the staff.

I do not think that larger powers should be granted to Municipal Committees and District Boards. But I think that they should be freed from many restrictions by which they are at present hampered. I give the following instances:—

(*a*) They are not allowed to give their employés on retirement gratuities except in accordance with the provisions of the Civil Service Regulations—a code of rules which is quite unsuited to the requirements of these Boards. A Board may (with the Commissioner's sanction) give a man a gratuity of 12 months' pay as a reward for good service, while he is in the service of the Board, but may not give him the same amount as a gratuity on retirement.

(*b*) They are not allowed to employ pensioned servants of Government, although these persons are in many cases the most suitable for particular kinds of municipal work.

(*c*) A District Board may not open a dispensary without the sanction of the Inspector-General of Civil Hospitals or construct a *serai* without the sanction of Government.

Local Boards have not been a success in the Punjab, and I do not think that larger powers should be given to them.

The functions of Municipal Committees and District Boards might be extended by using them as Advisory Councils.

The District Board is practically an Advisory and Administrative Council in respect of matters within its sphere of action. It would be most inadvisable to create a second District Council. Divisional Councils are not in my opinion required.

The idea of the panchayat system is very attractive, but it has been tried and proved a failure in the Punjab at a time when the country was much more unsophisticated than it is now. I have had experience of the *jirga* system (which may be considered an extension or adaptation of the panchayat system) in three districts on the frontier, and have worked it with, I believe, considerable success, but it is not suitable for general adoption. What is done in the Punjab is to appoint native gentlemen of position Honorary Magistrates exercising both criminal and civil powers within a limited area. Some of these gentlemen do a great deal of work, and their influence in support of the administration is most useful. Some are less satisfactory. Any wide extension of this system is not possible, because the number of country gentlemen who can exercise these powers usefully in any given district is not great. In the larger towns there are benches of Honorary Magistrates.

41008. Is the time of the Financial Commissioner much taken up with appellate work?—It does not come before the Secretary, but is arranged for directly.

41009. What would be the bulk of his work? Is it appellate or executive?—I think it is both, but it is not a subject on which I ought to give evidence, as it did not come before me as Secretary.

41010. But he has to do a good deal of appellate work.?—Yes; under the Tenancy Act and under the Land Revenue Act. That does take up a good deal of his time.

41011. Would you accept as a general rule the statement that the officer who is competent to order a refund should also be competent to make the countersignature without any other person intervening?—I think so.

41012. What is the average period of service at which a man becomes Commissioner here?—It varies enormously. In this province I do not think it would ever be less than 20 years.

41013. Would it usually be more than that?—I became a Commissioner after about 25 years' service.

41014. Is the Commissioner a selected man?—A Commissioner is selected with regard to seniority.

41015. Might they be regarded as the picked men of the Civil Service?—They are the picked men of the top, I think.

41016. Has a Commissioner in the Punjab any power whatever with regard to the government of the country, or has he merely an advisory power?—He can order a Deputy Commissioner to do anything.

41017. He can order a Deputy Commissioner to do certain things within the sphere of Land Revenue?—And much more than that.

41018. Can he give orders generally to a Deputy Commissioner?—Yes.

41019. Has he no direct power in the shape of dealing with the policy of the province?—The Deputy Commissioner is the Executive Officer of a district, and the Commissioner, as such, I should say, has no actual executive authority.

41020. Would you say that he has no power except as the superior of the Deputy Commissioner?—As the superior of the Deputy Commissioner, speaking with regard to power in governing the country, he has considerable power in the way of advising Government.

41021. Has he no final power of decision in any matter whatever?—Under the Land Revenue Act he has certainly. In certain cases he has final powers—powers, that is to say, from which there is no appeal.

41022. Are they important matters?—If the Commissioner concurs with the opinion of the Court below, there is no appeal from him under the Land Revenue Act. Then he has certain powers of ordering remissions of land revenue and suspensions.

41023. What can he do in the direction of remitting land revenue?—I cannot give any definite answer to that question because the rules have just been altered, but I think it is up to Rs. 5,000.

41024. Would you accept the modified statement that the final powers of the Commissioner are very limited?—Yes, they are limited.

41025. He has no direct access to the Lieutenant-Governor?—Yes, a great deal of my correspondence goes directly to the Lieutenant-Governor.

41026. Not through the Financial Commissioner?—Correspondence connected with revenue matters would go through the Financial Commissioner.

41027. And then through the Chief Secretary?—Yes, or the Secretary.

41028. Is there anything to explain the different treatment of revenue business and of ordinary departmental business? Why should the additional intervention of the Financial Commissioner and the Chief Secretary be necessary in regard to land revenue business and not with regard to departmental business such as police, education, and so on?—It is necessary to have one chief Revenue authority in the province, namely, the Financial Commissioner.

41029. But is there any reason for the extreme difference in the method of treating most departmental subjects and land revenue subjects?—I should like to explain in dealing with correspondence that a great deal can be, and is, referred direct to Government, but at the same time correspondence on police matters, for

instance, is very frequently sent to the Inspector-General in his capacity of Under-Secretary to Government in the Police Department.

41030 Is that not the method of treating most police matters? Why should there be a difference in the method of treating police subjects and the method of treating land revenue subjects; is it that the Inspector-General is more trusted than the Commissioner, and that there is need that the Commissioner should be controlled by two extra officers?—It is not a question of control in regard to revenue matters, but it is a question of having one single Revenue Officer of the province whom the Local Government can consult.

41031. And that authority is not the Commissioner? —The Commissioner is only the authority in one division.

41032. Then it is necessary also to have a still further authority?—I think so, as regards revenue matters. I have often thought that the matter might be solved by making the Financial Commissioner *ex-officio* a Secretary to the Government in the Revenue Department, as has been done in the North-West Frontier Province, and combining the offices.

41033. At present there is no distinct Revenue Secretary?—There are two Secretaries of whom one is the Chief, and it rests with the Lieutenant-Governor to give what work he likes to each. At one time the Chief Secretary does revenue work, and at another time the other Secretary does revenue work.

41034. As a matter of fact, do you think any interests would suffer if the Commissioner was abolished altogether, and the Deputy Commissioner was made to correspond direct with the Financial Commissioner? Is the Commissioner of any use in the Punjab?—I think he is. The Secretariat would find a great deal of extra trouble in controlling all the Deputy Commissioners without him.

41035. Then you think he is of use as an Advisory Officer?—And as a Controlling Officer.

41036. In the case of District Boards is it fair to say that the departments dictate how much a District Board shall spend on each particular object?—The Education Department tries to do so very often.

41037. Do they generally succeed as far as funds will go?—That depends very much on the Commissioner and the Deputy Commissioner.

41038. Is the District Board allowed as a matter of fact any say at all?—Yes. The District Board makes out the budget for the year, and a copy of that budget, or an abstract from it, is sent to the Director of Public Instruction; the Director of Public Instruction then writes to the Commissioner and says he is satisfied as far as education goes, or he writes and says that he does not think they are spending enough, and then the Commissioner has to go into the figures, and either write back to the Director of Public Instruction and say "I do not agree with you," or he can write to the Deputy Commissioner and say "I agree with the Director of Public Instruction, and I think the District Board ought to make more provision."

41039. But the District Board itself has very little to say about it?—It has made its original budget.

41040. (*Mr. Dutt.*) When money is allotted for primary education, is it spent directly by the District Board or by the Education Department?—By the District Board.

41041. Are there no inspecting officers who are regular servants of the District Board?—Not as a rule.

41042. So that a District Board has to carry on its inspecting work through the servants of the Education Department?—Yes.

41043. Would it be a wiser plan for them to have their own inspecting agency as they have in some other provinces?—No: I do not think it would.

41044. Under the present arrangement has the Education Department too much control over the schools supported by the District Board?—No, I do not think they have.

41045. You would not suggest any change in the present arrangement?—No; except that I would suggest a change in the way in which things are carried out, and that matters should be less rigid; the Education Department is perhaps too much tied by red tape and by the rules of the code, but I would not suggest any change in the agency.

41046. Unless a District Board had their own agency, could they have their own rules, or could they modify to any extent the hard and fast rules of the Education Department?—No; but the inspectors could have more power to modify them where required.

41047. With regard to village schools is it a good plan sometimes to aid them by giving them a certain amount of money monthly for the payment of teachers, and then asking the villagers to maintain and look after the schools in every way?—That is done, but not quite in the way you mention; that is to say, that we do not ask the villagers to maintain the schools, but where an indigenous school has been started by the villagers themselves or by a private teacher, if it is efficiently managed, it receives a grant-in-aid from the District Board.

41048. In that case who builds the village school house; do the villagers do it, or is there a contribution given for it?—A contribution might be given for it; as a rule a school would not be started until the school house had been built, or it might be located in a house, and if the villagers cared much about it they would arrange to provide a suitable building, but at the same time, if they applied for a building, it would be for the District Board to consider the application.

41049. Is that system of aiding existing village schools largely adopted in this province?—No; I think not largely.

41050. Is it a good system, and should it be generally adopted?—Where people are sufficiently energetic to start efficient schools, it would be an extremely good thing.

41051. You say "What is in my opinion of even more importance than actual delegation of powers is a relaxation of the extreme strictness and rigidity with which the code and regulations are at present interpreted by the Accounts Department." We have been told by other expert witnesses that the Accounts Department and the Accountant-General and the Auditor cannot interpret any rule with any degree of slackness, but that it is their duty to do it with rigidity, and that it is better to make the rules themselves more liberal than to interpret them liberally?—I do not agree with that personally. My own feeling is that the rules have been drawn up with far too great minuteness, with an endeavour to provide for every possible case arising, and the result is that you are bound then to be guided by the actual letter of the rule. I should prefer a very much simpler and shorter code, and I think the Accountant-General, who is an officer of considerable experience, should have much more power of interpreting the rules, more in the spirit than in the strict letter.

41052. But the first part of your answer corresponds with the answers we have received before, namely that the rules ought to be made more liberal and should not be so strict and go into such minute detail?—But if you have the rules very much shorter and not going into such minute detail, and not providing for every possible contingency, the Accountant-General must have power to interpret them as occasion arises.

41053. Do you agree with what the last witness told us as to the men of the class of Extra-Assistant Commissioners being generally reliable and honest and giving satisfaction in their work?—I think they generally are. They have improved very much indeed during my service in India.

41054. Do you also agree in the opinion that dishonesty is rather the exception amongst them?—I think it is.

41055. Have you any preference as regards the method in which they ought to be selected, whether by examination and according to qualifications or by selection from the lower Services?—I think we need both; in fact we have a third method of recruitment, that is, direct nomination without examination.

41056. But with some regard to qualifications?—Of course, but direct nomination enables a Lieutenant-Governor to select now and then a man of good family who perhaps would not have succeeded in the examination, but who at the same time possesses quite sufficient qualifications.

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41057. You have told us that Municipal Committees and District Boards might be utilized as Advisory Councils. Would you, in that case, suggest some modification in the existing District Boards Act so as to enable a District Officer to convene them according to law for advice and consultation?—I do not think any alteration in the Acts is needed for that purpose; it is done to some extent at present.

41058. But in an informal way. Would it not be better, if you are going to make District Boards Advisory Councils, to have it recognized in the law itself?—No; I do not think any modification in the law is needed.

41059. You think informal consultation with the members of a District Board is quite sufficient?—You can have formal consultation at present. It is an open secret that there is at present a scheme for the division of the Lahore district into two parts, and I and the Deputy Commissioner were told to ascertain the local opinion on the subject. The proposals were formerly put before the District Board and discussed at considerable length by them, and in the end formal resolutions were recorded, and there is nothing in the Act to prevent similar action in other cases.

41060. But there is nothing in the Act sanctioning that being done?—No.

41061. Do you think that sort of consultation is quite enough, and no change in the law is required at present?—I think no change is required.

41062. (*Mr. Hichens.*) You refer to Local Boards as not having been a success in the Punjab. What Local Boards have you in mind?—When the system called Local Self-Government was introduced 25 years ago, the plan that was adopted in most districts, or in many districts, was to first elect a Local Board for each *tahsil*,—generally one member from each *zail*,—and then the District Board was constituted, by delegation of certain members from each Local Board, together with the direct appointment of certain members nominated by Government; and it is these Local Boards which I was referring to.

41063. Do they exist in any part of the Punjab?—Yes, in some parts. I think in most districts they have now been abolished.

41064. Is it your opinion that they have been a failure?—As far as I have had any experience of them, I think they have been of very little use. We have found it impossible to give them sufficient work to do. It has been found difficult to give them any financial powers, and all they have been used for is, really, as consultative bodies for the local area.

41065. Is the reason for that, that the district itself is not a very large area, or is there any other reason?—The District Boards have the financial powers for a district, and we have not seen our way to giving Local Boards any special financial powers.

41066. But supposing the districts had been three or four times as large, might there not have been an opening for those Local Boards as well?—Yes, perhaps so.

41067. Would it not have been possible to have earmarked a proportion of the cess for each Local Board which they might have used? Was that alternative ever discussed?—Not that I know of.

41068. Was the reason because it was not known what the cess was likely to be?—I think not. The Local Board, or *tahsil* Board, is really too small, and too uninfluential, to have had these powers given to it.

41069. Speaking generally, would it be desirable to simplify the financial relations between District Boards and the Government?—I have no suggestions to make with that object.

41070. But, as a principle, would you say that they should be on clear lines, so that any body could understand what they were for himself?—Yes, it would be an advantage if that could be done.

41071. At any rate, one witness, if not more, who was a member of a District Board, had no idea what the financial relations were. Is it desirable to have some simple form of division of financial resources between the two which would be intelligible to the man in the street?—It certainly is desirable, but, at the same time, I am not sure that the man in the street would take very much interest in it.

41072. Supposing a simple rule was laid down, that the district cess was a local tax, and the proceeds of it were given to the District Board, without reduction; would that not be a fairly simple plan?—Yes.

41073. Would it be workable, or would it give a Board too large a revenue for the work which they have to undertake?—It could be probably very well spent, but at the same time Government have, within the last two or three years, given a fairly liberal grant to District Boards for expenditure on special objects.

41074. Did not the Government of India make a definite grant to the Local Governments to distribute among the district bodies?—Yes.

41075. Would it be a desirable principle to lay down that a District Board should be responsible not merely for paying for services, but for carrying them out administratively as well as financially?—It is very difficult to make a District Board responsible for services which require professional experts, such as the management of dispensaries.

41076. But it is not found difficult in other countries?—In other countries there are a large number of medical men who are not Government servants; there are very few men in this country who are not.

41077. Would it not be possible for a District Board to appoint its own Medical Officers?—Quite impossible; there is not a sufficient supply of Medical Officers here who are not Government servants.

41078. In regard to other matters, such as education, would it be possible for them to provide teachers?—They do at present provide them in primary schools.

41079. Would it be possible for them to provide inspectors?—No; I do not think so; it would be difficult.

41080. Could they not select their own inspectors?—They might find inspectors, but I would not recommend it on other grounds.

41081. You think, in regard to matters of education, it is desirable that the Government should retain the control they have to-day?—Yes, I do.

41082. In the Lahore municipality, I understand that the number of elected members and nominated members is about two-thirds and one-third, roughly?—I think that is so.

41083. Does the same proportion apply, roughly, throughout the Punjab municipalities?—I would rather speak with regard to my own division. It is the fact that, with regard to nearly all the municipalities in the Lahore Division, two-thirds of the members are elected.

41084. We are told that, generally speaking, the elected members are on the whole unsatisfactory; that is to say, that the methods which it is necessary for them to have recourse to to gain election are of a somewhat doubtful character, and that the better and more prominent citizens do not stand for election. Therefore, comparatively speaking, there is an undesirable class of people who get in. Is that the case generally; I think that is very frequently the case, but, on the other hand, that tendency is modified by the fact that the candidates very often arrange amongst themselves who will be elected, and there is very frequently no election at all.

41085. (*Mr. Meyer.*) Is there not a story, that once on a time some ward in Lahore elected a Government *chaprasi* as its representative?—As far as I know, I think that is not correct.

41086. Do you have any conference of Commissioners in this province?—We have never had any that I know of.

41087. Conferences of Commissioners are held in Bengal and Eastern Bengal once a year, where they discuss the general affairs of the province, and which the Secretaries of Government and Heads of Departments attend, with selected non-officials. Would that be a good plan here?—Yes, I think it would be, and it might be usefully tried.

41088. Have your powers of giving grants for minor Public Works been recently increased from Rs. 500 to Rs. 2,500?—I do not think orders to that effect have been issued yet.

41089. Do you get lump grants for the purpose?—Yes, something very small. I got Rs. 3,000 last year.

41090. In Bengal each Commissioner has two lump grants of Rs. 10,000—one for minor works and the other for grants-in-aid to municipalities or Local Boards in his division. Do you have anything of that sort here?—The Government of India two or three years ago made several grants to the province, and those were allotted to Commissioners for distribution to District Boards.

41091. Are you speaking of the quarter extra on the land cess?—I do not know how the amount was calculated, but I had a grant of something like Rs. 25,000 for the encouragement of veterinary objects and another grant for the encouragement of arboriculture.

41092. Those were relatively small grants. Some three years ago the Government of India put the provincial Governments in funds for contributing to the District Boards one-quarter of the amount they got from the land cess. Do you know how that amount was distributed?—I think that a lakh or a lakh and-a-half is given annually for arboriculture: I get Rs. 30,000 of it, and, as I say, I get Rs. 25,000 for veterinary objects; and I get something like Rs. 30,000 a year for the improvement of the engineering establishment of District Boards. The total grant to the division comes to something less than a lakh a year.

41093. This special Government grant was intended mainly for roads and communications generally. Did you get anything special for that?—No; not directly. The amount given for roads is ear-marked, and roads are gradually constructed by the Public Works Department and paid for out of this grant. The rule is that a certain number of roads are paid for half from the ordinary provincial finance and half out of this special grant made for roads.

41094. Were those roads formerly paid for by the District Boards?—No; these are new roads, or probably unmetalled roads made into metalled roads.

41095. When they are finished, will the District Boards have to manage them?—I cannot answer that question.

41096. With reference to the position of Commissioners, it has been suggested elsewhere that the powers of a Commissioner might be very considerably increased, and that he might be made more of a Sub-Governor, having actual administrative powers—for instance, that he should have a budget of his own, and the allotment of a great deal of the present Public Works expenditure; that he might have control over educational operations, and so on, and have the various departments more under his hand. Would that meet your views?—The possibility of doing that would depend very much upon the possibility of decentralizing the departments. It would be no use, for instance, putting the Superintending Engineer in more direct subordination to the Commissioner unless the Superintending Engineer were himself given very much larger powers; and I find it extremely difficult to say whether it is possible to give those officers very much larger powers.

41097. Is not the question of giving a Superintending Engineer very much larger powers of sanction than he now has under consideration, at the instance of the Government of India?—I think, if Departmental Officers who have control over areas similar to those of the revenue division were given very much larger powers, it would be also possible to give the Commissioner, in the same way, very much larger powers of control.

41098. Admitting that hypothesis, would you be in favour of it?—Yes, I would.

41099. The present Heads of provincial Departments would then become more of inspecting officers, who would tell the Lieutenant-Governor what was being done, and advise him on questions relating to the divisions?—Yes.

41100. Would you be in favour of giving Commissioners the power to appoint tahsildars, taking them on divisional lists instead of by the provincial lists?—Yes; I think I would.

41101. When you have an Assistant or Extra-Assistant Commissioner posted to your division, do you settle in what particular district or in what particular capacity he is to be employed?—That is the rule in this province, but it is found, for what reason I do not know exactly, impossible to work in practice.

41102. As a matter of fact, I take it that Mr. Smith, an Assistant Commissioner, is gazetted to (say) the Jullundur division, but not to any particular district?—Assistant Commissioners are very few and far between, but, taking Extra-Assistant Commissioners, they are simply gazetted to a district. The Commissioner has power to transfer any officer from one district to another in his division; but, as a matter of fact, the Secretariat moves them about from one district and one division to another; and the result is that, if the Commissioner wishes to transfer an officer, it is not much use his ordering a transfer without first finding out from the Secretariat whether they have any intention of transferring him.

41103. Assuming the position was that a man was moved to a division, and would not be moved out of it unless the Commissioner was referred to, do you not think it would be advisable that the Commissioner should have authority to post him within it?—There are many advantages in it, but the disadvantage I see at the present moment is that it might tend to narrow the experience of Government officers by confining their experience to one division.

41104. As regards the appointment of members of District Boards and municipalities, who appoints them, you or the Government?—Under the Act, the Government appoints them. The Government has, in some cases—I think in the case of minor municipalities—delegated the powers to Commissioners.

41105. And with regard to District Boards?—I do not think the District Boards Acts enables the Government to delegate the power of nomination.

41106. Apart from what the law lays down, might not a Commissioner exercise those powers?—Yes; he might well do so.

41107. And, speaking generally, in regard to everything where outside control by Government over a local body is required—except, of course, in the vital matters of constituting or abolishing—might not the Commissioner deal with the matter, instead of Government, except, perhaps, with regard to big cities such as Lahore or Amritsar?—Yes, I think so.

41108. Do you get many budget references from District Boards and municipalities? Have you to pass the budgets of all of them?—Yes.

41109. Do they go on to Government afterwards, or is your passing final?—I think my passing is final.

41110. Are you much worried with re-appropriations; do they have to come to you if they want to re-appropriate within the budget—say from education to sanitation, or *vice versâ*?—Yes, they do.

41111. When they want to appropriate from balances have they to go to you?—That has to go to Government.

41112. Is that necessary? Do you not lay down a normal balance which each District Board or municipality ought to have in hand?—Yes. I do not think it is in the least necessary, from an administrative point of view, to require a local body to obtain the sanction of Government to draw upon its balance; I do not know whether it is necessary from a financial point of view.

41113. Are these sanctions for re-appropriations necessary?—No; it is purely a formal matter.

41114. Have questions with regard to new works to come up to you, apart from the budget? Supposing a municipality wants to make new latrines, at a cost of, say, Rs. 3,000, would that have to come up to you?—Yes.

41115. What is the limit in regard to sanction there?—I think the limit is, in the case of first-class municipalities, Rs. 5,000; works costing Rs. 5,000 in a first class municipality have to be sent up for the sanction of the Commissioner, and in a second-class municipality the figure is Rs. 2,000. In the case of a first class District Board no original work involving an expenditure of Rs. 5,000 or upwards, and in the case of a second-class District Board involving an expenditure of Rs. 2,000 or upwards, can be undertaken until the administrative sanction of the Commissioner has been obtained.

41116. What is the difference between a first-class and a second class District Board?—I am afraid I cannot say off-hand what District Boards are first-class and what are second-class. Certain District Boards have been classed by Government as first-class.

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41117. Apart from the specific matter of referring works, is there any great difference in their powers or functions?—I do not think so.

41118. We were told that every new appointment of over Rs. 20 had to go for the sanction of the Commissioner; is that so, apart from your passing of the budget?—That was required by the Commissioner of the old Rawalpindi Division some time ago.

41119. It is not a matter which the Government have laid down, but an idiosyncrasy of some individual Commissioner?—Yes.

41120. Is there any general restriction with regard to it?—No; except as regards the Secretary of a municipality.

41121. Has his appointment to be approved by the Commissioner?—I think so.

41122. You are speaking now of the filling-up of an existing appointment, but supposing a fresh clerk at Rs. 30 was wanted, would the municipality have to go up for specific sanction for that?—My answer to your question should have been that in the old Rawalpindi division the Commissioner passed an order requesting that no new appointment, and no increase of pay to existing appointments, should be made by the District Boards or municipalities throughout his division, without previous reference to him, but I have no knowledge of any division or district in which the actual appointment has to be sanctioned by the Commissioner.

41123. What is the general practice; have the local bodies a free hand, or have they to go up?—The general practice is that the Deputy Commissioner and the Commissioner can exercise control over the proceedings of a District Board or municipality, and if, at the time the budget came up, the Deputy Commissioner or the Commissioner thought it was providing far too high pay in any particular post, or too many new appointments, he would then object.

41124. The control is exercised practically through the budget?—Yes; the Commissioner does not have the opportunity otherwise of exercising it.

41125. (*Sir Steyning Edgerley.*) Do you consider that the new Act as to the Court of Wards was a mistake?—I consider it was a mistake to make the Financial Commissioner the Court of Wards.

41126. Is there, under the Act, a delegating section which enables him to divest himself of all the control which he did not exercise previously?—He can delegate specific powers, and he has delegated specific powers, and I have recently received a reference asking for my opinion on a proposal to delegate a large number of other powers, but the difference is that, under the old Act, the Deputy Commissioner was the Court of Wards and had the final authority, except with regard to certain specific matters, in which the Financial Commissioner or the Commissioner exercised certain control. Under the present Act the Financial Commissioner is the Court of Wards, and the Deputy Commissioner can only exercise specific delegated powers the result being that those powers have been delegated in immense detail.

41127. But exactly the same result may be arrived at under the new Act as existed under the old?—No; I think the Financial Commissioner himself has, as the Court of Wards, far more responsibility.

41128. And, therefore, the Act has tended towards centralization?—I think so.

41129. Were there, previously, any complaints of failure of the Act, owing to the lack of control over the Deputy Commissioner?—Not to my knowledge; presumably people make mistakes in every department.

41130. With regard to the giving of a stronger administrative position to the Commissioner, it has been suggested that it would tend to that end if all financial sanctions came to him rather than to the Head of the Department, in these outside special departments, and that he should hold the purse all through. Would that be a good thing? The policy underlying the suggestion was to convert the Heads of these Departments rather into officers who would advise the Deputy Commissioner and the Commissioner, instead of themselves having the ultimate power?—I quite agree that we have recently gone too far in the direction of giving financial control to the Heads of the Departments to which you refer.

41131. Have the Commissioner and the Deputy Commissioner been much divorced from the work of the police lately?—Since the report of the Police Commission was published, there has been a new Resolution, making the police much more independent of the Commissioner and Deputy Commissioner than they were.

41132. Has that been beneficial to the general criminal administration of the province?—I am inclined to think, on the whole, that it has. It is very difficult for men to do their work unless they feel a certain amount of independence.

41133. Have you still all the powers as to using the force, in a general way, that you think necessary in a district or division?—I think so.

41134. Do no appeals come from members of the force to either the Deputy Commissioner or the Commissioner now?—No. Some years ago, in 1898, I think, the Punjab Government issued a Resolution under which certain cases—that is to say, cases in which the public were concerned in proceedings against members of the police—went to the Deputy Commissioner, and, if of sufficient importance, to the Commissioner, as well as to the local police officers, and the Commissioner and the Deputy Commissioner had the opportunity of recording their remarks upon the proceedings; but since the Police Commission and the Resolution of 1906 that procedure has been done away with.

41135. Is that a change for the better?—It is difficult to say. The procedure by which these proceedings came to the Deputy Commissioner and the Commissioner, and by which they interfered more in the *personnel* of the police, was not good, on the whole, for the police.

41136. You would not suggest that all appeals from punishment should be finally settled by either the Deputy Commissioner or the Commissioner, according to the grade of officer?—No.

41137. Is it any benefit to local self-government that, when a technical piece of work is to be done, the Boards should do it themselves?—I think they should do it themselves if they have a competent establishment.

41138. Assuming that they have the power of administration, sanction, and control of the purse, and ways and means, is there any special advantage in their actually doing a particular piece of technical work—manual or other labour—themselves?—I think they had much better do the ordinary Public Works, which they do at present.

41139. Suppose they want to erect a building, does it matter one iota, with regard to local self-government, whether they erect the building themselves, or give it out to contract, or even arrange with Government to do the work, if they have power to provide, or refuse to provide, the money?—I think, if the building is within the competence of their own establishment, it is much better that they should either do it themselves, or let it on contract.

41140. You mentioned the possible partition of the Lahore district; has the alternative been considered of giving a wider municipal constitution to the Lahore city, with a separate Executive Officer?—Yes; but we feel that that would still leave too much work to the Deputy Commissioner and the Superintendent of Police.

(*The witness withdrew.*)

Mr. W. H. MICHAEL was called and examined.

Mr. W. H. Michael.

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41141. (*Sir Frederick Lely.*) You are the Accountant-General in the Punjab?—Yes.

Each Civil Account Office has a scale of Gazetted Officers fixed for the work to be supervised and turned out. The Punjab has—1 Accountant-General, 1 Deputy Accountant-General, 3 Assistant Accountants-General for the office work, 1 Assistant Accountant-General for local audit, and 1 Chief Superintendent. The above staff controls the audit and compilation of the accounts of the North-West Frontier Province also since its creation in 1901–02.

The work of a Civil Account Office is divided, for purposes of effective control, into departments, each having a superintendent and assistant superintendents

to check and supervise the work of the assistants charged with the duty of audit and compilation of the accounts received from all the treasuries in the Punjab and the North-West Frontier Province.

The Departments in this office, which are in charge of superintendents, are Budget ; Resource ; Book and Compilation, including Accounts Current ; Treasury Account Department divided into 8 sections, each under a superintendent or assistant superintendent ; Gazetted Audit Department with pre-audit of Lahore headquarters payments ; Pension Audit and Report on claims to pension ; Forest and Record and Copying. Besides the above there is the Lahore sub-circle of currency of which the Accountant-General is the Deputy Commissioner of Paper Currency.

The Accountant-General's general duties, with the general restrictions on his powers, are given in Articles 1634 to 1636, chapter 77 of the Civil Account Code. The scope and nature of the operations of the office of the Accountant-General or Civil Accounts Department in the Punjab are the same as those sketched in chapter 70 of the Civil Accounts Code, volume II, particularly articles 1442 to 1449, 1454 to 1459, 1463, 1464 and 1467.

There is no doubt that a more complete separation *might* be effected between imperial and provincial finances ; whether it is necessary is another question. At present the Imperial Government makes a provincial settlement under which certain heads of revenue, and most of the heads of expenditure are assigned to the control of the provincial Government. Besides the above, certain heads of revenue and a few heads of expenditure are shared in varying proportions. Under this arrangement the provincial expenditure exceeds their share of receipts, and the Imperial Government makes a contribution to secure equilibrium. This arrangement might be reversed, making all revenue and most of the expenditure heads provincial and retaining as imperial those heads of expenditure which are imperial in character such as the Army. To meet the expenditure under such heads as it is considered necessary to classify as imperial, and to cover the cost of the Supreme Government, a settlement might be made with the provincial Government under which either a fixed contribution or a fixed proportion of the gross revenue of the province could be assigned to imperial, subject as now to a revision of the settlement whenever necessity may demand it. Whether such a reversal of the present system is called for or desirable opens up a large question, and is a matter for serious consideration. I have merely indicated how such further separation might be effected. It would no doubt admit of larger financial powers being exercised by provincial Governments and enable them to have a free hand in the management of their resources. In this connection I would observe that in the North-West Frontier Province, in respect of which I am also the Account Officer, all the revenue and expenditure are treated as imperial, as no provincial settlement has been made. I think the time has now arrived when that province may be placed on a similar footing with the Punjab in this respect.

I certainly think that further financial powers should be delegated both to provincial Governments and to officers subordinate to them. This can be done by relaxing many of the restrictions contained in the Civil Account Code and the Civil Service Regulations. Certain proposals by my predecessor, Mr. Brigstocke, are included in the abstracts of proposals prepared by the Punjab Government. Generally speaking, I agree with Mr. Brigstocke's suggestions, and only propose to make the following observations :—Referring to the proposal to relax some of the restrictions imposed by rule 4 of article 283 of the Civil Account Code, I would remark that the Secretary of State has recently conferred enhanced powers on the Government of India in respect of the creation of new and temporary appointments, and it should therefore be possible to give Local Governments greater powers under article 283-84, clauses (3) and (4). With regard to the proposal to raise the monetary limits in article 989 of the Civil Account Code from Re. 1 and Rs. 10 to Rs. 10 and Rs. 50, I would observe that these limits were raised to Rs. 10 and Rs. 25 more than a year ago. Personally I think the limits are still inadequate, and might safely be raised to Rs. 50 and Rs. 100, respectively. I would also suggest that every Accountant-General should be allowed to entertain temporary establishment up to a certain limit in his own office. At present this power has only been delegated to the Accountant-General, Bombay (article 1674 of the Civil Account Code).

I agree that the contract system of contingent expenditure might be considerably extended, and the submission of countersigned detailed bills might be dispensed with in most cases. The countersignature of the Controlling Officer is purely formal in most cases, and the adjustment of the expenditure in the audit office is frequently delayed by the late submission of countersigned detailed bills. I also think that sanctions to incur expenditure should not necessarily lapse if not acted upon before the 31st March, when the sanctioned budget becomes inoperative. It frequently happens that grants are made at such a late period of the year that disbursing officers find it impossible to spend the amounts before the 31st March, and sooner than allow the grants to lapse they draw the amounts from the treasury in contravention of article 84-A of the Civil Account Code.

In the matter of travelling alllowance bills I would advocate the abolition of rule 1 under article 1163 of the Civil Service Regulations, which lays upon the Audit Officer the duty of checking distances by road by means of polymetrical tables, &c. The District Officers are in a much better position to know whether the distances entered are accurate. The time occupied in the Audit Office in attempting to check the distances entered in travelling allowance bills with the polymetrical tables or route books is quite incommensurate with the results obtained, and the correspondence and friction that not unfrequently ensue.

Article 1635 of the Civil Account Code says that the Accountant-General is bound to ascertain that rules and orders are exactly obeyed in every instance, and to check every departure from them, *however apparently trifling*. This article leaves the Accountant-General no discretion in such matters, and in many cases he is compelled to raise objections for very trivial reasons. It is therefore very desirable to reduce the scope for such objections to a minimum, by modifying and relaxing the restrictions contained in the Civil Account Code and Civil Service Regulations as far as may be deemed consonant with safety and commonsense.

There is one more direction in which some further attempt at decentralization might perhaps be made, and that is in the matter of accounts. Some two years ago the forest accounts were decentralized, and they are now audited and compiled in each Accountant-General's office. It is for consideration whether the accounts of the Postal and Telegraph Departments, and possibly also of the Public Works Department Ordinary Branch (not the Railway Branch), could not be similarly decentralized, and audited and compiled in the Civil Account Office of the province. Under such a system a number of the existing exchange accounts could be abolished which would conduce to saving in time and labour, and probably also to economy in the matter of establishment. It is possible that this question may have been previously discussed and considered impracticable.

41142. When a provincial budget goes up in January for the first time to the Government of India, does the Government of India often make changes in it ?—Yes ; very frequently.

41143. With the object of correcting the estimates mostly ?—Yes.

41144. Does it often make any other changes besides the mere correction of estimates ?—Under the new orders that have just been issued it makes reductions on account of what are called probable savings ; it does make other changes as well. It makes reductions on account of items which it considers have wrongly been included in the budget by the Local Government, that is to say, items which are doubtful, items which have not been sanctioned, and as to which it is doubtful whether they will be sanctioned.

41145. Items which they consider of doubtful expediency ?—Yes.

41146. Are most items within the power of the provincial Government to sanction under 10 lakhs ?—May I quote a case. The Government of the North-West Frontier Province included a sum of Rs. 60,000, I think it was, for the militia, on the understanding that this would probably be sanctioned during the year. The Government of India struck out the item because

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they did not think that matters were sufficiently advanced for the expenditure to be incurred during the year. That is quite different from what are classified as probable savings. It was struck out from the budget entirely.

41147. The North-West Frontier Province would be on a different footing from the old provinces?—It would, of course, to the extent that expenditure is entirely imperial; but I was quoting that as an instance.

41148. Are changes often made in the budgets of the old provinces such as to involve a disallowance of the policy of the province?—I have a statement prepared of the present budget for 1908-09. Deductions made by the Government of India for probable savings come to Rs. 2,64,000.

41149. What is the nature of those?—These are chiefly due to alterations in policy. For instance, under "education" there is a reduction of Rs. 6,000; under "medical," there is a reduction of Rs. 12,000; under "scientific" there is a reduction of Rs. 27,000. Those are all due to the recent orders of the Government of India that these are not to be shown. These are contributions from local bodies for those special purposes.

41150. That is a mere matter of form of account?—But they have been deducted; the budget anyhow stands at a figure reduced by these amounts. Then there is also a large reduction of 2 lakhs under "famine." At the time the budget was framed by the Local Government they had every expectation of famine being somewhat severe, and they included a sum of 5 lakhs under that head; by the time the estimate reached the Government of India the conditions had altered to some extent. Reasons were not given, and the Government of India made the reduction of 2 lakhs without reasons; but the reasons obviously were that they considered that conditions had improved, and that it was not necessary to retain the larger figure.

41151. None of those changes involve any interference with the independence of the provincial Government; nothing has been struck out on the ground that the Government of India does not consider it advisable to incur expenditure on that particular item?—No; not this year.

41152. But do such emendations occur?—I suppose they would occur if the Local Government included items which they ought not to include. The orders are that items which the Local Government have no power to sanction themselves, and which have not yet been sanctioned by the Government of India, should not be included. Sometimes they do include items, and add a note to the effect that proposals for sanction have gone up. I generally allow those items to stand, and make a note in the budget notes to the Government of India that the matter is under consideration; then the Government of India consider the matter, and if they have settled by that time that the expenditure will be sanctioned, they allow it to stand.

41153. As to expenditure which does not exceed the limits, the Government of India would not take advantage of the sanction of the budget to exclude items and so interfere with the policy of the provincial budget?—It is rather difficult for me to answer for the Government of India, but I should say that they probably would not; I cannot call to mind any instances of their having done so.

41154. Would you approve of substituting a simple account audit for the District Boards instead of the cumbersome and subtle Civil Account Code?—Certainly; I think it would be an excellent idea.

41155. Several witnesses have said that they thought that proposition statements might be dispensed with or cut down as they caused an immense amount of trouble; would that be feasible?—I hardly see how it could be done; the Account Office must have some record for the purposes of audit. I do not quite know why there should be any very great difficulty in that respect.

41156. The slightest change of a clerk on Rs. 10 who is proposed to be added to an office involves making out a complete statement of every person in the office, which, if the office is a large one, involves an enormous amount of labour for very little result?—Possibly some simplification might be made in the matter of proposition statements. I have not considered the question, but I do not see why it should not.

41157. (*Mr. Hichens.*) As to proposition statements, has not a complete list only to be made out in regard to the section of the office affected, not for the whole office; the office may be divided into four sections, and if a change is proposed in regard to one section, is not the statement only made out as to that one section?—That is so. Details are only required in respect of the section affected. For the other sections only totals without details need be given.

41158. And that is no trouble?—No.

41159. Are they very bulky statements?—I think not as a rule.

41160. Do you audit the municipal and District Board Accounts?—No; that is not done in my office; that is done locally. We have a staff called the Local Audit Department who go round. Formerly it was done in the central office; about four years ago the local audit was introduced; that is, a staff of peripatetic officers, under an official called the Examiner of Local Accounts; they go round and audit the various municipal and Local Board accounts and Cantonment funds.

41161. Are they under you?—They are all under me; they are called the Local Audit Branch.

41162. Then it is no longer necessary for Local Boards, and so on, to send up to you a monthly statement?—No; that has been discontinued now that they have been changed to Excluded Local Funds.

41163. Does the new system answer more satisfactorily?—If you mean is Local Audit preferable to Central Audit, I certainly think it is, in their case.

41164. Your officers are able to give advice to the Local Bodies on matters of account?—Certainly.

41165. Do they do that freely?—Yes. The proper officer to be asked, of course, is the Examiner; the Local Auditor gives his advice to the best of his ability; but he is only a man on about Rs. 150 a month, and his opinion cannot always be taken as correct.

41166. How often would the Examiner go to see the District Board or municipality?—He tries to pay a visit to them all during the year, but that is rather a tall order as you may understand. There are about 400 accounts or more, including those of municipalities and District Boards in these provinces which are under his audit.

41167. Local Audit in these provinces is still in its infancy?—Not quite, but we have only just finished the first round; it took over three years to get all round.

41168. Are the Local Auditors responsible for seeing that the regulations and laws are not infringed from the financial point of view?—My view is that the Examiner of Local Accounts ought to see that they are not infringed, and if they are infringed he ought to say so; but we have just recently had a little friction with the Local Government on this subject. They say "All we want is to have defects pointed out, and your business is done with then. It is for the Deputy Commissioner or for the Controlling Officer to say that such and such a thing should be attended to." I am in correspondence with the Local Government now; and I do not quite know whether they are going to adhere to that view. Two or three Deputy Commissioners have felt that the Examiner of Local Accounts was trenching somewhat on their prerogatives in making certain remarks in his audit reports. It is very difficult to avoid little matters of friction of that sort, but I think the matter will terminate satisfactorily. I believe I am right in saying that at home the Government Auditors have very large powers, and they are entitled to say that such and such a thing shall be done, without going up to Government.

41169. Would it be possible to extend the powers of municipalities, and give them a comparatively free hand in the working of their own affairs, provided that you had a powerful audit staff or inspecting staff which went round and saw that they did not infringe the laws and regulations that were laid down?—I personally think it would be a very good move. The

whole matter of expenditure, of course, is an administrative one; it is for the Local Government to say what they want done in the matter; if they wish, they can free the municipalities from any control of the Commissioner; the Commissioner is the Controlling Officer.

41170. But it would be quite possible for you, with an audit staff, to see that they did keep within the regulations laid down, from the financial point of view?—I think so.

41171. You suggest with regard to the Public Works, Ordinary Branch, that there might be some decentralization there as regards accounts?—It is rather a complex question, and I really should hardly like to express an opinion upon it. Probably the matter has been considered before; I do not know whether it has been considered by the Government of India or the Comptroller-General, Forest Accounts, have been decentralized now; they are audited in our office, instead of, as formerly, in the Comptroller-General's office.

41172. You would rather not express an opinion as to whether it would be desirable with regard to Public Works?—The only objection I can see is that it might make the Accountant-General's office rather unwieldy.

41173. What would be the advantage?—The advantage would be that you would do away with a large number of exchange accounts, and probably it would result in economy in establishments; the charges would all be brought to book in the civil accounts in the Accountant-General's office.

41174. You think that the establishment of the Secretary of Public Works to the Government of India might be reduced on the account side?—I think a reduction might be possible in the Public Works Department Accounts office.

41175. (*Mr. Meyer.*) The Public Works and Postal and Telegraph Accounts all deal with technical matters, about which you require some technical knowledge?—That is true to some extent.

41176. What is the advantage, therefore, of putting them into your office, when you have not the technical knowledge?—The advantage would be that it would enable us to do away with exchange accounts altogether.

41177. But you counterbalance that by getting more objections and more friction, owing to want of technical knowledge of the staff that is dealing with them?—The same might be said of forest accounts. There is a certain amount of technicality in forest accounts, and yet it was considered advisable to decentralize those.

41178. Still, there is that objection on the other side?—Yes.

41179. You do not propose to take over the military accounts?—No; that would be too big a business altogether; nor the Railway Accounts Section of the Public Works Department.

41180. With regard to District Board and municipal accounts, are there not rules and manuals?—Yes.

41181. Who drew those up?—The Municipal Accounts Manual was drawn up by Mr. Tomkins, the Examiner of Local Fund Accounts.

41182. And the District Board Manual?—That is now under revision; there have only been a set of rules hitherto. The District Board rules were issued by the Local Government.

41183. Have these manuals and rules applied the same system of minute audit and requirement of vouchers, and so forth, as exists in Government treasury transactions?—Yes.

41184. Is that advisable in the case of these municipal and local bodies?—I do not think so; but as regards the Civil Service Regulations, the Punjab District Board Act says, in the case of an officer or servant, not being a Government official referred to in section 28, a District Board may grant him leave allowances, and so on; then there is a proviso, "Provided that no pensions, gratuity, leave allowance or annuity shall exceed the sum to which, under the Government Civil Pension and Leave Codes for the time being in force, the servant would have been entitled if the service had been service under the Government."

41185. And that has been translated, in practice, into applying all the mass of regulations that the Government of India issued for its own Services to this municipal Service?—Yes.

41186. Would it be quite sufficient to apply the general principle, *e.g.*, that where the Government rule is one month's leave a year, you should not allow a municipal man six weeks?—Quite so. A very simple code might be drawn up, based upon the broad principles of the Civil Service Regulations.

41187. We were told in other provinces that the Examiners of Local Fund Accounts went round, and they produced a lot of objections by reason of these elaborate manuals, pointing out that there was not a voucher for the payment of a rupee, and so on. Do you have that here?—The Examiner of Local Accounts here has recently exercised a certain amount of discretion, and dispensed with vouchers for small items under Rs. 5; he had no authority to do so, but he was convinced it was impossible to expect vouchers for small items in all cases, so he dispensed with them on a certificate by whoever was in authority that the expenditure had been properly incurred.

41188. The amount of detailed control would be for the Local Government or the Commissioner, as the case might be?—Yes, it is a purely administrative matter.

41189. In the same way with regard to your audit objections; your man says that charges A, B, and C have been irregularly incurred and they must be covered by sanction; then what is the position of the Local Government? Is it that no sanction need be given?—As I understand it, what they wish is that we should point out defects, and not offer any criticism whatever; we are not to say that the supervision is not good, or that the members do not seem to take sufficient interest in the working of the municipality or District Board, as the case may be; and apparently their position is that we should merely point out defects, and leave it to the Controlling Officer to see that these are remedied.

41190. Those are general remarks, but the essence of any audit is to point out that such and such charges have not been covered by sanction or have been irregularly incurred. Do they take any objection to your putting that forward?—No.

41191. Then when you have done that, the sanction must be given or the money recovered from the person responsible for spending it; is there any difference of opinion about that?—None.

41192. It is suggested by one of the witnesses, Mr. Russell Stracey, that you should apply this system of peripatetic audit to the Government treasuries; would that be possible?—No.

41193. Are the transactions too elaborate?—We should require to have a very large staff to do it. I do not think the Accountant-General from headquarters could undertake that.

41194. Would you gain anything by it if you had the staff?—I do not think we should gain anything by it; the District Officers would gain to a certain extent by being relieved of responsibility.

41195. How would they be relieved of responsibility?—I take it that the suggestion is that the Accountant-General should be responsible for the working of the treasury.

41196. That was one suggestion, but I was taking the other point, that the *post*-audit that is now carried out in the Accountant-General's Office, or the *pre*-audit sometimes, should be replaced by a peripatetic audit-as in the case of local and municipal accounts. Do you think that possible, considering the enormous bulk of the Government transactions?—Personally, I do not think so.

41197. Now, take our own Civil Account Code; are there not two bulky volumes of that, supplemented by a Treasury Manual issued by the Accountant-General for each province?—We have not got the latter here; at present we have only got Standing Orders, which are now under revision.

41198. A great portion of that deals with matters which are not of importance in imperial finance at all;

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are they not details with regard to formal vouchers, and details of formal returns, and so forth?—Yes.

41199. Might you not replace the Civil Account Code by a much smaller code, which should contain everything that is necessary from the imperial finance point of view, and leave other matters to be dealt with by the Local Government and the Accountant-General in consultation, with a reference to the Comptroller-General, or to the Government of India, in case the Accountant-General thinks that some particular method is necessary for the safety of audit and the Local Government does not agree with him?—It would be quite possible.

41200. We have had a great many complaints, as to vouchers and as to counter-signature by one officer of another's travelling allowance bills, and so on. Are not those all matters for the Local Government to determine?—Yes; the countersignature matter refers to the Civil Service Regulations.

41201. Anyhow, it is laid down in one section or other that the Local Government is to determine who the Controlling Officer is to be?—Yes.

41202. Therefore, if there are these needless formalities, it is the fault of the Local Government?—Yes, except that the rule says there must be a Countersigning Officer; the Local Government may say who is to countersign, but the Civil Service Regulations say that there must be countersignature.

41203. A man might be his own Countersigning Officer?—Yes.

41204. Sir John Hewett referred to the large amount of work called for under the audit Regulations, and thought that much might be gained by a simplified code; do you agree with that?—Personally, I think that the whole Civil Service Regulations require remodelling, and that they might be made much simpler. By a natural process of growth they have attained a very large volume, and they are very nearly as intricate as a legal code; and not only do the officers to whom they apply not understand the regulations, but they frequently give the account office very considerable trouble to interpret them. If they could be remodelled and simplified, it would be an excellent thing. I am almost inclined to think that the Civil Service Regulations are more in need of remodelling than the Civil Account Code.

41205. You would like them to be cut down to more general principles, with larger latitude to the Local Government to act within those principles?—Yes.

41206. Apart from that, in every audit office you get zealous clerks who send you up an infinity of objections, many of them technical; do you always abide by them, or do you sometimes ignore a mere technical objection?—Personally, I ignore them very often, but I do so at my own risk; and one cannot expect one's subordinates to take that risk as a rule.

41207. You refer to orders passed about two years ago raising the discretionary power of Accountants-General in the case of mere technical irregularities. You say the limits were raised from Re. 1 and Rs. 10 to Rs. 10 and Rs. 50, 'but this fact appears to have been lost sight of owing to no correction slip to the code having been issued"?—I mean there that Mr. Brigstocke lost sight of it in his note; he mentioned the limits of Re. 1 and Rs. 10, but no correction slip was issued, and I presume that is what misled him.

41208. But you are acting on it?—Yes.

41209. You suggest now that those powers should be raised, respectively, to Rs. 50 and Rs. 100. Would that not possibly tend to interfere with the necessary strictness of the Accountant-General and Audit Officers; might it not allow sums to be written off to avoid the trouble of further correspondence and objection?—That would be so with our present limits; it is a question of how much you are going to trust your Audit Officers; that is what it comes to.

41210. Still, as a man of the world, looking at it generally, is there not that possible danger? If you run up your sums too high, is it not possible that, for the sake of peace, Audit Officers will assent to irregularities that really ought to be brought to notice?—I hardly think that the limits I have suggested are so high as to render such a thing likely.

41211. Rupees 100, for instance, would cover most things with regard to the salaries of most clerks?—He has to report Rs. 100.

41212. Rupees 50 would cover a good many clerks?—So would Rs. 25. As far as that goes, we have a number of clerks on Rs. 20 in our office.

41213. You are in favour of extending the contract contingency system in office?—I think it might be extended.

41214. How far would you be prepared to go. Would you put all a man's expenditure into the system, or what general line of demarcation would you have?—I think that is a matter of detail that would have to be considered; I have not gone into the question at all. The system is capable of being extended.

41215. You would not be prepared, for instance, to give a lump sum for an office, and let a Collector run that in contract and alter the pay of his clerks?—Certainly not; this only refers to contingent expenditure, not to the pay of establishments.

41216. (*Sir Steyning Edgerley.*) Without going into policy, you say that a scheme, making all expenditure and revenue provincial, and giving the Imperial Government a fixed proportion of revenue, would be quite feasible?—I think it is feasible; whether it is called for is another thing.

41217. The Lieutenant-Governor here has suggested that the provincial budget might be passed finally by the Local Government, the Government of India, of course, passing their own budget. That would give two sets of figures. Would the fact of there being a provincial set of figures and an imperial set of figures running practically together cause great difficulty in the Audit Department?—It depends upon what these differences consist of. We must have one set of figures to audit by. Do you mean that the Government of India are not to alter the Local Government figures?

41218. That is the suggestion; that the provincial budget should be finally passed by the provincial Government, and be subject to no alterations whatever by the Government of India for the purposes of provincial expenditure?—The orders now are that we are to conduct our audit with reference to the amount sanctioned, reduced by the probable savings. That is simple enough. If the Local Government find that that amount is not sufficient, they are authorised to spend up to the unreduced grant by making a re-appropriation from other heads, and we can conduct our audit on that. But, then, as I pointed out just now, there are other reductions occasionally made, which do not come under the head of probable savings, which reductions the Local Government have to accept. Unless those reductions are to be put on the same footing as the reductions on account of probable savings, we should find it exceedingly difficult to conduct our audit.

41219. Let us assume the budget is not touched at all; would it cause great difficulty in the Audit Department during the year?—I do not see why it would cause difficulty to the Audit Department, but the trouble would be the question of dates. The Local Government budget is now framed on eight months' actuals, and very considerable alterations happen after that budget is framed. If the Local Government are to be allowed to sanction their own budget, if their figures are to be taken as final, they must frame their budget on later actuals than that.

41220. Suppose there are the two sets of figures, what are the difficulties in audit during the year; afterwards, say, from 1st April onwards?—I do not see that there should be any difficulties in audit, if we are told that we are to conduct our audit on the basis of the provincial figures.

41221. You would apparently have two sets of figures, according to the proposal?—We should not have two sets of figures, if the Local Governments are allowed to sanction their own budget without being subject to any alterations by the Government of India.

41222. You mean that you would have to audit on the provincial figures?—I audit on whichever figures the Government of India tells me to.

41223. The provincial budget, say, equals x; the Government of India budget equals x minus y; apparently the Government of India would call on you throughout the year for information on the basis of x minus y; the Government of the Punjab would want your audit on the basis of x; would that cause you any great difficulty?—Yes; I am afraid it would.

41224. What would the difficulty be?—It is rather difficult to answer that question. I should have to conduct our audit according to the figures intimated to me by the Government of India; I could give the actuals of receipts and expenditure as we go on to the Local Government, but that would not be sufficient for our purposes of audit.

41225. As regards forest accounts, would you agree with the evidence of Mr. Fisher that the audit system requires a complete overhauling?—I have a certain amount of sympathy with his complaint. I think we are inclined to insist too much upon certificates.

41226. Do you think the forest audit is too elaborate, and that there are too many certificates?—I think our system of audit generally requires too many certificates. I am not very conversant with the details of the forest audit; it does not come very much under my personal observation. Mr. Fisher's complaint is probably well grounded, but I think the Local Government could say that such certificates are not needed in such cases. It is possible, of course, that these certificates are provided for by the Forest Code itself. I do not know what certificates he is referring to.

41227. Do you make much use of banks at district headquarters as treasuries in this province?—The Government banks with the Bank of Bengal here, at Delhi and at Simla; the treasury business has only just been transferred to the Bank of Bengal at Simla; the branch there has only just been opened, in fact.

41228. Is there room for any extension of that system in the province?—I am not aware that the Bank of Bengal has branches elsewhere.

41229. You would only bank with the Bank of Bengal?—We only bank with the Presidency banks; they have an agreement; I do not think it would be feasible to make use of other banks.

41230. Another suggestion made was that district treasuries should submit classified accounts of expenditure as well as of revenue. Would that be feasible and save work. They do that in Madras, but the Madras district staff is better educated than the staff in this province; I am doubtful whether it would be feasible up here.

41231. If feasible, would it be a saving for you?—It works very well in Madras.

41232. You are inclined to consider the suggestion of further decentralization of headquarters accounts and a possible central exchange?—It is possible there may be something in it. There may be difficulties which I have not had the opportunity of seeing discussed.

41233. Would it improve the working of accounts in the province if your clerks, or a certain proportion of your clerks, were interchangeable with Treasury Officers?—No; I am not in favour of that.

41234. (*Mr. Dutt.*) You have told us about your local Audit Department consisting of a Gazetted Officer and some subordinates. Do you realise from the District Boards and municipalities a certain rate to cover the cost of this establishment?—We do not realise it; it has been realised hitherto, but Government have now ordered that contribution to be foregone; it has just been abolished.

41235. Was it not one per cent.?—I forget what it was; it came to Rs. 51,000 here.

41236. Is the local audit done without any cost to those bodies?—It will be.

41237. Did I understand you to say that your Audit Department could do something more than they are doing now, and see that these local bodies were conforming to the rules and regulations laid down for them?—I do not see that they could do much more in that respect, because they do see already; the complaint is that they see too much.

41238. They see that every expenditure is covered by voucher, and so on?—The complaint is that the Audit Department go into details too much and insist upon too great rigidity.

41239. Your department could not go further and see whether the local bodies are neglecting a school or not looking after a road, or anything of that kind?—The staff would have to be increased very considerably if they were expected to do that; it is not part of their duty.

41240. Would it be in accordance with the duties of the Audit Department to see whether a District Board had looked after a road or a school?—No.

41241. So that that part of the supervision of a District Board's duties could not be entrusted to your department?—No; that would have to be seen to by the Local Fund Engineer in the case of roads, or by the inspector of schools in the case of schools.

41242. You have told us that the Government of India modifies your provincial budget by deducting what they consider probable savings. In that case you do not have to change your own figures on receipt of the Government figures?—No.

41243. You keep to your old figures and spend according to that, and at the end of the year if there is any excess expenditure under any head, you cover it by re-appropriating from another head?—That is what the Local Government does. But I do not wait till the end of the year to bring the excess to the notice of the Local Government.

41244. That saves you a great deal of trouble?—The order has only just come into force; it is very early to judge.

41245. So far as you can judge it will save you the trouble of modifying figures under different heads on receipt of the figures of the Government of India?—Yes.

41246. Then you say that the Government of India also make modifications of a different kind: for instance, when you have included an item which has not been sanctioned and as to which there is doubt whether the expenditure will be incurred. In those cases, in the interests of correct estimating, is not the Government of India bound to make those modifications?—Yes; naturally they have a right to do so; and they are correct in doing so. It is not often that much amounts are included by the provincial Government.

41247. Or when circumstances change, the Government of India have to make alterations?—Certainly. The Government of India make very large alterations on the receipt side also.

41248. Is it then your opinion that the Government of India have really simplified things so far as it was possible for them to do so, or could they go any further?—That is rather a large question.

41249. I refer to the orders recently issued?—I think those orders go as far as can be expected.

41250. You cannot suggest any other steps which the Government of India could take in order to simplify matters?—The only other step is what the Local Government have suggested, by allowing the provincial Government to sanction their own budgets definitely, without being subject to any change by the Government of India.

41251. Suppose they sanctioned their own budget, and then it was found necessary for the reasons mentioned before to make a modification, would you suggest that the Government of India should make no modification?—That does away with the system altogether. I think, personally, that the Government of India must have the right to make modifications, unless it is possible for the Local Government to submit their budgets at a much later date.

41252. You say that the Civil Service Regulations ought to be, and could be, very much simplified. Until that is done, is it the duty of the Account Department to strictly adhere to the Civil Service Regulations?—It is.

41253. You could not allow any more liberal and loose interpretation so long as the rules are what they are?—No; I do it at my own risk if I do it. There are a couple of suggestions which might possibly be considered in connection with simplifying the Civil Service Regulations. One is whether it would not be possible to introduce time scales more largely. Time scales have been introduced in the Finance Department and the Forest Department; they simplify matters

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very much, and the suggestion is worth consideration. The other point is whether it would not be possible to substitute permanent fixed travelling allowances for mileage, with all the complicated rules at present in existence.

41254. (*Sir Frederic Lely.*) Do you approve of that?—Yes, but I believe that the Government of India do not view that suggestion very favourably.

41255. But would you advocate it?—It would save a very great deal of correspondence and friction, and Controlling Officers might be trusted to see that a District Officer does the amount of travelling he is expected to do. The objection to fixed travelling allowances is that an officer may sit in headquarters and draw his travelling allowance without travelling. Speaking generally, my own view is that the Civil Service Regulations want remodelling, and it is no good altering a few sections; the whole volume wants remodelling.

(*The witness withdrew.*)

Mr. C. G. W. Hastings, C.I.E., was called and examined.

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41256. (*Sir Frederic Lely.*) You are Inspector-General of Police in the Punjab?—Yes. I joined the Police Service in September 1873. I have had since miscellaneous work in the force, I have done political work in the Punjab, but I have never left the department permanently.

The number of Gazetted Officers of the Indian Police serving in the Punjab is 75. With the exception of three officers employed in my office and at the Police Training School, all officers except newly joined probationers are serving either as Executive Officers in districts or as Administrative Officers supervising the district Police Officers. The scope of the Police Department is the prevention and detection of crime, the collection of important information, political and otherwise, giving general assistance to the authorities and people in times of distress, &c.

The fullest powers should be given to provincial Governments to carry out any policy laid down by the Imperial Government. Since the orders from the Government of India on the Police Commission proposals were received, I have been constantly called on, demi-officially and otherwise, to report on action taken, and the orders issued under sanction of the provincial Government has been criticised. Such criticism hampers the administration of provincial Governments. Local Governments should be trusted to give effect to the general lines of policy laid down by the Government of India.

The influence of the departments of the Government of India is too much in the direction of excessive uniformity. I may instance the refusal by the Government of India of the allowances to the Phillaur Finger Print Bureau staff in the face of a very strong representation by the Lieutenant-Governor, the only reason given by the Director of Criminal Intelligence being that such allowances are not given except in Bombay, where they are granted on account of the dearness of living. To this I can add the correspondence between ourselves and the Director of Criminal Intelligence on the action of the Local Government in carrying out reforms recommended by the Police Commission; among others I may cite the black-mark system, regarding the pay of constables, &c. In instances of this kind wider discretion should be given to provincial Governments; it retards the administration of a province if anything in the interests of advancement is to be held back because other provinces are not ready for the same advancement. Nothing was more striking in this direction than the results of proposals placed before a conference of Inspectors-General of Police of all India in April 1903, when in hardly any instances could any general agreement as to uniformity be arrived at, owing to the widely different conditions that prevailed between various provinces, and it is not in the interests of general police administration to direct uniformity in details.

Directors and Inspectors-Genoral under the Government of India dealing with departments which are primarily administered by Local Governments should be advisers, and not critics and censors of orders passed by Local Governments.

The demands for returns in connection with the Police Department have been satisfactorily curtailed since the Police Commission Report, but there has been a very large increase of work which may come under the head of demands for information in connection with the Criminal Investigation Department. This might be curtailed very considerably. We seem, since the inauguration of the Imperial Department of Criminal Intelligence, to be on the verge of constituting a Secret Police Force, and no innovation could be more dangerous and more liable to become a weapon of oppression with the material we are obliged to work through. It may be a coincidence, but it is a fact, that since the abolition of the Thaggi and Dacoity Department and the institution of the Department of Criminal Intelligence, the number of bogus agents of the latter who have come to notice has been considerable; as regards also the collection of information on political matters called for in a general way by the Government of India, we are liable to defeat our own ends in carrying out the orders of the Government of India. Rather than make general enquiries we should confine ourselves to making special enquiries through selected and specially deputed officers. Now-a-days, specially when agents of political societies are at work in all districts, to try and ascertain what action Government is taking in all political matters, the fewer enquiries made by general report the better, as, do what we may, the idea of keeping any matter strictly confidential is a moral impossibility. As in the case of secret enquiries into thefts of arms, &c., better results would be obtained by deputing a specially selected officer than by trusting to general reports called for from District Magistrates and Police Officers. Such selected officers should, however, be, to the very greatest extent possible, employed by the Local Governments, and not agents employed under the direct orders of the Government of India or of the Director of Criminal Intelligence, though there are always certain cases in which the Government of India must employ its own agents.

I am not in favour of any alteration in existing orders recently framed regarding the powers of Commissioners and Deputy Commissioners as affecting the Police Force. They thoroughly meet the case, and should be given the fullest trial, and since they were framed, so far as this province is concerned, none but the most cordial working is being experienced. Some officers recommend extended powers to District Officers, District Magistrates and Superintendents of Police in promoting Police Officers within their own districts. I am strongly opposed to this, and so long as we have a provincial Police Force, we have a wider field for promotion and transfer which in the interests of general administration is the most beneficial, and the extra dignity such patronage might possibly give must be sacrificed to the wider interests of the police administration. Speaking generally, the powers invested in District Officers are sufficient, but discipline and vigilant control is in many districts lacking, and the driving power would not be supplied simply by providing District Magistrates with police guards or other outward signs of authority. The native character being what it is looks to one interest, "self-advancement"; and to induce good service the budget for liberal rewards has been considerably increased of late, and should be further increased for general good work and not so much for assistance given in individual cases, and where exceptional work has been rendered, a much more liberal application under recent orders of the Government of India of grants of land should be resorted to. Working on these lines would enhance the powers and add to the prestige of the District Magistrate to a greater and more general extent than the bestowal of appointments on local *umedwars* who clamour for service.

There should be some less cumbrous method of making alterations in the sanctioned strength of establishments. For petty alterations in menial establishments it has been recommended that under certain restrictions the Head of the Department should be the sanctioning authority. For alterations in superior establishments, however, I would most strongly recommend that some means of simplifying the present proposition statements be considered. Their preparation entails much labour, checking them entails much more

labour, and the whole procedure takes often months to complete, although the alterations in respect of which these statements are submitted may be very urgent.

Speaking from a police point of view, where the force is a semi-military one consisting roughly of 812 officers and 19,385 men, I do not think the appeals to the Head of the Department or to Government require curtailing. In the past five years only 96 appeals have been made, and of these only 14 have been accepted in any way. To curtail existing rules in the Police Force regarding appeals would give a very legitimate cause for dissatisfaction and affect the discipline of the force which is now efficiently maintained.

Admitting excessive uniformity, speaking purely from a police point of view, I am convinced that control from above has brought about the present highly efficient state of the Punjab Police. The large number of junior officers we now have to work through who are launched into very responsible posts at a comparatively young age render control from above necessary. Let each Superintendent of Police work his own district on what he considers the right lines (and many of them have fads), we would find in a very short time a check in the local machinery which would require special enquiries into and remedies to cure. I would view with the greatest apprehension anything tending to relax discipline in splitting the force up into isolated district units by giving a freer hand than at present to Superintendents and separating them from central control. As Inspector-General, I am personally responsible for the interests and welfare of all officers and men in the force, and through the four Range Deputy Inspectors-General, as at present constituted, can work to this end, which would not be the case if divided responsibility was in any form allowed to come into being as suggested by some District Magistrates.

I do not generally favour any great alteration in the present Secretariat control, although no doubt searching enquiries might make relaxation in some directions possible. The Government mill probably grinds slowly, but grinds very fine; and if the Secretariat pendulum is now to swing back too much in the other direction, I would anticipate, before very long, mistakes from hurried and ill-conceived local action which would result in far greater petitioning and reporting on, so that the existing control would again have to be resumed. Take for one instance the question of punitive posts, which in many instances are revised by the Head of Government on grounds of policy or otherwise; there may be delay in obtaining the final orders of Government, and complaints have reached me about this, but instances could be given where such delay has been advantageous to the administration, while the reports drawn up for sanction of such posts entail, or should entail, the same amount of reporting and care whether the orders of Government are taken or the powers delegated to Commissioners.

I can remember no single instance since I took over charge of this department in March 1904 in which the relations between the Police Department and the various Commissioners have been otherwise than of the most cordial nature. The valuable assistance and advice given by Commissioners in police matters have been always given adequate weight to, and I see no reason whatever why, under existing rules already referred to, this state of affairs should not continue.

I quite agree with the remarks made by a former Inspector-General of Police, when he wrote:—

> "It is my belief—and I speak with an experience of 38 years—that Gazetted Officers when on tour do much by their example and instruction to raise the morals of their subordinates, to instruct them in the proper discharge of their duties and to help in the better control of criminals. * * * * * * *
> I think the European Officers of Police who have been for any time in their districts have a complete knowledge of their districts and the people, and I believe that much useful and unobtrusive work is done by them in their district tours."

Executive Officers have ample opportunities for personal contact with the people, and in the majority of cases there is no doubt such officers are freely accessible to the people, but there is on the other hand not the slightest doubt that there is not that free touch there used to be, and anything in the shape of grants in districts for the purpose of "entertaining" native gentlemen who may come from a distance to visit officials, which has been advocated by some officers, would be beneficial. There, would of course, be difficulties in working out the details of such a scheme, but these would not be insuperable. The keynote of the whole appears to be in the words "Sympathy with the people." That this sympathy existed in old days is seen in every corner. For instance in the Hazara district, where letters from Abbott are the treasured heirlooms in many houses. I have still some copies of these in my possession, and they have often guided me in my action in dealing with men on the frontier. To attempt to renew the past is now perhaps impossible. I know from experience how unpopular fixed days for receiving visitors are and how hurried interviews are resented, and anything in the shape of *shamianas* or other comforts for the entertainment as Government guests for native gentlemen when visiting district officials would be greatly appreciated. But I am afraid that any action taken in this direction at the present juncture would be misconstrued. Nothing struck me on coming to the Punjab from the Frontier more than this want of touch between native gentlemen and District Officers. This comes the more forcibly to my mind in my own case. I endeavour to meet every native gentleman who wishes to see me, but since I have held my present position I can remember but few instances in which a native gentleman has called on me without having some petition to prefer on behalf of some one in whom he is interested, and I believe that among the younger generation of educated Indians it is looked on as "grovelling" to visit Europeans.

I consider the majority of Executive Police Officers possess a knowledge of the vernacular above the average. Without wishing to detract in any way from the advantage of a good knowledge of vernacular, I am constrained to say that it is not in all cases that our best linguists are our best officers.

We have in the Police Department received an increase to the administrative staff on the recommendation of the Police Commission. This gives what was a much needed relief. District charges are not now beyond the power of management of the Superintendent generally. Specific cases are dealt with as they arise.

Transfers are not unnecessarily frequent. I admit that constant transfers in some districts have considerably retarded good administration and continuity of work, and everything is being done to reduce such transfers to a minimum; but I see no practical remedy whereby the evil can be removed.

As regards Divisional Officers, I do not feel competent to express an opinion. As regards District Officers, I feel sure that any such Councils, whether Advisory or Administrative, would be productive of nothing but harm, and when the District Magistrate can, as at present, obtain the opinion of all native gentlemen of influence in his district, to single out two or three men as advisers would cause jealousy and trouble. I think we may take as an illustrative case the difficulties which confront all District Officers in frontier districts in the working of the *jirga* system. Here in rare instances do we find a selected number of representative members of the community working solely in the interests of justice, and to eliminate members on account of party feelings and factions is a work of the greatest difficulty, and I feel convinced that any attempt to work practically through advisers would tend only to magnify the position of the fortunate individuals selected, without any corresponding advantage to the administration.

As regards the Punjab generally, we are not yet ripe for the introduction of a scheme to give village communities powers in petty civil and criminal cases. To attempt to build up panchayats, however admirable the object may be, where no local public opinion exists, would, unless supported by official authority, end in failure. There is no doubt that in some districts, such as Ferozepore, Lahore, &c., &c., the abuse of village liquor shops is a source of open annoyance, but I doubt if any local panchayat in villages as at present constituted would be able to reform matters. On the other hand, it is more

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probable that faction fighting would ensue. The only district in the Punjab where exceptional authority and power rests in the hands of recognized leaders is in Dera Ghazi Khan under the various *tumandars*; in other districts, with very rare exceptions, the material does not exist in which such authority could be vested, and in some districts, notably Jhelum, Attock, &c., to restore the old hereditary powers would make confusion doubly bad. As far as my experience goes, Government has done everything possible by the creation of Benches of Honorary Magistrates, which certainly in one district had to be withdrawn owing to the refusal of the Magistrates to sit together. With this in mind, to extend the powers to less influential people in rural tracts would only end in similar failure, jealousy, and even harmful results. Honorary Police Officers have been given a trial with no appreciable results. We are, however, making daily more and more use of the services of *zaildars*, *inamkhors* and village headmen; with the institution of every new department the services of these men are utilized to an increasing extent. Let us recognise in a far more substantial manner than at present the value of these services. By such adequate recognition we can gradually build up the position of these men, who are, if not entirely, still to a very large extent the local leaders of the people, so that ultimately they will be able to take up a strong position to be utilized in the disposal of local affairs.

41257. Your police in the Punjab is a provincial force?—It is now.

41258. Has it been for long?—Since the Police Commission Report we have removed the municipal police, and it is now one whole provincial force: the rule making it one provincial force is only in the last two years.

41259. It was only the municipal police that were brought in then?—Yes.

41260. Before that they were still provincial, I mean as distinct from district corps?—They were one force; the only difference was that the city police, the municipal and cantonment police were paid from different funds, but they were all recruited for the same purpose and did the same work, and were under the same supervision in any district.

41261. The principle that has been observed in the province, for at any rate many years, is not that the district is the unit, but the whole province?—That is so.

41262. Do you approve of that system?—Yes; I think it has worked well.

41263. One of the consequences is that the District Superintendent of Police has less powers than he has under the other system?—I have never tried the other system.

41264. What powers has the District Superintendent in the way of appointment and punishment and dismissal?—Appointment up to, and exclusive of, the grade of head constable, and dismissal of the men he is able to appoint.

41265. As to sub-inspectors?—Sub-inspectors are appointed by the Deputy Inspectors-General, and the inspectors by the Inspector-General, also the European sergeants.

41266. Then the District Superintendent has very considerable powers?—Very great powers.

41267. Is he subordinate to the District Magistrate?—Yes.

41268. What is the practical difference between a provincial list and a district list?—There is no difference except as regards the source of pay. The municipal police used to be paid by the municipalities, and in the case of the cantonment police by the cantonment funds, but they were all enlisted and employed in the same way, and were interchangeable. Now the province pays for the whole force, the municipalities giving in exchange the amount that they used to pay. That is the arrangement since the Police Commission reorganization, it is only as regards the payment of the force; as regards discipline and recruitment, they are exactly now as they were before.

41269. You say "I would view with the greatest apprehension anything tending relax discipline in splitting the force up into isolated district units by giving a freer hand than at present to Superintendents and separating them from central control." A district system does not imply the exemption of the Superintendent from general control—the general control of the Inspector-General?—No. There was a proposal that sub-inspectors should be promoted and recruited in their own districts; if that was adopted, it would be detrimental. You have a bigger field, as we have now, in the whole province, for promotion and enlistment, but if it was restricted to the district unit, it would be detrimental to discipline.

41270. You are objecting to this proposal to have inspectors and sub-inspectors appointed and promoted in their own districts?—Yes.

41271. The lower grades are confined to their own districts?—Yes, and should remain so.

41272. You say that the relations between the Police Department and the Commissioner have been of the most cordial nature. Is that because as a fact the Commissioner effaces himself, and has very little to do with the police in the Punjab?—He had before; it is only recently that his power was withdrawn. There was a dual control in which the Commissioner had the powers *ex-officio* of a Deputy Inspector-General, and the Deputy Inspector-General was his personal adviser in all police matters. The result was friction. Those powers have now been withdrawn from Commissioners, and the scheme is working perfectly smoothly.

41273. Are the relations now cordial?—Absolutely.

41274. That means, in other words, that the Commissioner has effaced himself?—Not entirely. Under the rules laid down he has, by law, to carry out certain duties in regard to the Track Law and punitive posts. In fact he now controls from without instead of from within.

41275. Has he any positive control on any particular point?—Not as he had before as regards transfers or punishments, or things like that, that is now entirely in the hands of the Deputy Inspector-General.

41276. In what matters has he control now?—In all matters in which by law he has authority, and it is necessary that he should have control.

41277. But in what particulars?—Under the Track Law, and arrangements for punitive police, &c.

41278. Can he order the imposition of a punitive police post?—No; that has to go to Government, but it passes through him; he gives his advice.

41279. He has no actual power to sanction it?—No; he is simply adviser to the Local Government.

41280. His functions in relation to the police are now purely advisory, and on certain subjects only?—That is so.

41281. What is the system of village police in the Punjab?—Village police do not exist, with the exception of the chaukidar.

41282. How is he paid?—The chaukidar is paid by the village, and is appointed by the Deputy Commissioner.

41283. Is he in any way under the control of the provincial police?—No; except that he has to report at police stations on duties which he has by law to do, in the way of vital statistic reports, and so on; otherwise he is not under the police; he is not paid by the police.

41284. Have you any remarks to make about the village police or generally about the detection of crime, which depends chiefly on them in the villages?—I do not think it depends on the village police. The detection of crime is the responsibility of the district police—the thana police.

41285. But they have to work through the village police?—They work through them, they get assistance from them undoubtedly, but they are not employed to enquire into cases any more than you would ask evidence from any other villager.

41286. Does not the provincial policeman, when he goes to a village, expect the chaukidar to tell him all about a case up to date?—We look to the chaukidar for information, and he comes generally and reports, but he is not employed as a police official in any way.

41287. In this province you have a great many Honorary Magistrates; is that a help to the administration of justice?—I do not know that there is an unusual number, but they are an immense help; they dispose of a very large number of petty cases; they are a great help to to the police.

41288. (*Mr. Meyer.*) You speak about harassment by the Government of India apparently with reference to the Police Commission's Report; what sort of harassment do you refer to?—I think the work has been hampered distinctly.

41289. Will you give two or three instances?—I have mentioned one, as regards the black-mark system. There is another as regards the re-grading of the pay of constables. We had our definite orders laid down by the Government of India, and my suggestion was that it should be left to the Local Government to carry out the principles laid down, without criticism from above and calls for returns, which have added considerably to our work since the Police Commission proposals have been put into force.

41290. This was with reference to the working out of the proposals for reorganisation subsequent to the report of the Police Commission?—Yes.

41291. You had sent in proposition statements of course?—Not to the Government of India; the Government of India issued their own orders and told us what lines we were to work on, and we were supposed to carry them out; the Accountant-General would see if there were objections to our proposition statements and others that were sent up.

41292. The matter had to go to the Government of India and the Secretary of State too, under the general financial rules?—Not eventually. I think our proposals were accepted as a whole, but they were carried out in detail locally.

41293. Have they been much altered?—Distinctly so; the whole pay of the force has been altered since the Police Commission proposals were sanctioned by the Government of India.

41294. That is, the Police Commission has had that effect; but have the Government of India made many alterations in your specific applications of the Police Commission's proposals?—Have you had much to complain of in the way of alterations of your schemes?—No; I have not had any complaint to make in that direction, but it is the department of the Director of Criminal Intelligence that has constantly written down and said "You have sent down a report regarding the black-mark system, or regarding your constables: we do not agree with what you have done." That should be left to the local officials to carry out under the sanction of the Lieutenant-Governor, so long as it is not at variance with the direct orders of the Secretary of State.

41295. Have you now got your reorganization scheme at work?—It is now at work—not in full, and it will not be for the next three years.

41296. Are these calls for information going on still?—No; I have had nothing of late.

41297. You speak of a conference of Inspectors-General in April, 1903; what was the conference about?—It was on all matters connected with police reform before the Police Commission submitted their final report.

41298. It was on the occasion when you met the Police Commission?—Yes.

41299. I thought you were referring to a special conference in connection with the Police Commission proposals. I simply referred to that, because I hold that we could never have uniformity in police matters in India. What is suitable to Madras would not be suitable at Peshawar or elsewhere.

41300. On the whole, while you may have had your little differences in detail, do you regard the Police Commission's reforms as beneficial?—Most distinctly so.

41301. Formerly, I understand, Commissioners had a certain voice in the promotion of inspectors and sub-inspectors and in their appointment?—Yes, the Commissioners were consulted.

41302. If a man was punished or dismissed, there was an appeal to the Commissioner?—Not to the Commissioner in all cases, a Commissioner's order of dismissal would have been final; there would have been no appeal against it whatever in certain cases.

41303. Suppose you had been District Superintendent of Police and had dismissed a man, the appeal would have gone to the Commissioner?—Only in certain cases,—in cases of escape from custody; but departmental questions as regards discipline were not dealt with by him at all. He was always consulted as to a man's promotion as inspector, or in the case of transfer, as to whether he would care to accept a certain officer.

41304. Is that no longer done?—Not now.

41305. You promote inspectors and sub-inspectors without taking into consideration the opinion held of them by the Chief Magistrate of the district?—The Magistrate of the district is always consulted, and his opinion is given with regard to all sub-inspectors before they are promoted.

41306. I suppose if he came to the conclusion that a particular sub-inspector was not doing any good where he was, and that he had better be moved, you would move him?—That is quite possible within the division.

41307. Is it really the Commissioner that has been eliminated?—The District Magistrate has not had his powers touched in the slightest.

41308. Is the District Superintendent of Police recognized as assistant to the Magistrate in matters affecting the peace of the district?—Quite so.

41309. You speak of providing the District Magistrate with police guards; have they not got orderlies?—Yes, but it was a question of personal guards.

41310. I do not quite see the difference. As a District Magistrate and Sub-District Magistrate in Madras, I used to have a certain number of police orderlies?—Yes; but not a guard over your house.

41311. You mean men more like military sentries?—Yes; there could be orderlies, *chaprassis*, and so on, the same as before, but a personal guard would consist of a *havildar* and four or six men guarding the residence.

41312. You require the simplification of proposition statements. Were orders not issued some years ago that if you had a big office and altered one section of it, the proposition statement need refer only to that one section?—No; at present under existing rules we have to send proposition statements for the most trivial changes; it has to go to the Accountant-General.

41313. The Accountant-General himself has just told us that that is not necessary?—That is the rule. We all agree that it involves a great deal of clerical labour, and is useless.

41314. I suggest that you should refer to the Accountant-General and find out whether you are not going to useless trouble?—I believe rules are about to issue.

41315. The Government of India issued instructions on the subject in 1904?—They cannot have been conveyed to us as a department. I have never seen them myself, and up to now we have been carrying on in this way of sending in a proposition statement for the smallest alteration. The whole thing has to go back for re-sanction.

41316. You speak of the danger of constituting a secret police force, and though you admit that certain special investigations are necessary from time to time, you consider that they could be better conducted by the Local Government than by officers sent by the Director of Criminal Intelligence?—I did not quite mean to imply that, but I say there is a distinct danger, as much from without as from within. The material you have to employ is a very delicate one, and the danger is that outsiders, acting as bogus representatives of the department, are going all over the country and levying blackmail, and I foresee a great deal of trouble if it is allowed to go on.

41317. Take such matters as an enquiry into counterfeiting or forgery?—That is a matter that is entirely connected with crime.

41318. There, I take it, you would allow the Director of Criminal Intelligence to come in?—I have no objection. I was referring to questions of enquiries regarding individuals, and the authority these people assume wandering over the country as representatives of that branch.

41319. Do you think there is a tendency to approximate to the French system of having everybody's *dossier* in the police archives?—I do not go so far as

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that, but I think there is a danger ahead of you which we should be prepared to deal with, as it undoubtedly might exist.

41320. (*Sir Steyning Edgerley.*) You draw a great distinction between the actual reforms of the Police Commission which were beneficial and the manner in which they were enforced?—Yes.

41321. Would you go so far as to say that the appointment of the Director of Criminal Intelligence has greatly centralized control in police matters?—I think it has very much so.

41322. And that there has been a considerable absorption of authority by the Government of India as regards control of the police since that Commission?—Not of authority, but that may come hereafter; it is in its infancy at present; the full scheme has not been given effect to. The directing power from above has very considerably increased our correspondence.

41323. And limited your freedom of action?—In a way, yes.

41324. How did the Director of Criminal Intelligence come to write about such a matter as the allowance to be paid to police officers in the province?—I could not tell you how he wrote; in one instance it was through seeing one of our *Police Gazettes*; he wrote and said, "I see you have issued such and such rules; I do not think they are right."

41325. Did he write demi-officially?—No, officially.

41326. You have had experience here that he goes a good deal outside his sphere or what is understood to be his sphere?—I do not say that, but I do not think his sphere has ever been defined.

41327. Is it not the sphere of the Director of Criminal Intelligence to discuss the pay and appointments of constables?—No; except that I suppose Sir Harold Stuart was Secretary to the Police Commission, and he was watching the whole procedure.

41328. Do you suggest that a central office of police information, Finger Print Bureau, and so on, is not useful in the repression of crime?—Not at all.

41329. That is not a danger?—Not at all; I refer simply to the Enquiry Department.

41330. You would suggest that all matters of enquiry should be left to the police of the Local Government?—Not at all; there are occasions on which the Government of India may very necessarily employ their own men, but it should be done with the knowledge of the Local Government.

41331. You say that in the past five years only 96 appeals have been made, and of those only 14 have been accepted in any way. Were these 96 appeals to Government?—Ninety-six appeals to the Head of the Department—to myself—against the orders of my subordinates. They can only be in cases of dismissal.

41332. What is in your mind as regards this suggestion—that we should recognise in a far more substantial manner than at present the value of the services of the *zaildars*, *inamkhors*, village headmen, and so on?—They have a lot of honorary duties to perform, and as far as service rendered to our department is concerned, we always liberally reward them, but they have other calls upon them by the Sanitary Department, the Education Department, and so on; in fact they are everyone's child, and I think in special circumstances they should be rewarded more liberally by grants of land.

41333. Grants of land chiefly?—I think that is referred to in the Government of India's letter sanctioning the rewards.

41334. Are the chaukidars very numerous in this province?—I could not give you an idea of the total number, but there are so many chaukidars per house in the village; they come to a very large number; it depends on the size of the town.

41335. Would there be over a thousand in a district?—I should be sorry to say; I have not the figures before me; it is one per 100 houses, or something like that.

41336. Does their presence save you from having a larger police force?—No; not in the slightest.

41337. If they were abolished to-morrow, would you have to increase your police force?—Not the police force; you would have to increase your reporting agency as regards vital statistics, but you would not have to increase the police force if they were removed.

41338. (*Mr. Dutt.*) Has the Director of Criminal Intelligence any agency under him, beside the provincial agency, for the detection of crime?—No; so far as I know, he has not.

41339. So that when he has to enquire into any sort of crime he has to do it through the provincial police?—Usually. I do not know the constitution of his office; perhaps he may have one or two officers, but usually for the purpose of false coining or things like that he supplies us with information, and we work up the case.

41340. Has it ever happened that in enquiring into a case like that he has sent down any special officer to help the provincial police?—Yes, on several occasions we have had European officers deputed from another province; these have been sent specially for enquiry into coining or theft of arms; some special officer may have a roving commission throughout all India; he is not specially enrolled in the Director-General's office.

41341. You do not know whether there are any special officers enrolled in the Director-General's office?—I cannot say.

41342. About the chaukidars, I understand that their pay is collected in the villages through the villagers?—From the village cess.

41343. Who collects that—the *lambardar*?—I should say it is collected with the land revenue; it is very, very small; it does not affect us; it is not collected by the police.

41344. Nor are the chaukidars paid by the police?—No; we have nothing whatever to do with their pay or enlistment or anything.

41345. The chaukidar is understood to be the servant of the village?—That is so.

41346. Who appoints him?—The District Magistrate, I imagine, on the recommendation of the tahsildar.

41347. Do you find him useful for the purpose of vital statistics and giving information?—Yes, and also when he goes back to his village he takes any hue and cry notices or matters like that; he is an easy means of transporting orders to the village headman.

(*The witness withdrew.*)

Mr. C. P. FISHER was called and examined.

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41348. (*Sir Frederic Lely.*) You are Chief Conservator of Forests in the Punjab?—I am Conservator; we have not got a Chief Conservator; there is only one Conservator. I was five years in Assam, then mostly in the Punjab, and three years in the Central Provinces.

The staff of Gazetted Officers under my orders at present is 20 in number, of whom 10 are in the Provincial Service. These officers are in charge of 13 divisions, or are attached to these divisions for various purposes. Their principal work consists in managing the forests so as to improve their condition as revenue-producing properties, and so as to provide for the forest requirements in grazing, fuel, &c., of the neighbouring villagers. This work involves the control of such details as road-making and building, forest police work, research in scientific forestry, and so forth. Divisional Officers handle in the aggregate some thirty lakhs of rupees a year, most of which passes through their hands in comparatively small sums, so that since as a rule they are not well seconded by their subordinates, whether executive or clerical, a considerable part of their time has to be devoted to the detailed control of money matters. By reason of the necessity for regulating the forest demands of villagers living near the forests, they are brought into intimate relations with a certain section of the populace.

My duties as Conservator consists chiefly—

(*a*) in bringing forest questions before the Local Government, the chief of which are—
(*i*) the local interpretation of a policy already decided on ;
(*ii*) the inauguration of a new policy ;
(*iii*) the financial problems and control of the department ;
(*iv*) questions of establishment ;

(*b*) in arranging under the control of the Inspector-General of Forests for the scientific working of these forests ;

(*c*) in dealing with the Heads of other Departments on such questions as arise out of irrigation matters, camel-grazing, grass farms, commissariat firewood, and so on ;

(*d*) in arranging with officers of the Revenue Department for giving grazing facilities to the village cattle in times of scarcity, and in provinces other than the Punjab for famine relief works ;

(*e*) in inspecting forests for the purpose of seeing that the scientific treatment prescribed for their management is carried out, and that their uses by villagers is properly administered.

(*f*) in exercising the control over the administrative and financial details arising out of working of the department.

The Local Government should be left to make its own forest budget, so long as there is no question of a deficit. Its interest in securing efficiency is as great as that of the Imperial Government, and it is in a far better position to understand local requirements than is the Imperial Government. So far as I know, the changes made in the budget after it leaves the Local Government are only in the direction of increasing revenue, or of reducing expenditure. The former change is futile, since additional revenue cannot be made by the process of adding figures to the expected revenue as calculated in detail ; while the latter either involves a reduction of efficiency, or else necessitates a further reference to the Supreme Government in order to re-establish the original figures : both changes involve unnecessary correspondence.

The pay of grades being fixed for Gazetted Officers by the Imperial Government, and the number of Imperial and Provincial Service officers being maintained at a proportion also fixed by the Imperial Government, I would leave the number of appointments solely to the discretion of the Local Government, which can best appreciate what is required in order to obtain local efficiency, and whose judgment is not fettered by a knowledge of the practice obtaining in other provinces. I would go further than this as regards non-gazetted appointments, and would leave the Local Government with absolute discretion as to the pay of grades and the proportion of posts in each grade. My reason for this desirable change is that local circumstances vary greatly from province to province, and, moreover, are constantly changing in any one province. For example, a couple of years ago in the Central Provinces a large increase in the work of the Canal Department involved the appointment of considerable numbers of well-educated subordinates, who were more highly paid than men of corresponding attainments who were required in the Forest Department ; the inevitable result of this was that the Forest Department could not obtain suitable candidates for employment. The Local Administration should have had power to assimilate the pay of the Forest Department officials to that of those serving in the Canal Department ; but it could not do so without a reference being made to the Supreme Government.

I would leave the granting of local allowances, to officers of all grades, entirely to the Local Government, instead of, as now, referring them to the Supreme Government. In a recent case the Government of India refused to sanction the grant of an allowance of Rs. 20 a month to a single forest ranger, which was recommended by the Local Government for a period of five years, on the grounds that it was in excess of the amount "usually granted elsewhere," and that "to sanction a higher rate might form a precedent." In this particular case the Supreme Government reduced the allowance to Rs. 15 a month not understanding the circumstances, which certainly were entirely different to those obtaining in any other province in which I have served, no comparison such as was made being reasonably possible.

In connection with the control of scientific forestry, there is a tendency to aim at a uniformity which cannot but result in the retardation of progress. The remedy for this state of affairs lies in so organizing the headquarters staff that the control of work which arises from forests of similar characteristics may be assigned to special officers.

The Inspector-General of Forests should be the supreme authority in questions of scientific forestry, and he should make recommendations to the Local Government as to the broad lines of general policy to be followed, the opening up of a country by forest roads, the general inadequacy of establishment, and so forth. But I do not think he should express an opinion on such details as raising the pay of particular establishments, the imposing of restrictions on rights of user, and other similar points, unless it be at the request of the Local Government, and after he has made such an enquiry as will enable him to speak with authority on such points. I think his inspections should be more formal than they now are, and believe that, should this proposal be accepted, either unnecessary correspondence would be avoided or, in the alternative, his reports would not be ignored to the weakening of the respect which they should command.

The right of appeal is sometimes abused ; but since the amount of extra work entailed by such abuse is comparatively trifling, and since the right of appeal undoubtedly gives a sense of security in personal matters, I do not think it should be restricted in any way.

Except in matters which affect forest settlements and the formationof irrigated plantations, the references in forest matters now made to the Financial Commissioner seem unnecessary, Commissioners of divisions being competent to deal with them. In this manner considerable time and correspondence could be saved.

Quite recently considerable powers have been delegated to me, and I have been authorised to delegate many powers to selected officers serving under me. Two of my recommendations have not been accepted by the Local Government, while others are still under consideration. I have asked for all the powers which I consider can safely be delegated at present ; but I anticipate that further delegation will be desirable as time goes on and when, as a result of the present delegation, officers acquire that sense of responsibility which, as yet, is not sufficiently developed in them.

With very few exceptions, all forest officers have more work than they can do, with the result that they are unable to make use of their great opportunities of personally communicating with the people. This is greatly to be regretted, not only from a departmental standpoint, but as regards the influence which they might have in the country generally by reason of their position as Government servants.

Generally speaking, our knowledge of the vernacular languages is far too elementary, and it would be altogether desirable that steps should be taken to ensure that we had a better command of them ; the first step towards this end should be to reduce our work generally.

Most forest charges are much too big for a single officer to control properly, and one of the most difficult things that a young man has to learn at the outset of his career is to select what work he can best leave undone. After a time one accepts this situation as a normal part of one's existence, and so we struggle on, striving vainly to attain a degree of efficiency which is so modest as to appear almost childish to those who are acquainted with forestry as practised in other countries. We have not even time to teach our subordinates properly, and without their trained aid there is no hope of our ever being able to manage suitably the large areas we control. It is not recognized that money spent freely in developing a forest property in so backward a state as are most of the Indian forests will all be returned with heavy interest in the future ; that future is too distant perhaps for the necessity to be apparent now.

Transfers are undoubtedly too frequent, and in the Forest Department this is almost entirely due to the staff not being sufficiently large.

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The system of auditing accounts requires complete overhauling, with a view to lessening the clerical work which occupies so much time. Officers are required to give endless certificates to prove to the satisfaction of the Audit Officers that they have carried out simple rules of accounts procedure; not only does this directly occupy much of their time, and that of their staff, in a manner which is quite unnecessary, but indirectly it wastes their time in answering objections about trivial formalities. It is certain, moreover, that if an officer is so careless as to allow petty rules to be departed from, he will not be sufficiently careful to consider what he is doing when signing certificates to say they have been carried out; the system does not even attain its object.

41349. Do you approve of the system by which the chief forest officers in the provinces outside Bombay and Madras are chosen from a general list?—You mean the Conservators? Yes; there is a much better chance of selection.

41350. You would not advocate placing the so-called minor provinces on the same footing as Madras and Bombay in that respect?—No; it would be very unfortunate.

41351. What are the relations between the forest officers and the Head of the district in the Punjab?—The forest officers are his subordinates. As a matter of fact it works out in practice that he is concerned with the rights of the people—the right of user of the forest; he does not interfere in anything else, but the general orders are that the Deputy Commissioner is to get every month a *précis* of the correspondence between the divisional forest officer and the Conservator. The forest officers correspond with me. As a matter of fact, the Deputy Commissioner does not get the *précis*, and does not want it.

41352. Has he ceased to take an interest in forest matters?—No, he is very much interested indeed; when questions come up of the rights of the people the forest officer writes to me through the Deputy Commissioner, but as regards outside work such as plantations, timber works, and things of that sort, the Deputy Commissioner does not interfere; he does not concern himself with the financial aspects of the department, only with the rights of user of the people.

41353. Would you limit his interests to rights of user of the people; are there not many matters which are scarcely to be called technical, and yet in which the Deputy Commissioner might take an interest—right of grazing, for instance?—The Deputy Commissioner is very much interested in that, as in all matters connected with the use of the forests by the people.

41354. Does he manage that himself?—No; take for instance the enclosure of grazing ground; the working plan prescribes that certain areas have to be closed to grazing this year; the forest officer sends his annual plan of operations to me through the Deputy Commissioner; the Deputy Commissioner has his say upon that. For example, this year we have opened enormous areas to grazing on account of the scarcity; on the plan of operations the Deputy Commissioner would note, "I think we shall probably have to open so and so."

41355. Then the supply of grazing is dealt with equally by the Deputy Commissioners and by the forest officers?—Yes.

41356. And the supply of fuel likewise?—No; only so far as rights of user go, not the supply of fuel, for instance, to a city.

41357. Generally are you satisfied with the relations that exist?—They are very good, just as good as they were in the Central Provinces; it is practically the same thing up here as it was in the Central Provinces.

41358. (*Sir Steyning Edgerley.*) You think the charges are much too big?—Much too big.

41359. Have you got any scheme?—I have just sent in a scheme; it is just coming back, I regret to say.

41360. But the matter is being taken up?—Yes, we shall get something—how much I do not know. The forest officers cannot go out into the forests; that is the real thing; there is too much office work.

41361. Are your clerical offices strong enough?—No, I am just going up for a scheme about that, but I have to wait until orders are passed on my prot ctive reorganization scheme, because I have asked for two Conservators instead of one, and that will affect the whole affice establishment.

41362. Will these figures be considerably affected?—Yes; my organization for Imperial plus Provincial Officers must amount to an increase of about 50 per cent.; now that the scheme is coming back I am going to make it a little bigger.

41363. Are there any forests in the North-West Frontier Province?—Yes.

41364. Are they also under your control?—Practically.

41365. Would you be in favour of entirely provincializing forest revenue and expenditure?—Yes; I think the Local Government should have it entirely.

41366. You say "I think it is not recognized that money spent freely in developing a forest property in so backward a state as are most of the Indian forests will all be returned with heavy interest in the future." What increment of revenue could you work to if you had a free hand as to expenditure?—It is very difficult to say; it is only a guess, but I dare say we could double it.

41367. Within how many years?—I cannot bind myself to that. I have not thought it out. I will give you an example of what happened in the Central Provinces in Sir Frederic Lely's time. We built a feeder road to a railway; in the first year's sales we got back the cost of the road. That is an exceptional case of course, but as the country gets opened up you also open endless markets. You might double it in 15 or 20 years.

41368. Twenty-five years at any rate?—I cannot tie myself down, but within a comparatively short period of years; I do not think there would be any particular difficulty about it when we have the forests opened up.

41369. You think the sphere of the Inspector-General of Forests should be limited to questions of scientific forestry?—He is very useful as an adviser, because he goes about all over India, and coming up to the Punjab he can say "Why do you not try such and such a thing which has been successful in the United Provinces." Except as an adviser he should have nothing to do, except in technical matters.

41370. He should not note on every forest question that comes up to the Government of India whether it is technical or administrative?—If you had three or four Inspectors-General perhaps they could do it; if you had an Inspector-General for two provinces it might be done, but with one man it is simply beyond him. He has not the time, and he has not the knowledge.

41371. You suggest in one place that the Commissioner should be competent to deal with everything except forest settlements and the formation of irrigated plantations. In another you say you think the present practice is suitable and sufficient and that the Commissioner should not have further powers.—The Financial Commissioner is really only a post office now in the Punjab.

41372. Your real answer is, that you would give much greater powers to the Commissioner?—No, I would not; things go from the Commissioner through the Financial Commissioner to the Local Goverment, and I would leave out the Financial Commissioner. The Commissioner would have his say as he has now, but to the Local Government, and not to the Financial Commissioner.

41373. You would give the Commissioner an enhanced position?—Proposals now go from the Deputy Commissioner to the Commissioner through the Financial Commissioner to the Local Government; I would leave the Commissioner having as much say as he has now, but I would let him say it to the Local Government, and not to the Financial Commissioner.

41374. Then what do you mean when you say that Commissioners of divisions are competent to deal with forest matters?—The Commissioner would be the post office to the Local Government instead of the Financial Commissioner. I see what you mean; I did not mean that I would give him the final authority,

that would prevent undesirable uniformity of policy in the province.

41375. (*Mr. Meyer.*) Has the Commissioner to countersign your working plans?—Yes.

41376. But anything that deals with the creation of reserved forest or forest settlement goes to the Financial Commissioner?—Yes; I think the Financial Commissioner countersigns the working plans, too. It does not matter; he never says anything about them; no body ever says anything about them except the Local Government.

41377. With reference to your proposal to leave out the Financial Commissioner, is not the essence of decentralization that you should put powers as low down as possible? If the lower authority can exercise them as well, is there any reason to trouble the higher authority?—I would not give the Local Government's powers to the Financial Commissioner at all. I do not think he is in the same position to know as the Local Government is.

41378. Supposing the Local Government got some power in regard to deforestation, would you allow it to delegate that power?—Certainly not. I should be very sorry to see the Local Government get direct powers in the matters of deforestation; it is a thing you cannot be too careful about.

41379. Does it make any difference as to the control of the district forest officer whether the forest is reserved or protected or unclassed?—The unclassed forests in the hills are managed under the 1853 rules; in the plains, as regards grazing, under Punjab Government Revenue Circular No. 56, section 65. In unclassed forests, offences are governed by the Indian Penal Code.

41380. There are no village forests such as you have in the Hazara district in the Frontier Province?—I cannot tell you; I have never visited the district, and I do not know.

41381. You speak of the stringency of the forest accounts system; has that increased of late years?—It has increased very much since our accounts were transferred from Calcutta to the local office.

41382. They were formerly directly under the Comptroller-General?—We had a Forest Comptroller. Since the Accountant-General took it over there have been endless objections, largely because they do not understand; they have not got a good man in Lahore who understands forest accounts, and they consult my office a great deal about it; they come and ask my Personal Assistant questions.

41383. Then the objections really come from your Personal Assistant?—Not understanding the rules, when they are in doubt about anything they come and say "What does this mean?"

41384. You say, with reference to the Government of India changing the budget, "The changes made in the budget after it leaves the Local Government are only in the direction of increasing revenue or of reducing expenditure; the former change is futile, since additional revenue cannot be made by the process of adding figures to the expected revenue as calculated in detail." Of course it is not a question of making fresh revenne; it is merely a question of accurately forecasting the revenue that you are going to get in the course of the year?—Yes; but surely we can do it better than the Government of India. What does the Government of India know about it? I make out my revenue in detail; I say we are going to fell so many trees; each tree produces so many sleepers, and I expect the sleepers will realize so much. Then the Government of India adds on a lakh. What can I do?

41385. In 1904–05 the Government of India estimate was 8 lakhs and the actuals were 9·37 lakhs?—But you must remember that you cannot estimate forest revenue; for instance, here in the Punjab, suppose you get a good snow-fall you will get a good revenue, because you can get your sleepers out of the hills; if you have a bad snow-fall, the revenue must be reduced. You estimate in September of one year for the felling season of the following year, and of course you cannot anticipate the snow-fall. That is a very important point in the Punjab.

41386. Your estimate is prepared in September?—Yes.

41387. The Government of India begin their estimates in January and go on to February and March; is it not likely that they will have more correct data?—I did not know that they interested themselves in things of that sort.

41388. Still, if they do that?—If they do, I am surprised that they do not add to some particular budget sub-head; they simply hand it over in a lump sum and leave me to distribute it. I believe they simply work on averages, which is no use.

41389. In the same way with expenditure, you perhaps estimate that more money will be spent in the course of the year than is actually spent?—Most of our expenditure is under budget sub-head A 1 (*a*); again snow comes in there; you are to get a lot of sleepers down, and you have to pay the rafting men to bring them to the depôts; you estimate accordingly; the sleepers do not come down, and you save your anticipated expenditure; but you must have the money ready.

41390. Still ought not the figures to be made as accurate as possible?—I am not prepared to say that we do not make them as accurate as possible.

41391. On the subject of pay and appointments, do you mean that a general proportionate scale should be laid down, and that then the Local Government should have full power as regards additional imperial appointments; that is to say, that they might have a new Conservator?—Yes, I would leave all that in their hands.

31392. You know that the Government of India even cannot do it?—Quite so; that is all the more reason for altering it.

41393. In the same way, with regard to local allowances, the Secretary of State insists on their being treated as part of salary?—I do not know of that; I only point out the result, which in this particular allowance business is very unfair. Cannot the Secretary of State be persuaded to concede that power to the Local Government? After all, in a particular case I am thinking of, it was only Rs. 300 spread over five years.

41394. (*Mr. Hichens.*) At any rate, your point of view would be that, whatever the Secretary of State may say or think about it, these are reasonable powers for a provincial Government to have?—Quite so.

41395. In regard to the salaries of the subordinate staff, the non-gazetted staff, you would leave that practically entirely in the hands of the provincial Government?—Entirely.

41396. You would allow them to fix whatever pay they liked and to make whatever grades they liked?—Exactly.

41397. And a sufficient check to extravagance would be the fact that they only had a certain income and had to make both ends meet?—Exactly. Now our scale of pay is similar to the scale of pay in Burma, or, to take an extreme case, Bengal, but of course the local conditions are entirely different; they have lots of educated men there, and we have very few here; naturally we ought to pay higher salaries to get the same intellectual class of officer.

41398. Although you are prepared to do that with regard to the non-gazetted staff, you are not prepared to do it with regard to the gazetted staff, although the local conditions are equally onerous?—But we cannot recruit the gazetted staff here.

41399. But the local conditions are the same for both either in the case of the provincial or imperial staff. If the local conditions differ in respect of the non-gazetted staff, they differ equally in respect of the gazetted staff?—Not to the same extent. Take an Englishman coming out here. In Burma they get a Burma allowance, because it is an expensive country; but as between my expenses here in Lahore and my expenses in, say, Nagpur, where I was—there is no real difference.

41400. Then the probabilities are that the provincial Government would allot the same salaries, unless of course they wanted to get a superior class of men, and paid special salaries, and that, you think, would be undesirable?—Yes, I do not think I would do that.

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If you have a general recruitment from one class of men, as we do now, you must give the same pay everywhere.

41401. (*Mr. Dutt.*) We have been told by another witness that you have got in the plains certain tracts of country which you call unclassed forests, which are perfectly unfit for growing any valuable timbers; do you keep them as unclassed forests for grazing or other purposes?—Yes, except when we get a great deal of fuel revenue out of them; they grow a lot of fuel.

41402. Would there be any objection to transferring the management of unclassed forests to the Revenue Department?—It is done in a great many cases. I had a case the other day, the forests under the management of the Deputy Commissioner. a big canal case was to be made through them, and the canal contractors wanted to buy a lot of fuel. As soon as the demand arose the Deputy Commissioner came to me and said, "I have no staff to do this, will you manage this for me?" If we do it, it brings in revenue which is credited to the Civil Department. As long as these unclassed forests are mere wastes, they are simply used by the nomad tribes, and it is all right that the Deputy Commissioner should manage what there is to manage; but as soon as the forests begin to be worked, he cannot do it. We have the agency and he has not.

(*The witness withdrew.*)

Adjourned.

SEVENTIETH DAY.

LAHORE, *Thursday*, 16*th April*, 1908.

PRESENT:

Sir FREDERIC LELY, K.C.I.E., C.S.I., *Presiding.*
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Colonel T. E. L. BATE, C.I.E., I.M.S., was called and examined.

Colonel T. E. L. Bate.

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41403. (*Sir Frederic Lely.*) Are you Inspector-General of Civil Hospitals in the Punjab?—Yes, I am Head of the provincial Medical Department.

I should like to see the Director-General of the Indian Medical Service given a more definite *rôle* in the medical administration; that would bring him into closer contact with its *personnel* and material. Having opportunities of observing the work done in other provinces, his advice could not fail to prove conducive to the attainment of a higher general standard of efficiency. I think it most desirable that both Administrative and Executive Officers should be encouraged to visit the medical institutions in other provinces; they would certainly benefit by doing so.

The procedure that must be followed by Medical Officers before accepting fees for their professional services rendered to Indian gentlemen appears to me to be needlessly cumbrous, besides being open to other serious objections. If the conditions in this country make a check necessary, the matter in question is one that could be very well left to Local Governments. Some change is certainly necessary.

As regards the Medical and Prison Departments, the initiative in the administrative reforms has mainly come from the Government of India; and there can be no doubt that the great improvement effected in prison administration, throughout India, during the past twelve or fifteen years has been largely due to the great interest taken in the question by the Government of India. On the other hand, suggestions emanating from this province have not always been treated as sympathetically as they deserved. The separate system of confinement has been introduced in the jails of the Punjab on the initiative of the Local Government; and it was in the jails of this province that systematic quinine prophylaxis was first carried out.

It would be a sound principle to restrict the right of appeal against orders affecting officers personally to the authority in which the appointment is vested. But I doubt the expediency of introducing a rule requiring that the appeal shall be accompanied by a certificate from the authority passing the order appealed against that reasonable grounds of appeal exist. There would be a natural disinclination on the part of most officers to contribute towards upsetting their own decisions.

Much has been already done in the direction of delegation of the powers now vested in the Local Government during recent years; and it is only necessary that Local Governments should be open to suggestions. For my own part, I have experienced no hindrance on this account. I cannot recall an instance in which I have failed to obtain a full, fair and prompt hearing for anything I have had to say; but I have encountered difficulties due to financial exigencies. From this cause, initiative has certainly been crippled; owing to it, perspective has been contracted, ideas have been warped, and well-conceived projects have been brought to naught.

If Civil Surgeons could be relieved of the executive charge of the jail at the headquarters of most districts, they could, with great advantage to the people, devote themselves more fully to their professional duties in connection with the hospital at headquarters, vaccination, sanitation, including measures to avert, arrest and mitigate epidemic diseases, and the inspection of outlying dispensaries. The only solution of the difficulty that presents itself to me is to create a class of Superintendent to hold charge of the larger district jails.

If they were better acquainted with the vernaculars, Medical Officers would be much more useful Public Servants, and they would be even more highly appreciated by the people than they are at present. It is an extraordinary fact that officers of the Indian Medical Service are only required to pass by the Lower Standard Examination in Hindustani, while the officers of every other department have to pass by the Higher Standard. From this it would seem that it is regarded as a matter of comparatively little importance that the doctor, who is in a position of all others that needs an intimate knowledge of the habits and customs of the people, should be properly equipped in this respect. Full advantage cannot be obtained from the services of officers imperfectly acquainted with the language of the people with whom their duties bring them in daily contact.

Transfers of Executive Medical Officers are rendered more frequently necessary than they would otherwise be owing to the great differences in value in the emoluments attaching to different appointments. I see no remedy for this in existing circumstances.

41404. Do you have anything to do with sanitary or jail duties?—No, except that I inspect jail hospitals as hospitals; otherwise I have no interest in jails.

41405. You say that you would like the Director-General of the Indian Medical Service to be given a more definite *rôle* which would bring him into closer contact with its *personnel* and material; can you amplify that a little?—I think it very desirable that an officer in the position of the Director-General should

go round and inspect the institutions in a province, so that he would be able to make suggestions as to what is going on in other parts of India. It is also very desirable that he should know the officers thoroughly, because there is a great deal of patronage in the hands of the Government of India, and in the bestowal of that patronage all the officers should have a fair opportunity of sharing.

41406. Do you mean that he should make more frequent tours?—Yes.

41407. Does he go round at all at present?—The Director-General comes round here, but not officially; for instance, I do not have any cognizance or any intimation of his visits.

41408. Have you an opportunity of colloquy with him?—I see him at Simla, but not when he comes round here. The idea I have really is with regard to patronage. It would be a great incentive to officers to do their very best if they knew that their work would come under the observation of the Director-General, of whose hands lies the medical patronage of the Government of India.

41409. Would there not be some danger of collision with the local authorities?—I do not see that there should be; he could advise and make suggestions.

41410. Is the patronage of the province practically in your hands?—Yes, and the Director-General is in the same position in regard to the Government of of India.

41411. Does he make suggestions for the improvement of medical administration in the province, or do you come into contact with him in any way at present?—No, hardly at all.

41412. Have you any suggestions to make for ensuring more co-operation with the Medical Department on the part of Civil or District Officers?—Speaking generally, I should say that the Civil Officers co-operate very thoroughly with the Medical Department, and I think Civil Officers are always well disposed to help in every way they possibly can. Some of them, in a very marked degree, take a great deal of interest in medical administration.

41413. Does their co-operation go as far as is safe, that is to say, does it only stop short of interference in medical matters?—Yes; they do not interfere at all, but they help in every way they possibly can.

41414. Have you Visiting Committees for every medical institution in a district?—I do not meet them. There are sub-committees of Municipal Committees which visit institutions maintained by Municipal Boards.

41415. Does that include civil hospitals?—Yes, and branch dispensaries.

41416. Does every one of these institutions possess a visitors' book?—Yes, under the rules.

41417. And also committees who are encouraged to visit these places periodically.—Yes.

41418. Do they make suggestions in the visitors' book?—Except the Deputy Commissioner and Commissioner, the members of the committees very rarely make suggestions.

41419. Are the members of the committees mostly Indian?—Yes.

41420. And as far as you can judge, they do not take much interest in these institutions?—If I may judge from the remarks which reach me, I should say so.

41421. You say that you feel bound to say that the suggestions emanating from this province have not been always treated by the Government of India as sympathetically as they deserve. Can you give an instance or two of that?—I made a suggestion a year or two ago that there should be a Central Bureau of Intelligence, which I considered very desirable in a scientific department, but it was not accepted by the Government of India, although it was very strongly recommended by the Punjab Government, and the Lieutenant-Governor expressed his willingness to devote provincial funds to the object.

41422. On what ground did the Government of India decline?—They said it would be too expensive. The argument depended upon a similar institution which existed in Berlin for the dissemination of medical knowledge, which is contributed to by something like 60 or 70 persons.

41423. Then it was strongly recommended by you, and the Lieutenant-Governor offered to provide the money?—He said he would contribute to it. The suggestion that I made was that it should be worked very much on the same lines as devised for the Revenue and Agriculture Department, and that there should be officers at headquarters who would watch what is going on in Europe and America, and put it before the officers of all grades of the Medical Services in this country. It is especially necessary in India where men have not the opportunity of meeting each other very much; several young officers have made a similar suggestion to me independently.

41424. Have you any other instance to give?—Yes. I passed on a suggestion that was made by the Superintendent of the Lunatic Asylum here to the effect that criminal lunatics should be separated from ordinary civil lunatics. At present they are all accommodated in the same institution.

41425. Was that proposal rejected?—That proposal was rejected on the ground mainly that if large institutions were established for criminal lunatics, you would have a sort of Babel—that there would be many men talking different tongues. You would have men from the Punjab, men from the North-West Frontier Province, and different parts, which would create great difficulty.

41426. Was that proposal supported by the provincial Government?—It was.

41427. Did the question of expense loom rather large in it?—I do not know that that was mentioned.

41428. Have you a civil hospital at the headquarters of every district?—Yes.

41429. Is it supported entirely by Government?—No; it is supported entirely by the local body concerned.

41430. Apart from the pay of the Medical Officers, does not the provincial Government contribute practically to the medical work?—It contributes a certain amount of the pay of the Assistant Surgeons, but, apart from that, nothing else. As a rule every municipality maintains its own hospital, and sometimes where you get a poor municipality the District Board maintains the institution, the municipality contributing.

41431. Are the hospitals under the management of the local bodies?—Yes.

41432. Apart from the visits of the committees you have mentioned, is there any other contract between the local bodies and these institutions?—The local bodies vote the budget, and they provide the funds.

41433. That is, the funds you demand?—No; they make their own budgets; the Medical Officer is asked for an estimate, and the amount of the requirements is sanctioned.

41434. Do they ever refuse the full fund demanded?—Yes, I believe they do; that is not an uncommon thing, but I have no contact with the local bodies in that respect.

41435. Supposing the grant they made was not sufficient in your opinion for the efficient up keep of a hospital, would you go to Government in regard to it?—No; I would urge the Local Medical Officer to go again and again to the local body and ask for more.

41436. And if the Board was obstinate what would you do?—A case of that sort has not come before me, but I have represented to the Local Government that the funds provided are quite inadequate.

41437. Do you generally find that a second demand is sufficient?—Yes; I think the local bodies are well inclined to meet the demands of the medical institutions.

41438.—But have you difficulty sometimes?—Yes. The funds provided are in my opinion altogether inadequate, and I have represented that officially more than once, that is to say for the thoroughly efficient maintenance of the institutions.

41439. Does Government provide part of the pay of Assistant Surgeons?—Yes; there is an arrangement by which Assistant Surgeons' pay is debited to provincial funds, the local body contributing a certain proportion. That arrangement was made some four or five years ago.

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41440. Is the proportion about half and half?—I could not say in what proportion it is, but I should imagine that the local body subscribes about two-thirds and the Government subscribes the balance.

41441. Do the local bodies provide all the other expenses connected with these institutions?—Except the pay of the Civil Surgeon, they pay for everything, for the medical establishment, maintenance of buildings, the diet of the patients, the clothing and everything else.

41442. Is not the entire control and supervision in the hands of the department?—Pretty well.

41443. The Board could not say that the diet should be so and so, and that the clothing should be so and so; they could not issue orders with regard to those matters?—I think they could, and as long as they wish to improve things, there would be no objection; but if they wished to give less than sufficient, there would be great objections.

41444. Do the local bodies appoint officers, or would you allow them to select well-qualified men themselves?—The officers are appointed departmentally as a rule, but before transferring an officer, if time permitted, I should write to the Civil Surgeon and ask him to obtain the views of the local authority and whether there was any objection to that officer being transferred. I do that when it is possible, but I cannot do it always because we are sometimes greatly pressed and have to relieve a man immediately, and if I were obliged to write and consult different people, I might be left without a man sometimes.

41445. Would you have any objection to giving local bodies a larger control over these institutions for which they pay most of the expenses?—Before offering an opinion, I would like to know what they would definitely expect. If some definite scheme were put before me, I should feel in a better position to offer an opinion. Of course I should have no objection to anything which would be calculated to improve the efficiency of the institutions, and I should be very glad to see the local bodies taking greater interest in them.

41446. Has no proposal of that kind ever been placed before Government?—The late Sir Denzil Ibbetson urged me to consult the local authorities in every way, and in accordance with his wishes I have done so, but the exigencies of the Service do not always allow of that being done.

41447. Besides the Indian Medical Service, is there not the Provincial Medical Service consisting of Assistant Surgeons and others?—There is what is called an Uncovenanted Medical Service, but we have only two officers in it, and it has not been recruited for many years.

41448. Have you only two Assistant Surgeons?—No; we have 89 Assistant Surgeons altogether, but we do not call them of the Provincial Service.

41449. How are they recruited?—We take them from the colleges; they pass out of the Lahore College and come to me; the first two men always get appointments, and the others are appointed as vacancies occur. For some years past all the men passing out have been given appointments in the Plague Department before coming into the Medical Department, but the appointments in the Plague Department are of a temporary nature.

41450. Are the appointments made on your recommendation by the Punjab Government?—The appointments are made upon my recommendation.

41451. And any orders for transferring them from one district to another are passed by the Government?—I have complete control over Assistant Surgeons as to transfers and promotions.

41452. Do you find these Assistant Surgeons satisfactory men?—Very good men.

41453. What pay do they begin with?—Rupees 100 a month to begin with and they go up to Rs. 150, Rs. 200 and Rs. 300.

41454. Do you find that education here is equal to that of other provinces?—We are improving it, and turn out quite good men.

41455. Is there not some talk of transferring the Medical School to Amritsar?—Yes. I have made a suggestion to that effect, because I think that the two classes cannot be satisfactorily taught in the same institution. There are men being educated on different planes, and that is not calculated to produce efficiency. Therefore I have suggested that the hospital assistants should be removed to some place outside Lahore.

41456. Are these hospital assistants in charge of any of the outlying dispensaries?—Yes, a great many.

41457. Are most of the dispensaries in charge of Assistant Surgeons or hospital assistants?—All the headquarters hospitals are in charge of Assistant Surgeons; most of the outlying dispensaries are in chaage of hospital assistants.

41458. Have they given satisfaction as a rule?—They have given satisfaction. Of course you judge them by a certain standard, and according to that standard I think very well of them, but I do not say that the standard applied is a very high one. They have improved of recent years, and are steadily improving. They do excellent work, and many of them splendid work.

41459. Are those outlying institutions supported by municipalities and District Boards?—They are supported generally by District Boards.

41460. Have the District Boards any committees to inspect the institutions, or do the members sometimes visit them and make remarks about their management?—That is an exceptional thing, but they can do so; they are authorized to do so.

41461. Is the Civil Surgeon generally the Head?—He is the local Administrative Officer.

41462. And he inspects all the medical institutions within the district?—He visits the hospital at headquarters generally daily; the outlying dispensaries he visits once in three months, and outlying dispensaries, in charge of Assistant Surgeons, he visits once in six months.

41463. Is a copy of his inspections sent to you?—Yes, at once.

41464. (*Mr. Hichens.*) Are any provincial hospitals paid for out of provincial funds entirely?—Yes, the Mayo Hospital in Lahore, and, of course, all jail hospitals, but the one named is the only State hospital.

41465. (*Mr. Meyer.*) And, I suppose, the police hospitals?—Yes, and also canal and railway hospitals.

41466. Are the majority of the hospitals which are maintained out of local funds quite small?—Yes, except those at headquarters. Some of the headquarters hospitals have as many as 150 beds.

41467. Who is in charge of those hospitals?—An Assistant Surgeon, who would be under the immediate supervision of the Civil Surgeon.

41468. Are the Assistant Surgeons Indians?—Yes, invariably in this province.

41469. Supposing the Service was made over entirely to the local authorities, and they had to do their own recruiting, and were responsible for the pay and pension and everything else, regarding the Assistant Surgeons and hospital assistants, do you think the Service would work at all satisfactorily?—I do not; it would be very unsatisfactory.

41470. Would that get as good a class of men as you get to-day?—I take it the existing arrangements would continue, and that the Medical College would exist all the same, whether they appointed their own men or not.

41471. Would men join as readily?—I do not think they would; one of the great inducements to men taking service is that it is Government Service.

41472. The service of a District Board would be at least a class or so lower in their estimation?—I should certainly think so.

41473. And that would be one serious objection?—Yes.

41474. With regard to efficiency, I suppose the Head of a smaller hospital requires a good deal of supervision?—Yes; they are visited once in three months—that is, what we call an outlying dispensary—and the attendance and the equipment are looked after, which is very essential, and a good deal of technical knowledge is required to do it satisfactorily.

41475. If the local bodies were made responsible for the success or failure of these institutions, would they take substantially more interest in them than they do

to-day, or would they adopt a *laissez faire* attitude?—They have not had the opportunity yet, and it is rather assuming the *rôle* of a prophet to say what they would do in certain circumstances. I am afraid they would not; but, at the same time, I was for a long period associated with local bodies myself, and I should be very sorry to say anything to their detriment, and if they had greater opportunities, or if they had greater control, possibly they might take greater interest. But, so far as I can judge, I am afraid that a great deal could not be expected of them in that direction.

41476. So that, if the Service were handed over to the entire control of the local bodies, one would have to face a substantial falling-off in the quality of the work?—I should say that is a certainty.

41477. Would you agree with the other side of the picture, which is that to-day they do very little except find the money?—Yes, very little.

41478. There is no incentive to finding any money if one cannot ensure that it is well spent?—Yes; I have never heard a doubt expressed that the funds supplied have not been judiciously expended, and I have never heard any question raised in that connection; but if a man has control over the money, he will take greater interest, in all probability.

41479. Is it not only human nature, that a man should prefer to spend his own money even badly, than allow other people to spend it well?—But unfortunately it would not be his own; it would be public money. The great objection to adopting a change such as you suggest is that these appointments vary a great deal in value. Taking, for instance, Assistant Surgeons, we have some hospitals where the officers make a great deal from private practice; in fact, they make handsome incomes, which is quite recognized, but on the other hand we have hospitals at places where they make nothing; in the case of a lucrative appointment you would have every man in the province wanting to get it, while, in the case of the poorer appointments, you would not be able to get any one to accept them.

41480. Do you mean literally nobody?—I do not think anybody would go, and with regard to some appointments, I have to make men pretty well go to them, because they are so unpopular. In some parts of this province there are places very much out of the way where the communications are very bad and where the hospital assistants are to all intents and purposes foreigners, so that they hate going there.

41481. Practically speaking, is the supply of medical men not equal to the demand?—Yes. When you get a much larger number of medical men than there are appointments, you will have competition. As the conditions of life become harder, and competition becomes keener, you will get men to go to the poorer places, and that is a thing which is quite recognized; it is one of the objects I have in suggesting that we should increase the outturn from both the college and the school.

41482. Then you would not suggest any devolution of power to local bodies to-day?—No; I should be very glad to see them take a greater interest in the institutions, and that they should be encouraged in every way.

41483. But you cannot suggest anything in that direction?—No, I cannot.

41484. With regard to jails, are there Visiting Committees in this province?—Yes, there are Visitors, not Visiting Committees.

41485. Are they appointed by the Government?—They are appointed on the recommendation of the Deputy Commissioner, and the recommendations are forwarded through the Commissioner and the Inspector-General of Prisons.

41486. Do they ever make any illuminating remarks in their reports?—They do not really know very much about jail administration, but they do their best. The system has only been in existence for a few years. I introduced it myself when I was Inspector-General of Prisons. The chief object of it is that the outside members of the public should have an opportunity of going in to see that there is nothing hidden inside the jail walls, and the jail officials have very strict orders to afford them every possible facility in making their inspections.

41487. (*Sir Steyning Edgerley.*) Are not the great mass of hospital assistants employed in their work under the District Boards and municipalities?—Yes.

41488. There are very few doing direct Government work?—There are those in the police, jails, canals, and railways—all those men are in Government employment.

41489. Supposing one were to say that hospital assistants in the dispensaries, under local bodies, should cease to be Government servants, and should become the servants of local bodies, would that materially choke them off, and would they all rush to employment under Government or the railways?—I think, for ordinary dispensaries, they would prefer being in Government employ, but you would get men in appointments, such as there are at Amritsar and Delhi, which are lucrative appointments, but on the other hand, you would not find men who would go to the poor places.

41490. Do local bodies still have to contribute a certain proportion of their income to medical work?—Yes, but that is not rigidly adhered to.

41491. Does that not rather cut into their volition?—It does, but a great many of them do not contribute the enforcible minimum.

41492. Is it a good plan that they should be forced to give so much per cent. towards local work, or school work, or anything else, for that matter?—I do not think myself that it is a bad thing to have a minimum, but they can give as much more as they like.

41493. But the complaint is that every department exacts such a large minimum, that there is nothing left?—We do not get enough, or anything like enough.

41494. There have been no further orders issued on the subject?—Not on this matter, which is now under the consideration of the Government.

41495. You say that the late Sir Denzil Ibbetson desired you to consult these local bodies as far as possible. Before that, did you consult them in regard to matters that affected them?—I sometimes wrote to the Civil Surgeon, who was my channel of communication.

41496. Then Sir Denzil Ibbetson instituted a new departure?—Yes, there was no order requiring it to be done.

41497. Do the local bodies have to contribute to the cost of the local college or schools?—Some of them give scholarships.

41498. Did you not make them pay a percentage of the up-keep charges, and so forth?—No.

41499. Do they still have to pay for clerks in the Civil Surgeon's office?—They do.

41500. Is that right?—I do not think so.

41501. Are you going to propose to do away with that?—I have already made a proposal to that effect.

41502. With regard to the medical fee question, have not revised orders been issued?—Yes.

41503. Do they meet with your approval?—They do not. I do not think it is a matter which ought to be referred to the Government of India at all; it should be left entirely to the Inspector-General of Civil Hospitals, subject to reference to the Local Government. I think, myself, that the present orders about fees are very much resented.

41504. We were told at Simla that the Government of India had issued revised orders all round. Have you seen them?—I have had no orders within the last few months.

41505. Then you say that the right of appeal by an officer should be restricted to the authority appointing him, but would not that be rather hard on a man, and never give him an appeal at all?—I think not. For instance, I appoint a hospital assistant, and he will have an appeal against the Civil Surgeon's orders to me.

41506. Who dismisses the hospital assistant?—I do.

41507. Then if you were to dismiss him, he would have no right of appeal beyond you?—But some one must dismiss him, and he reaches that point at some time, and he only reaches it a little earlier with me.

41508. Is it not fair to give a man one chance, because it is possible that the man who dismisses him

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may be prejudiced against him, and might not have a judicial mind?—So far as the personal factor goes, I am not in contact with the hospital assistant's work at all—he would be reported to me by a subordinate officer.

41509. Have you many jails in this province?—Yes, a good many.

41510. Is there one in every district?—I think there are, with a few exceptions. We have not got one at Gurgaon or at Muzaffargarh.

41511. Would you be in favour of making local officers here pass an examination in Punjabi?—Yes, certainly; I think myself, with regard to a Medical Officer who does not know the language, Government are paying for an article which they really do not get; it is important that he should know the language, however good a doctor he may be.

41512. Is not the Indian Medical Service reserve in the hands of the Director-General?—Yes.

41513. It has been suggested in some provinces that it should be broken up and given to the Local Government of each province, would you be in favour of that?—It would be a great help to us, but I do not know sufficient of the present situation to be able to say whether it would be a good or bad thing; I should like to know more about it before expressing an opinion.

41514. It has been suggested, also, that while young Indian Medical Service Officers are doing their military work, if there is no regimental charge open to them they might do their apprenticeship in civil hospitals and be temporarily at the disposal of the civil authorities. Would you be in favour of that?—It is very desirable that a young officer coming out here should be attached to a regiment, but at the same time I should be very glad if he could be attached to a civil hospital, because he would have greater professional opportunities.

41515. Could the two be combined at all?—I think he might first go to to a regiment, say, for 12 months, and afterwards he might be attached to one of our large civil hospitals.

41516. And then go back to his regiment?—After a time.

41517. How long would you send him to the civil hospital for?—Say six months, subject to the exigencies of the Service.

41518. That is to say, if the military people wanted him back, he would have to go back?—Yes.

41519. Are you satisfied with the present way in which you get officers when you ask for a new recruit. Is it not done by pure seniority at present?—There is a list in the Director-General's office, and recruits are sent out according to the list; we are not allowed to apply for any particular officer; we get them according to their position on the list.

41520. By seniority?—No, not necessarily by seniority.

41521. Assuming that you have had these young men for six months or a year at the civil hospital, would you not be able to select those you thought fit for civil employment?—Yes, no doubt, because it would give us a good opportunity. We have the opportunity here already, because we have a number of officers who are doing plague work, and we can very easily tell those we would like to have, but we cannot always get them.

41522. Would it be a great improvement if by some system you were able to *visé* the officers before taking them?—Yes, but the men we lose another province gets, so that it would not do for us to have all the good men; if we do not get the best man always, he goes elsewhere.

41523. Does he remain in military employ?—Not necessarily; he very likely goes to another province.

41524. As I understand, the system in London is that when they pass these men say they want civil employ in a particular area, but if that area does not select them for civil employ, they have to remain in military service?—We do not select them at all.

41525. But if you had the right of selection and said, "This man is not up to civil employ," would he not have to stay in military employ?—I suppose he would if he selected a given area, and that area would not have him—there would be no alternative, but that would not be a good thing for the man, or the army.

41526. Have you any knowledge with regard to the fees which Indian practitioners in this province command?—Generally, but I have not a very intimate knowledge. I believe Assistant Surgeons ordinarily get Rs. 5 a visit, and hospital assistants one or two rupees.

41527. I am speaking of a highly qualified Indian practitioner?—That is what he gets for ordinary visits.

41528. Have you any men here with a London qualification?—We consider the local qualification a good deal better.

41529. Is Rs. 5 as much as he would expect to get?—Yes.

41530. But suppose he goes a long journey to attend a patient?—Then he gets special consideration.

41531. How would his fees compare with those of a European officer?—He would not get as much as a European; he would not be offered so much.

41532. Is there a fair supply in Lahore of highly-qualified Indian practitioners?—Yes; there are a good many practitioners here. We are particularly well off, because we have all the lecturers in the school, and in addition there are several retired men who are practising in Lahore besides private practitioners.

41533. Suppose the Raja of Patiala or some one else did not care to pay the fees charged by a European, could he get efficient medical attendance from an Indian in Lahore in case of emergency?—Certainly.

41534. Have you any experience as to cases where details have been reported which have prevented gentlemen calling in practitioners of the Indian Medical Service?—No, such reports are confidential, and they only go to the Head of Department, who treats them confidentially.

41535. But is it the fact that these reports are made known in the province and prevent people calling in Indian Medical Service Officers?—I should not think so; I have never heard it suggested.

41536. You think you should have power to revise establishments which do not involve the creation of new appointments upon pay exceeding Rs. 250 a month. Might that not affect provincial finances a good deal?—It might if it were done recklessly; of course, it would not be done on any large scale.

41537. Would you put any limit on the total expenditure you might incur in a year in that way?—It would be wise to do so, for financial reasons.

41538. Then you suggest that you should have the power of dismissal and punishment of Assistant Surgeons; are they not appointed by Government?—They are in the first instance.

41539. Do you think you could dismiss, and leave them with an appeal to Government?—Yes.

41540. Would you apply that to hospital assistants and allow the Civil Surgeon to dismiss with an appeal to you?—No, because it is a good thing to keep out the personal element. The man at headquarters judges the case on its merits as it comes to him, and simply deals with it on the facts before him, whereas the local man may be prejudiced.

41541. But would not an appeal safeguard that, and the local man is the person who can actually go into a hospital or dispensary and ascertain the facts?—Yes, certainly.

41542. But still you would not give the power?—No; I do not think I would.

41543. Then you also said that you should have power to sanction as regards grants-in-aid. What would the Financial Department again say to that?—I suppose they could arrange it by giving me a budget.

41544. Or a reserve to distribute?—Yes.

(*The witness withdrew.*)

Mr. J. C. Godley was called and examined.

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41545. (*Sir Frederic Lely.*) You are the Officiating Director of Public Instruction?—Yes, since October 1907. I have had experience since 1888 of educational work in India.

The department comprises the Director of Public Instruction and 46 Gazetted Officers: 15 in the Indian Educational Service and 31 in the Provincial Educational Service. The higher professorial staff of the Government College are, with one exception, in the Indian Educational Service, while the higher inspecting staff are equally divided between the two Services.

The Director is also Under-Secretary in the Home (Education) Department. In this capacity he takes orders from the Lieutenant-Governor on matters which would ordinarily be submitted through the Secretariat by other departments, such as the disposal of the gazetted staff, the award of the special grants, and University questions. Questions involving expenditure, however, are ordinarily submitted to the Lieutenant-Governor through the Financial Department of the Secretariat. As Director, he makes all appointments, promotions, and transfers in the Subordinate Educational Service on his own responsibility, and controls educational expenditure, subject to budget provision. A few institutions are under his direct control, and he conducts certain departmental examinations. He is *ex-officio* President of the Text-Book Committee, and a member of the University Syndicate. Miscellaneous questions relating to grants-in-aid, the interpretation of the Educational Code, &c., are referred to his decision.

Educational interests do not appear to suffer from undue centralization. Delegation in matters of detail, such as the grant of honoraria and the power of sanctioning temporary appointments, might probably be extended with advantage. References to the Government of India, however, are seldom found to be necessary. The appointment of a Director-General of Education has not led to centralization of control, because the Director-General has no administrative functions. The title is, in fact, a misnomer. The general lines of educational policy are laid down by the Government of India, and the provincial Governments endeavour to carry them into effect, so far as local conditions permit. There is nothing to show that the Director-General is in any way responsible for the policy of the Government of India. It is presumed, however, that he has been consulted, and it is obviously very desirable that when formulating their views on education, the Government of India should have an educational adviser at hand to consult —preferably a man of practical experience gained in India, and not a mere theorist. So long as each province shapes its own educational policy, subject only to the general guidance of the Imperial Government, a Director-General in the ordinary sense of the term is a fifth wheel in the coach.

The powers of the Director of Public Instruction are perhaps unnecessarily restricted in certain details, but I do not emphasise this point. As Under-Secretary to Government, he has direct access to the Lieutenant-Governor, which ensures full and immediate attention being given to educational matters.

Delegation of powers to inspectors of schools might probably be carried further than at present, as in the matter of appointing the junior teachers of Government schools. The extent to which responsibility can be safely delegated depends upon the status and *personnel* of the inspecting staff: in the Punjab only three of the six inspectors are in the Indian Educational Service.

There is a strong feeling that the rules of this department curtail and hamper the powers of the local officers, who are in the best position to gauge the needs of their districts. It is argued that local self-government becomes a fiction if the Education Department is allowed to claim a certain proportion of the local funds, and to decide how it is to be spent. Local bodies naturally lose interest in the management of their affairs when departments are authorized to usurp the management, and the gain in educational efficiency is not enough (it is said) to compensate for the loss of local interest. Departmental control from the centre may be assumed to mean co-ordination of system and supervision by experts. When it is slack or nominal, as in certain Native States, the teachers are ill-paid and ill-qualified, and popular education stagnates. The experiment of localizing the large secondary schools was tried in 1886, and proved a failure. It was found that the Municipal Committees were unable or unwilling to pay for improvements, and that the members who took most interest in the schools were those who wanted to provide jobs for their relatives. In 1904 the schools were again taken over by Government, a measure which gave general satisfaction, and in 1905 the power of appointing and promoting all teachers in Board secondary schools was transferred to the department. The schools still under the control of Municipal Committees are among the worst managed of their kind.

The system now in force is that twenty-nine high schools are entirely controlled by the department, all appointments, &c., being made by the Director. The remaining secondary schools are either under independent management, or under District and Municipal Boards. Appointments in Board secondary schools are made by circle inspectors. Primary schools are entirely managed by local bodies, missionary and other societies, and private individuals; but in the case of aided schools, the department fixes the grant to be paid by the local body, or from provincial funds.

Articles 416–418 of the Education Code prescribe the minimum proportion which local bodies may be required to spend on education. The wording of these rules is vague, and what the department assumes to be an enforceable minimum, the Boards understand to be a maximum which may or may not be required. Friction might be avoided if local bodies were allowed to fix their own expenditure, with the proviso that the contribution from imperial or provincial funds would be proportionate. But it is difficult to see how the particular apportionment of educational expenditure can be left entirely to the discretion of local bodies. There must be uniformity of system, and the department, as an inspecting agency, is bound to see that the system is enforced. The district inspectors of schools, who are the agents of the Deputy Commissioners in educational matters, must continue to be guided by the rules of the department, and to look to the department for approval. An increase in the powers and responsibilities of the agents of the Boards would necessitate a raising of their status. The pay of a district inspector now ranges from Rs. 100 to Rs. 160, and compares unfavourably with that of the headmaster of a high school. The award of grants, for instance, could not be safely entrusted to an officer of relatively low status. An additional argument against giving District Boards a free hand in financing education, is the fact that these bodies receive considerable grants for primary education from imperial and provincial revenues, and there ought to be a guarantee that such grants are utilized on the object for which they are given. Also it is quite possible that the progress of education in the different districts might vary with the proclivities of the Deputy Commissioners, if there were not close departmental scrutiny and supervision.

I do not think, therefore, that the control of education could be safely delegated to local bodies in a much greater degree than at present. But something might be done in this direction, *e.g.*—

(*a*) Local bodies might be released from the obligation to provide a fixed percentage for education, on the condition suggested above.

(*b*) The Educational Code might be simplified, so as to remove restrictions which are felt to hamper the action of local bodies.

(*c*) The status and responsibilities of district inspectors might be raised.

(*d*) Circle inspectors might be brought into closer association with the District Boards. They should be asked, for instance, as in Bombay, to attend the meetings of the Boards at which the budget is discussed. There will always be chances of disagreement when one set of people call the tune, and

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another set have to pay the piper; but there is less likelihood of it when they meet in consultation beforehand. A department should work in harmony with the local authority, and not seek to override it.

41546. You speak of 29 high schools being entirely controlled by the Education Department; are they paid for by Government?—Yes, they have been provincialized since the beginning of 1905.

41547. Is there any contribution made by local bodies?—A contribution is made on the basis of what they formerly paid, but the management entirely rests with Government.

41548. And the local bodies merely have the privilege of helping to pay for them?—Yes, because they receive a certain amount of benefit.

41549. What do they receive in return?—They are entirely relieved of the charge of maintaining the school, and as the boys of the town are being educated there, it was thought proper that they should pay something.

41550. That is assuming that a high school education is a proper object for local funds?—Yes.

41551. Do the Local Boards or municipalities pay contributions?—The municipalities do.

41552. What are Board secondary schools—are they high schools?—The Board secondary schools are usually middle schools, but include a few high schools.

41553. Are they what would be called anglo-vernacular schools?—They are anglo-vernacular and vernacular.

41554. You say that appointments in them are made by the circle inspectors; are the circle inspectors Government servants or Board servants?—They are Government servants.

41555. Whom are they paid by?—By the Government.

41556. Has the municipality or District Board no connection with them at all?—Not as regards payment. The inspector is supposed to be in touch with the local authorities, including the Boards, as an adviser.

41557. But in no other way?—In no other way.

41558. What is the force of your remark that the remaining secondary schools are either under independent management or under District and Municipal Boards? Do you mean that they are under the management of the District and Municipal Boards?—Yes.

41559. In what respect do they manage these secondary schools?—The secondary schools are paid for by the Municipal Boards, but the appointments, promotions, and transfers of teachers are made by the circle inspectors; that is an arrangement which has lately come into force.

41560. Then by saying they are under District and Municipal Boards, all that is meant is that the District and Municipal Boards pay for them?—The connection is closer than that, although in practice the control does not amount to much.

41561. Is there any difference between the connection of the District and Municipal Boards with these high schools and the connection between those Boards and the middle schools?—The chief difference is that the staff in one case are Government servants and are paid by Government, while in the case of Board schools they are servants of the Municipal Committee and are paid by the Municipal Committee.

41562. Is there any practical difference except that the source of their pay is different in each case?—There is not very much difference.

41563. Are both classes of schools entirely under the orders of the department?—No, for in the case of municipal schools the inspector is supposed to act with reference to the Municipal Committee, and in the case of Government schools there is no local body to be consulted.

41564. In such a matter as the punishment or dismissal of a master would he consult the municipality in the case of a middle school?—He would be expected to; my practice was in regard to an important appointment to ask the municipal people to name their own man, and if he was qualified I accepted him.

41565. I suppose most of the middle schools are in municipalities?—No, a large number of middle schools are maintained by the District Boards in large villages.

41566. You say that circle inspectors are expected to consult municipalities on the details of management, but as a fact do they, and have the municipality or the District Board any direct hand in the management of these middle schools?—Financially they have, *e.g.*, in providing furniture and apparatus.

41567. When are they called upon to pay?—Not in the case of apparatus, because that would be entirely at their option. The department simply reserves the right of nominating, transferring and promoting the masters, but in every case of promotion the Municipal Committees are consulted, because obviously it would be impossible to promote a master if the Committee had not the funds to pay him.

41568. Have cases ever happened of a municipality or a District Board refusing to meet any demand made by the department?—The department has no right to demand funds for apparatus and furniture; it can only point out the needs of a school.

41569. But what is the actual practice?—The actual practice is that the municipalities meet the inspector's wishes as far as they can.

41570. If they do not bring a certain amount of pressure upon them?—No, we are unable to bring pressure upon them.

41571. If they do not accede to your demands, do you write to the Deputy Commissioner?—No.

41572. Do you simply accept their decision?—Yes.

41573. In the case of primary schools, does the District Board decide on the location?—Yes.

41574. Does it pass an order that in such and such a village a school is needed?—Yes. The District Board has entire power to fix the school and appoint the staff.

41575. Do they inform you of their intention to start a school?—Not necessarily.

41576. Have they full power to appoint masters?—They have full power to start any school in any place and appoint the masters, provided they comply with the rules of the Code.

41577. If they choose to select a master from a qualified list and appoint him to a village school, has the department anything to say in the matter?—Nothing whatever, and no information is communicated to the department.

41578. When the school is started are you informed of it?—No; not in the case of a primary school.

41579. Who inspects primary schools?—They are inspected by the district inspector.

41580. Is not the district inspector under you?—He is partially under the department, that is to say in regard to technical matters; otherwise he is at the disposal of the Deputy Commissioner.

41581. Is he appointed by the Board?—No.

41582. Who is he appointed by?—By the department.

41583. He is appointed by the department and paid for by the Board?—No; he is paid by Government.

41584. Does not the Board contribute?—No.

41585. Is he entirely and in every respect a Government servant?—Yes.

41586. And the Board has no control over him at all?—Yes; he is supposed to be an agent of the Deputy Commissioner, and it is the Deputy Commissioner who gives him casual leave.

41587. In what capacity, as Chairman of the District Board?—As Chairman of the District Board and Deputy Commissioner, but chiefly as Chairman of the District Board.

41588. Is it not rather an anomaly that a Government servant should be under the orders and control of a District Board. Are you quite sure that that is a correct statement of his position?—He is certainly under the orders of the Deputy Commissioner.

41589. As Chairman of the District Board, or as the representative of Government?—I do not know. I have never enquired into the distinction.

41590. Does this inspector send his reports to you as to his inspections or to your subordinates?—He sends a statement of his inspections to the circle inspector, through the Deputy Commissioner.

41591. Is he a Government servant?—Yes.

41592. Does he report upon the state of the school?—Yes.

41593. Then does the circle inspector take any action upon that?—The circle inspector has no right to take action.

41594. But supposing he found something very radically wrong in a school, or that the master was entirely inefficient, to whom would he apply to rectify things?—The inspector would inform the Deputy Commissioner.

41595. As Chairman of the District Board?—I suppose so.

41596. Can your department do nothing besides bringing it to the notice of the Deputy Commissioner?—No.

41597. (*Sir Steyning Edgerley.*) Do your Education Codes compel you to refer to the Government of India, or do you simply have to go up when financial sanctions are required? Can you do anything you like in the province with regard to education provided you do not want financial sanction?—On certain questions it would be necessary, of course, to obtain the sanction of the Government of India, for instance, as to the disposal of imperial grants.

41598. But apart from money are you required to go up at all?—As to the organization of the Service it would be necessary to go up.

41599. Is that not a question of money? Was there not a general policy laid down in 1904, and subject to the need for financial sanctions, are you not perfectly free to work it out as you choose?—I am afraid that that is a question upon which I cannot give any decided opinion.

41600. What does the Education Code consist of? Is it a code peculiar to the Punjab?—No; it is framed on the same lines as similar rules in other provinces.

41601. Can you describe it more definitely?—It deals with the conditions as to grants-in-aid, and it contains rules as regards curricula, school-discipline, and in short all the details connected with the working of recognised schools.

41602. Does it apply to local bodies?—Certainly.

41603. Do you advocate a change in the system of grants, and would you simply give a promise to Local Boards that Government will meet their expenditure on education by a proportionate grant?—You say that friction might be avoided if local bodies were allowed to fix their own expenditure with a proviso that contribution from imperial or provincial funds would be proportionate, and later on you say that local bodies might be released from the obligation to provide a fixed percentage for education on the condition which you previously suggested; do you suggest that the contribution should be *pro rata*?—That is the Bombay system, and it seems to be a good principle, but whether it would be practicable here or not I do not know.

41604. Is that what you meant to suggest?—Yes.

41605. If you have that system, and if you have certain essentials laid down by your Grant-in-Aid Code to entitle them to that grant, why do you say there must be uniformity?—Why should there be any more uniformity, and why should they not be left free if they earn their grant?—I meant uniformity of system, *e.g.*, in awarding grants to schools.

41606. There are only about half a dozen conditions in the case of an ordinary grant-in-aid?—Yes.

41607. Subject to these conditions why do you want uniformity any further; why cannot Local Boards be free to model their education as they please?—I think they ought to be guided by general principles, for instance, in regard to expenditure of different kinds upon primary education.

41608. But is not the whole thing primary? Are not your grants primary?—Not entirely.

41609. Do you give Local Boards grants for secondary education here?—No.

41610. Then why should you want more uniformity than is required by simply a sufficient compliance to earn the grant?—I was thinking simply of general principles, not of any particular rules.

41611. Then you also say that there ought to be a guarantee that such grants are utilised in the object for which they are given, but if the change you suggest of a *pro rata* grant was made, would not the mere fact that it was a *pro rata* grant provide that, because if they did not spend the money they would not get the grant?—Yes.

41612. So you do not need the interference of the department to acquire them?—It is not absolutely necessary.

41613. Are you able to institute any comparison with the position of education in the Punjab and in the United Provinces? Do you consider that the Punjab is more advanced than the United Provinces in that respect?—I have always understood that the United Provinces were, educationally, the most backward province in India.

41614. Cannot you give more than a general answer?—I have not made any detailed comparison, and I cannot tell you more than I have heard.

41615. It was suggested by a witness the other day that there might be introduced into Government schools a sort of moral text-book, teaching the virtues of truth, pointing out the results of falsehood and the difference between honesty and dishonesty, and so forth, as perhaps tending to check the disregard for authority, which seems to be a mark of the rising generation; is anything of that sort possible?—I do not believe in direct teaching in that form. Morality is best taught indirectly by example and occasional precept, and not by teaching from text-books.

41616. Would it be no advantage to have a text-book of that sort in schools?—I cannot say that it would be of no advantage, but, personally, I do not believe strongly in such text books.

41617. It has been recommended by Indian gentlemen of some experience and knowledge?—I know it has been recommended.

41618. Has it been tried here?—It has been tried here; in fact, moral text-books are used now in secondary schools, but not in primary schools.

41619. Who prepared them?—Dr. Sime prepared a moral text-book, and Dr Murdoch, of Madras, prepared another one which is now in use.

41620. (*Mr. Meyer.*) Have you been long Director of Public Instruction?—I am only officiating now.

41621. Have you had much to do with the Director-General of Education?—Yes; I have met him several times.

41622. Have you derived much benefit from his advice?—Yes; a great deal.

41623. Do you think that the appointment is a desirable one?—I think so, as an advisor.

41624. Does he do more than advise; have you found him interfering with you at all?—No; not in any way.

41625. With regard to district inspectors you say that the Boards do not pay for them, but do they not pay for their establishments?—Yes; they pay for their establishments.

41626. You told us that a district inspector, although a provincial servant, is to a certain extent under the orders of the District Board President, that is, the Deputy Commissioner?—Yes; perhaps it would be simpler if I referred to the article in the Education Code which defines the position exactly. Article 771 runs "district inspectors of schools are the agents of Deputy Commissioners in their districts, and should at all times be in direct communication with these authorities."

41627. Does he not sit on the District Board?—Yes.

41628. And therefore he helps to approve the orders under which he himself works?—Yes.

41629. Is that a satisfactory state of things?—I think it is sound.

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41630. Can he vote?—Yes; I presume so, if he is a member.

41631. Mr. Maclagan told us that it was proposed to lay down a rule that the district inspecctor should become a Local Fund servant; has that order yet come out?—No; I believe the question is under consideration.

41632. Are you not *ex-officio* Under-Secretary to Government in the Education Department?—Yes.

41633. Therefore supposing you have any difference of opinion with a District Board, or a Commissioner, as to the amount which they should contribute to education, do you have to refer to yourself as Under-Secretary?—My experience in the appointment is rather short, and I have never met with such a case.

41634. But would that not be possible?—I should doubt it.

41635. If you thought that a certain District Board was not spending enough money on education, when you saw their budget, would you represent the matter to the Board, and if they refused to reconsider things, would you go to the Commissioner?—If I thought it worth while, I might bring the matter to the notice of the Commissioner.

41636. If the Commissioner took the side of the District Board, what would happen?—The Commissioner would probably give an explanation, and say he thought the expenditure ought, or ought not, to be increased, and there the matter would end.

41637. If he gave it in your favour naturally it would end, but supposing he gave it against you, would you then go on to Government?—No; the matter would drop. I do not know what the custom is; I have never heard of such a case.

41638. Are you prepared to enunciate a general principle as to the relative functions of Government and local bodies with regard to education? We have been told by some people that they thought the dividing line might be between primary and secondary; would that meet with your views?—No; I do not think you can divide education for administrative purposes into primary and secondary, because the two must run together.

41639. Do you think it is merely a matter of expediency, and that you must deal with each particular case?—Yes.

41640. You have told us that the Boards have full control over primary schools, but that they can only exercise that control practically through the district inspectors. As long as the district inspectors are not their servants, can they be said to have full control?—The position is as defined in Article 771, which I have already quoted.

41641. So that as far as the letter of the rule goes, they are absolutely independent of the District Board, but they have some relations with the Deputy Commissioner?—Yes; but that is not the practice.

41642. What is the practice?—No mention is made in the rule of the District Board, but practically, the Deputy Commissioner being the President of the Board, the district inspector carries out the orders of the Board. These schools are all Board schools, and are paid for by the Board.

41643. That being so, might it not be clearer if you altered the rule by substituting the District Board President for the Deputy Commissioner?—It might make it clearer.

41644. Is not the real control of primary schools practically invested in the district inspector?—Yes, practically.

41645. What, roughly speaking, is the amount of the grants for education which the provincial Government makes to District Boards. We have heard of the grant which District and Municipal Boards make to the provincial Government for the upkeep of high schools and the salary of district inspectors and clerks, but what is the grant which the provincial Government makes to District Boards?—I am afraid I am unable to give you any figures.

41646. How would such grants compare with the expenditure which the District Boards incur on each occasion?—That is a question on which I am unable to give any exact figures. A grant is made to each district from provincial funds for primary education, and it varies in the case of different districts; I cannot name the sum off-hand.

41647. In Bombay we are told roughly that the Government contribute about eight annas for each rupee which the Board give themselves?—Yes, the amount here would be very small comparatively.

41648. As regards the simplification of the Educational Code, would you be prepared to give some latitude to local bodies as to primary schools in respect of the curriculum or the hours of attendance, and so on?—That is a very doubtful point, and I believe it has never been tried in any province.

41649. In one province we were told that they had latitude to the extent that there were two alternative curricula for primary schools, rural and urban; the rural curriculum laid more stress upon agriculture and so on, and they could apply it if they liked during the harvest time; but they might apply the town curriculum at other times?—We have several types of school curricula which can be adopted.

41650. Has a District Board any discretion with regard to that, or has it to come to you?—A District Board is rather tied in those respects, and is bound not to change certain types of schools without referring to the department.

41651. Each of the types having been approved by you as a general type, might they not have discretion to adopt one instead of the other?—Yes; I think they might.

41652. As regards hours of attendance, do you lay down any rules?—We have general rules as to the hours of attendance and curriculum, and they are observed as far as possible, but I do not think it would make any difference if latitude were allowed, for instance, as regards ordinary school hours. The ordinary school hours would be always nominally adopted, but in primary schools the school-master does not always follow our precise arrangements; the school may open at 8 o'clock according to his time, whereas we might prescribe that it should open at 10 o'clock.

41653. Does it really matter, supposing the school curriculum lays down that there shall be five hours a day, whether a boy attends five hours in the morning or five hours in the afternoon?—No, but the difficulty is to prevent school hours from extending from early morning till dark. It is the practice with some of the small children in this country to come to school early in the morning, stay all day, and sometimes even all night.

41654. Might any control be given to panchayats over schools in villages?—We have School Committees.

41655. What do they do?—They are supposed to interest themselves in the attendance of children, but otherwise they have no power, and the experiment so far has not been productive.

41656. You would not go further and give them any power of management?—Until you have an educated public in villages, the villagers would not be capable of doing it. School Committees are well enough where you have an educated public, but what villagers want is not self-government as regards schools, but good schools.

41657. You say that District Boards are free practically in regard to primary schools, but can they abolish a school without your sanction?—They can abolish a school in one place so long as they open another in another. That is to say, they are not empowered to reduce the number of primary schools without reference.

41658. As long as they keep the total number up they may abolish school A if they establish school B?—Yes.

41659. Are the grants-in-aid to schools in districts made through the Boards, or does the Government make grants-in-aid direct to mission schools or special institutions, for example?—Some schools receive aid from the provincial funds either in addition to, or instead of, the aid given from district or municipal funds.

41660. Are the schools of a special character?—No; I think the history of them in many cases accounts for the nature of the grant.

41661. There is no strict dividing line?—No.

41662. Are the grants large, taken altogether?—The grants are calculated on definite principles, and are fairly liberal.

41663. But in the bulk, is much money spent in that way?—Yes, I think they are as liberal as can be expected.

41664. (*Mr. Hichens.*) You said that you do not think a dividing line is possible between primary and secondary education, and therefore you cannot allocate one sphere very well to local bodies and another to the Local Government; why do you think it is not possible to make a dividing line?—Because education must form one scheme.

41665. Do you mean that the whole thing must be dovetailed?—Yes. It is very difficult to distinguish between primary and secondary education; the Government of India hold that what we call vernacular middle class schools are really higher class primary schools.

41666. Even though one does dovetail into the other, and the dividing line may be difficult to make, you can hardly call it impossible?—It would not be impossible to draw an arbitrary line, of course.

41667. But would it be undesirable?—I think so. I do not see any object, for administrative purposes, in differentiating between education in its lower stages and education in its higher stages.

41668. Would your point be that it would be desirable that all education should be run by the same body, and that all the features of education should be under Government control entirely?—The probability is that centralization in education is more efficient than decentralization.

41669. Would you allow the local authority a voice in all aspects of education?—I do not think the present system is bad; the district authorities have the power of appointment and dismissal of teachers.

41670. In regard to primary education?—Yes.

41671. And in regard to secondary education?—They have not that right in regard to their secondary schools.

41672. Have they not the privilege of paying? Would it not be more satisfactory if you could give them a real interest instead of giving them a very vague say in most things?—Local control is an excellent thing under certain conditions, but unlimited local control of a school has not generally proved a success. To take the case of an ordinary municipality, there are sure to be factions, and they are likely to extend to the school if there is no guiding control.

41673. What serious objection is there to saying that primary education should be entirely under the control of the Local Government, and that they should provide the funds for it, the Local Boards having no responsibility, but with regard to primary education that they should be responsible?—There may be a division made as regards funds, but I cannot agree that the entire control of primary schools should be placed outside the Education Department, because the Education Department would not be worth its salt unless it could guide and control education from the top to the bottom. Another point is that in the lower stages of education more control is required than in the case of higher education. In the higher stages you have highly qualified and responsible managers and teachers who need very little, if any, guidance from experts.

41674. Assuming for the moment that there may not be control, and leaving out of account the degree, is there any objection in your opinion to making a division of that sort, and saying that secondary education should be paid for and controlled entirely by the Government, but that primary education should be controlled and paid for partially by the District Board?—There is no objection excepting the obvious one, that the Government would not be able to afford the expense of maintaining secondary schools, if the entire financial burden were take off the shoulders of the municipality.

41675. Then your answer to the question as to what the contribution of the Government to the District Boards would be is that District Boards contribute very much more to Government than Government contributes to District Boards?—My experience is not sufficient to enable me to answer that question.

41676. But otherwise your last answer falls to the ground. Assuming that the Government changed its policy and made contribution towards primary education, and *per contra* said, "We will not take anything from you for secondary education," would the two things balance?—I cannot give any definite answer to that, because I have not gone into the financial aspect of the question.

41677. But apart from the possible financial objection, have you any objection, as Director of Education, to that being done—to complete control of secondary schools by the Government, and partial control and supervision only with regard to primary schools?—That would virtually amount to the present system.

41678. Would you say that it was very important to enlist the interests of the people in Education, and that it would be better possibly to have a comparatively bad school in which they were interested, than a first-class school which they did not care much about?—I doubt whether that is a possible hypothesis; as a rule the people are less interested in the worse schools.

41679. But is that only if they are under their own control? At any rate, you do attach importance to the people being interested in the schools, and in order to do that you must give them a certain amount of control?—Yes; as much as you possibly can, but I would not endeavour to give them control if they did not want it, and that is where the difficulty may come in. If you say to the people of a village, "Please conduct your own schools," and they say they would rather not, but would prefer to have them conducted by the Board or the provincial Government, the whole thing falls to the ground. The people do not want local control over the schools; they have got some under our rules, and a man has a right to start his own school if he likes, but they prefer a school which is managed from a centre.

41680. But where a municipality or a District Board does want to manage its own school entirely and expresses a desire to do so, would you raise any objection?—Certainly not.

41681. Would you have any objection to District Boards having their own agents for the management and supervision of primary schools, subject to your general departmental supervision?—That is virtually the case at present.

41682. The position of the district inspector is exceedingly anomalous and hard to define, but you can consider him in one aspect as a servant of the Deputy Commissioner as President of the District Board, while in another aspect he is the servant of the Education Department?—Yes.

41683. The Code defines him only as an agent of the Deputy Commissioner; my idea was that they should have their own agency, and servants of the District Board to manage the primary village schools, subject to the control of your department, and subject also to the control of the provisions of the Code?—Where would the practical difference come in?

41684. They could send their own man to a particular school to inspect, but the District Board cannot do anything now under the Code?—I have always maintained that the District Board could control.

41685. Where is the District Board named in the Code? That system has been tried in some other provinces, and I should like to know whether you have any objection to their managing their own primary schools by their own servants entirely, subject only to a general supervision of the department?—I see no objection to that, as long as the position of the District Board inspector was not weakened thereby. We want very good men indeed as inspectors, and if you call the inspector a servant of a certain District Board, the question is whether you would get the right man, and there would be difficulty in recruiting.

41686. But if it was possible to find a man, you would not have any objection?—No; except that there might be, if the district inspectors looked solely to the District Board for advancement, a tendency to disregard any guidance or supervision from the Education Department.

41687. I postulate a sort of general supervision on the part of the Education Department; subject to that,

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would the agency of the District Board be found capable of managing their own village schools?—Only if the right stamp of men are recruited; if a higher type than at present could be placed in charge, it might work well.

41688. (*Mr. Dutt.*) Does the Code refer only to the Punjab?—It refers to the Punjab only.

41689. Was it compiled by the Director of Public Instruction here?—It has been gradually compiled by successive Directors.

41690. And sanctioned by the Punjab Government?—Yes.

41691. Does it lay down rules with regard to the housing and furnishing of village schools?—Yes, more or less.

41692. Would you allow District Boards a large latitude with regard to those matters?—They have already latitude in regard to those matters; there are no details prescribed.

41693. Supposing a village cannot get a house for a school, would there be any objection to the boys meeting in the house of some influential villager, until one could be got ready?—Not the slightest. The Code lays down a general rule that the Board should see that the housing of the schools is sufficient, and, as a matter of fact, a large number of the present primary schools are held inside houses lent or hired.

41694. And that is not against the provisions in the Code?—It is not.

41695. In the same way, with regard to the hours of attendance, supposing the villagers said that in harvest time they do not want to send their boys to school from 10 to 5, but only for three hours in the morning, would you allow the District Board to sanction that arrangement?—That would be possible if the type of school was what we call zamindari schools, or half-time schools, but if they wanted to do it in an ordinary village school, it would upset the curriculum more or less, and it would be difficult to arrange immediately. If the villagers wanted it permanently they could apply to the district inspector, and he would see that that particular school became a zamindari school.

41696. Would you not allow a District Board to pass an order that every two months during the harvest season the school might only be held for three hours in the morning—would you not allow that amount of latitude?—There would be no objection.

41697. In matters of that kind, unless you allow them latitude, would they take any interest in their work?—I see no objection to matters of that sort being entirely at the discretion of the District Board.

41698. But you say the Code requires, if any such alteration were made, that the school should be turned into a zamindari school; my proposal is that in certain cases the Board should be allowed to make such orders as they pleased?—I do not see why they should not. These Codes are only made for general guidance.

41699. Are your officers in the Provincial Service who are recruited in this country appointed by Government, upon the recommendation of the Director of Public Instruction?—They are appointed by the provincial Government, presumably on the recommendation of the Director of Public Instruction.

41700. Does their promotion or transfer require Government orders?—Yes.

41701. Can the Director of Public Instruction transfer them from one district to another or promote them from one grade to another?—No.

41702. Are they generally a satisfactory class of men?—I think so.

41703. What is their pay to begin with?—Rs. 200.

41704. What do they go up to?—Rs. 700.

41705. Do the district inspectors belong to that Service?—No; district inspectors are not on the provincial list.

41706. Do they belong to what you call the Subordinate Service?—Yes.

41707. Is your code liable to revision from time to time?—Yes; it is revised periodically.

(*The witness withdrew.*)

Mr. T. P. Russell Stracey was called and examined.

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41708. (*Sir Frederick Lely*). You are Assistant Secretary to the Punjab Government in the Financial Department?—Yes.

The first step towards decentralization was taken by the Government of India in 1877, when the system of allowing Local Governments to operate against allotments made by the Imperial Government was replaced by a provincial settlement, subject to reconsideration quinquennially. Certain heads of income and expenditure were assigned in their entirety to provincial, others were shared, and a few retained as imperial. At the same time the powers of the Local Government were defined. Coming to the present time we have the *quasi*-permanent settlement, and the powers of the Local Government as defined in Chapter XVII of the Civil Account Code.

As long as provincial finances are shared, the Imperial Government must necessarily, as the senior partner, have an interest in provincial affairs. This position rather stands in the way of anything like real delegation and decentralization. The question is: "Cannot there be a dissolution of partnership without doing away with a Local Government's liability to contribute towards the imperial exchequer?" Cannot this be done by treating all the items of income and expenditure adjustable on the books of the Accountant-General and Examiner of Public Works Accounts (except for Military Services and other purely Imperial Departments, *e.g.*, the Post Office and Telegraph Department, &c.) as provincial and fixing (with due regard to the accepted standard of expenditure of the province) a certain percentage of the *gross* income as a contribution to "imperial," subject to a reasonable minimun? The subsidy suggested would represent the liability of the province towards imperial defence, &c., and each Local Government might be allowed to build up its own famine insurance fund. The existing *quasi*-permanent settlement is subject to revision whenever the Imperial Government is confronted with the alternative of either imposing general taxation or seeking assistance from the province, or when the variations from the initial relative standards of revenue and expenditure have, over a substantial term of years, been so great as to result in unfairness, either to the province itself or to the Government of India. These reservations might be retained.

As matters stand a Local Government cannot re-appropriate budget grants from a shared head to an entirely provincial head and *vice versâ*. This difficulty would be removed.

The Government of India lay great stress on the desirability of securing a consonance between recorded actuals and a sanctioned budget. Departmental and other officers render their budgets to the Accountant-General by the 15th of November at the latest. This date should be extended to the 15th of January. The revised estimate of a year then current, which is based on the actuals for the first eight months of that year *plus* the actuals of the last four months of the previous year (rejecting, of course, abnormal figures), is adopted as a general basis of the estimate for an ensuing year. The first edition of the budget notes and estimate as accepted by the Local Government is despatched by the Accountant-General to the Government of India on the 20th of January. Corrections in the light of later actuals are reported to the Government of India in February, and important modifications telegraphed up to about the first week in March. The Government of India, being thus in possession of the latest statistics, are in a position to effect radical changes in the estimates accepted by a Local Government on less perfect data. If my suggestion for a complete emancipation of provincial finances is accepted, a Local Government should be allowed to consider and finally adopt its budgets by the 20th of February; and so long as the estimates assure the contribution to "imperial," the prescribed minimum balance, the famine insurance, and a safe margin or accrued surplus, they should be accepted by the Government

of India. The Accountant-General would, of course, intimate modifications in the revised estimate to the Government of India and the Local Government up to the first week in March. Article 154, *note* 2, and that part of article 1361, Civil Account Code, which require a special report to the Government of India before a Local Government can utilize, to any considerable extent, its accumulated surplus, should be amended.

Under existing arrangements the growing income of a province is shared. During the quinquennium 1900–01 to 1904–05 the provincial share of an average gross income of about Rs. 5,48,00,000 was Rs. 2,24,00,000 or about 41 per cent., and during the past four years,* under the *quasi*-permanent settlement, the gross income averaged about five crores, of which the provincial share was Rs. 2,96,00,000, or 59 per cent. These quota include special assignments for specific services, and also the compensatory assignments for loss of income or expenditure entailed by changes in policy effected since the settlement was sanctioned. It is doubtful if a Local Government could, in the circumstances, hypothecate its share of income or any part of it as security for a loan if it had borrowing powers. Besides, if several Local Governments endeavoured to raise a loan about the same time, it might lead to unfavourable tenders. All things considered, it would be better to leave the question of raising loans to the Imperial Government. I would, however, suggest enlarging the scope of the provincial advance and loan account by permitting Local Government to provide there for loans for any remunerative works or undertakings of public utility. What would facilitate the development of a province without a resource to loans is the expenditure of capital by syndicates on remunerative works approved of by the Local Government, *e.g.*, branch railways, &c., which they may be encouraged to do by permitting Local Governments to guarantee the interest on capital expenditure.

As a Local Government would, from local conditions, be in the best position to decide, on the merits of each case, in a matter of the pay and allowances of any of its officers, the power to grant local, personal and deputation allowances, without regard to the emoluments of the officer after the addition of any of these allowances, might be delegated to the Local Governments. For the same reason I would suggest delegation to a Local Government of power to sanction conveyance or fixed travelling allowances. The general restrictions in article 283–4 (2), (5), (6), (7), (8) and article 283, rules 11, 13, 14 and 15, which might be retained, are a sufficient control.

The following imperial charges are adjusted on the books of the local Accountant-General :—14—interest on other obligations ; 18—general administration—office of Accountant-General and the Paper Currency Department ; 23—ecclesiastical ; 25.—political ; 27—territorial and political pensions. The larger powers of sanction pleaded for expenditure classed as entirely provincial or shared might reasonably be extended to the clerical and menial establishments and contingencies of the Ecclesiastical and Political Departments.

Any system which requires a reference to higher authority encourages, and unconsciously leads to, rigidity and uniformity. The question that naturally suggests itself in a Government of India Secretariat when a matter is being considered is :—"Have we precedents?" or "What do other Governments do?" The remedy lies in keeping down references to higher authority as much as possible and allowing Local Governments to develope their administration on their own lines. Suggestions of reform from other provinces brought to their notice by the Government of India or by their expert advisers (Directors and Inspectors-General) would be welcome and receive every consideration.

In matters of finance the rigidity of the Government of India is liable to operate adversely on a province, *e.g.*, in pursuance of some fiscal or administrative policy growing heads of income are abolished or some fresh charges are thrown on a Local Government. The loss occasioned by this modification of the original settlement is restored by *compensatory* assignments, through the land revenue head, which the rigid and uniform policy of the Government of India treats as *fixed* and is, generally, based on the estimate of the year then current. A provincial settlement consists of income assigned for provincial uses and expenditure to be met therefrom, the difference between the two sets of the assigned transactions being adjusted by a contribution to or from provincial revenues, technically known as a "fixed adjusting entry." Increases in the expenditure assigned are expected to be met from the growing heads of income. Any marked disparity between the income which would have been realized, but for its abolition, and the fixed grant or the ultimate growth in the fresh charges thrown on the province, naturally constitutes an unlooked for demand on the growing heads of income assigned in the settlement, and to the extent to which these causes extinguish the annual surpluses is the power of the Local Government to incur new expenditure in the improvement of administration curtailed. The Government of India have declined to calculate the compensation on a sliding scale as it is against their traditional policy.

Certainly the Government of India must be given credit for the initiative in administrative reforms in recent years, but the ultimate effect, financially, of some of the reforms will not be to the advantage of the province ; or, to put it plainly, provincial revenues are likely to be called upon to appropriate for some of the reforms of Imperial policy so much of their net profits each year to meet the difference between the eventual cost of the new measures and the *fixed* compensatory assignments.

The rules bearing on the right of appeal should not be brought within the scope of decentralization, as it would be impolitic for the public, both official and non-official, to apprehend that personal rights are to be curtailed simply with a view to decrease the work of Government officials to whom the personal interests of the people are entrusted. The rules as they stand sufficiently empower officers to deal finally with appeals which bring forward nothing new.

Deputy Commissioners, Commissioners and Heads of Departments should be encouraged to take a greater personal interest in budget matters. In the past this was not possible, probably as their control over the budgets was restricted. They should be allowed more time to prepare their estimates, and the forms in which they are submitted might be simplified, so as to clearly bring out each officer's demands other than for fixed charges already sanctioned. The Audit Officer has a record of these, and the estimate is simply a question of arithmetic. They should provide in their estimates for a coming year for fresh expenditure which they are competent, by delegation, to sanction and for contingencies (other than contract), travelling allowances, supplies and services, petty construction and repairs, &c., &c. I would further suggest that each sanctioning officer be permitted to provide a reasonable "reserve" in his estimate ; and as long as an officer is competent to *incur* the expenditure, the fact that provision for it exists under different grant heads should not stand in the way of his re-appropriating savings in a sanctioned budget during the course of a year.

I would not assume that individual officers subordinate to Government are not ready to exercise increased powers. If any loss or harm resulted by neglect, in the application of higher powers, the officer concerned might be held personally responsible ; and if instances of failure were multiplied, an officer would declare his own unfitness and be dealt with departmentally. Decisions in such cases, however, should not be influenced by any sense of sentimentality. This should sufficiently ensure the success of the scheme, and at the same time protect Government from loss, either pecuniary or of prestige.

As general suggestions bearing upon the subject of decentralization, I offer the following :—

Correspondence should be explicit and concise, and the memo. form should be used generally. Every communication should be self-contained, formal expressions such as "*I have the honour*" at the beginning and end of letters omitted, and enclosures should not be sent unless absolutely necessary. Men of good business stamp and with a liberal education who are capable of relieving overworked officers of drafting or correcting drafts should be appointed to the senior clerical posts in subordinate offices. If necessary, the pay of these posts might be made more attractive. Letters on

* 1905–06 to 1908–09, the revised and proposed estimates having been taken for 1907–08 and 1908–09.

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unimportant subjects or of an ephemeral character might be written by the superintendent or head clerk on carbon pad.

Government unnecessarily multiplies cash transactions. The debit note system in the case of telegrams might be extended to *all* offices. The rules secure sufficient control on unnecessary expenditure, and there is no reason to believe that the change advocated would encourage a reckless resort to telegrams.

Official postage labels are obtained from the treasury in return for cash. An officer requiring his month's supply should send a receipt to the treasury in duplicate showing the number and denomination of the labels required and the major, minor and detailed heads to which the charge is debitable. One copy would be signed by the Treasury Officer and returned, with the stamps, to be attached to the postage register of the office concerned, and the other retained by him for submission to the Accountant-General at the end of the month with a consolidated statement classifying the supplies under the several major and minor heads. The latter would credit the Postal Department by one monthly or annual transfer entry for the entire province and debit the service head or department concerned. These suggestions would release an enormous amount of cash for public use, and do away with thousands of sub-vouchers. The increase in the transactions in the exchange accounts between the Audit Officers and the Postal and Telegraph Accounts Departments, although not offering any serious obstacle, is provided for in my suggestion below.

The payment of pensions might be usefully relegated to the Postal Department. By far the greater number of pensions are for insignificant sums payable to natives who retire to out-of-the-way villages. This proposal would particularly appeal to them. Under existing rules a pension can be paid only at a *sadr* or sub-treasury, while the Postal Department would pay the pensioner from the sub-post office nearest his residence.

Official accounting has developed into a fine art, and we resort to methods which would never be tolerated by business firms who naturally aim at securing maximum results with a minimum of labour and cost. The number of exchange accounts and the number of transactions that pass through them are appalling. It seems to me that if we had one *central* audit office for each province, work would be done expeditiously and economically. The following offices might work in one central station, say, the provincial capital, under one Chief:—(1) Accountant-General's office; (2) Examiner, P. W. Accounts; (3) Deputy Controller of Post Offices; (4) Examiner of Telegraph Accounts; (5) Controller of Military Accounts; (6) Examiner of Railway Accounts The question of the Financial Department taking over (4) is already under consideration, and it is likely that the system of divisional audit will be introduced from the 1st of April 1908, when (5) will really be a small establishment entrusted with general supervision, and the consolidation of the various divisional accounts in the command. (6) of course would be part of the scheme only when it represents a Government line. As matters go, the combination is feasible at Lahore. Each of the departments would be in charge of its own departmental officer. The arrangement results in the abolition of exchange accounts between these departments. The transactions brought to account in one of the sections but adjustable by another will merely pass through *one adjusting head*, and be relieved by credit to a corresponding adjusting head in the accounts of the latter, on the principle of "*cash recoveries.*"

When I was in the Military Accounts Department we were flooded with schedules and sheafs of credit notes and warrants used by Military Officers which the railway sent on and with thousands of cashed military cheques from the Accountant-General's office, in support of the debits in the exchange accounts. The grant of letters-of-credit would be facilitated, and also the adjustment of pension payments and postal and telegraph charges. The central Accounts Officer would send *one* consolidated account to the Comptroller-General for each province. This suggestion is on the principle of a clearing house in large business centres at Home, where the accounts of one firm are daily set off against another and only the net result passed over the counter. The saving in correspondence, postage, telegrams and establishment will be a financial advantage, to say nothing of the enormous gain to public business in getting the work done expeditiously. Moreover, a study by one permanent local Chief of the comparative advantages of the systems of audit and accounting in these several departments would result in proposals for the adoption of the simplest practical methods being put forward more promptly than suggestions to the same end made by the Deputy Auditor-General during his periodical inspections.

Audit should be conducted strictly in accordance with rules to the exclusion of all discretion. It has not hitherto been considered politic to permit an Audit Officer to relax rules, or suggest expedients for the evasion of the natural operation of rules. If this stringency was considered essential when the powers of expenditure were restricted, it is the more necessary now that a freer hand is to be allowed to Controlling and Disbursing Officers. Nor do frequent references by a Local Government to an Audit Officer by a resort to the suggestion in article 290, Civil Account Code, make for business. A local Secretariat should be self-contained.

If all the suggestions made by the several Governments to decentralize and devolute were introduced in their entirety, there would still remain the tendency to centralize, particularly in financial matters; if not by reversion, by new items originating in the course of business. The only way to stifle this, while retaining the integrity of audit, is for each Local Government to have a financial and account expert who might be borne on the rolls of the Financial Department, but work direct under a Local Government. The Secretary of State has recognized this principle in the Railway Board to which a financial adviser, drawn from, and borne on the rolls of, the accounts department, is attached. A Local Government should also, periodically, depute an officer with thorough business experience to overhaul the systems of work in the offices subordinate to it, and suggest economics, delegations, simplification, &c.

41709. You make a proposal which implies the financial independence of the provincial Government which means, I suppose, that there is practically to be no submission of the budget for criticism, or the sanction of the Government of India?—No; the budget would continue to go up.

41710. But I understand you propose to send it up later in the year?—Yes, so that we should have better data and more time to look into our figures, and anticipate the modifications which the Government of India now have to make.

41711. Which would involve less time for the Government of India, and more time for the provincial Government, for consideration?—Yes; but the advantage to the Government of India is that the estimates are rendered to it better prepared.

41712. Supposing, under your system, by reason of war or any other emergency, the imperial expenses suddenly increased, how would they be met?—At present the items of provincial revenue and expenditure are assured, and the Government of India have the right to raise the terms when confronted by any emergency. My system recognizes this right.

41713. But if there was a sudden call for money, as in the case of war, is it not met to some extent out of the balances of the Government of India?—Yes.

41714. How do you propose that it should be met under your system?—In the same way as now; the only change is that each province would surrender a percentage of its gross income to the imperial revenues, retaining the rest for provincial uses.

41715. Allowances would be made for special and unforeseen expenditure?—Quite so. We would have the whole of the income and expenditure now dealt with in the provincial settlement as provincial, and having once accepted the standard of expenditure, we would fix the percentage of income to be handed over to the Imperial Government. At present the condition is that, should any contingency arise, the Government of India is at liberty to modify the terms of the provincial settlement, and that reservation might remain; the only difficulty, however, is that a provincial Government might increase its working expenses to such a very large figure as to make sudden curtailment rather difficult. But that could be got over by fixing the standard of expenditure for, say, five years in advance.

41716. Taking the case of famine, would you leave the provincial Government to run the risk of that?—

Yes ; they would have to build up their own Famine Insurance Fund.

41717. Supposing a famine attacked a province, and there were not sufficient funds to meet the demands made, what would happen ?—Then it would involve a reduction of the percentage to be paid to the Government of India so long as those conditions obtained.

41718. So that practically the Government of India would have to meet it ?—From its percentage, which is what they virtually do now under the Famine Insurance Fund.

41719. Is not the Government of India, which has to deal with very much larger figures than any provincial Government, very much better able to meet a large charge than any provincial Government ?—Yes ; if the expenditure is very heavy and encroaches on the prescribed minimum balance of a province.

41720. So that the Government of India would have to be finally responsible for meeting the expenditure with regard to famine, as they are now ?—Yes.

41721. And it would be in a less strong position to do it under your proposal ?—I am not quite sure about that. If we build up a reserve, and use our annual surplus on protective measures, we should be in a better position to meet claims with regard to famine when they did occur.

41722. After your reserve was built up ?—Yes

41723. What would you do meanwhile ?—The prescribed minimum balance of the provincial Government might be raised. Ours is 10 lakhs, and it might be raised to something more, say, 20 lakhs. We might also start off with 10 lakhs as the famine reserve.

41724. If the responsibility of meeting these special crises were divided among all the different provinces, would not the chance of a deadlock be greatly increased ?—Not if the Famine Insurance Fund were included in the balances.

41725. From a financial point of view, would there be any objection to giving the Commissioner a certain latitude, leaving him to make a divisional Public Works budget with regard to roads and buildings for his whole division ?—At present there are very few Public Works which are left to him ; they are all done by the Public Works Department.

41726. But would there be any objection, on financial grounds, to doing that ?—Yes ; the difficulty would be in re-appropriating. Say, for instance, one Commissioner has five lakhs and another four lakhs ; the Commissioner who has five lakhs might not have the opportunity of spending it all ; and the other, who has only four lakhs, may be in a position to spend six lakhs. There would be the risk of an avoidable lapse.

41727. I think we may safely assume that a Commissioner may have an opportunity of spending the whole of his allotment. The allotment would be made according to the presumed want of each division, and the Commissioner would be left to make his budget against that allotment ?—I see no financial objection.

41728. It has been represented by several District Officers that it is very hard upon them to have to take care of the Government balances in the treasury involving counting the money, a work which often takes them several hours every month, and some of them have said that it is particularly hard, especially when there is a branch of the Bank of the Punjab, or any other bank other than the Bank of Bengal, at hand whose business it is to take care of money. As a practical question, would it be possible to employ banks to take charge of the treasury other than the Bank of Bengal ?—It would be inconvenient to the public, because banks close at 3 o'clock every day, except Saturdays, when they close at one o'clock, and they cannot receive Government dues except under the written order of the Collector.

41729. Would it not be equally inconvenient when the Bank of Bengal keeps the money ? When there is a branch of the Bank of Bengal at any station do they not keep their money ?—They do.

41730. And when there is no branch of the Bank of Bengal do you see any reason why some arrangement should not be made with the Bank of Punjab or any other bank which happens to be established in the place ?—It is a question of guarantee.

41731. I am asking you whether there would be any objection to making some such arrangement ?—None, except the objection which already exists as regards the Bank of Bengal ; that is to say, if a person happens to go a minute late he cannot either put in or draw money out.

41732. Has the Government a contract with the Bank of Bengal ?—Yes. It is inconvenient in Simla and in Lahore too sometimes. The treasury is situated some distance from the bank, and no one can pay into the bank without the written orders of the Collector, so that if the payee gets to the bank five minutes after time on a Saturday he cannot lodge the money with the bank, with the result that he has to keep it in his custody until banking hours on Monday, an inconvenience which is accentuated if other holidays follow

41733. (*Mr. Hichens.*) Supposing a man go to pay into a Government account, would he not pay it into the treasury or at the Collector's office—he would not pay it to the bank ?—No ; he has to go to the Collector and the Collector gives him a voucher which classifies the item of income, and gives the bank an authority to receive the money on behalf of Government. It is only on that authority that the Bank of Bengal can receive it.

41734. How would it do to have a cashier attached to the Collector's office to take the money and pay it in once a day, or once every other day, as the case might be ?—That can be done, provided of course that you had the usual safeguards, which is a material detail.

41735. On six days of the week probably the money could be paid in during the course of the day, and it would be only now and then that there would be any sum in store, so that that might meet your objection ?—Yes.

41736. Would that be feasible ?—Yes.

41737. What advantages would be gained by your proposed system of tribute ? How would a provincial Government be materially better off ?—Are you referring only to the question of revenue or to revenue and expenditure ? At present both are shared.

41738. I was referring to your general proposal that the Government should have its own revenue and its own expenditure and make a certain tribute to the Government of India. What tangible gain is there going to be to the provincial Government ?—Say that in the course of a year or two years that a provincial settlement has been in force, some item of growing income is abolished as a part of the fiscal policy of the Government of India, we lose the growing share of income and in its place we get a fixed compensatory assignment.

41739. Would it not be fair to put the other possible alternative ? Supposing it were very desirable that a reduction of taxation should be made, the provincial Government would have to knock off the tax and not get any compensation at all, so that you must balance the one thing with the other ; how would you come out on the balance in that particular case ?—We should decrease the percentage payable to the Government of India by the amount represented by that transaction which falls out of the provincial settlement, and as we calculate our percentage upon the growing gross income, it would necessarily increase *pari passu*. Now as regards an item of fresh expenditure. The Patwari Fund was originally an Incorporated Local Fund which was abolished. The expenditure was taken at, say, 13 lakhs of rupees a year, and it is calculated in the ordinary course of events that it will grow to 16 or 18 lakhs. This expenditure was originally met from the Patwari Cess ; but the Patwari Cess was abolished, the patwari charges were provincialized, and we get a fixed compensatory assignment now for these growing charges. The income would have grown but for its abolition, and the difference between the eventual growth of the charges and the fixed assignment has to come out of other growing heads of income assigned in the provincial settlement, so that in a series of years it will grow to 20 lakhs, which means that the power of the Local Government to improve its administration has been curtailed to the extent of 20 lakhs of rupees.

41740. Then would you think it an advantage that divided heads of revenue and expenditure should be dropped ?—I think so, because there are technical objections ; for instance, we can re-appropriate from an entirely provincial head to another provincial head, but we cannot re-appropriate from an entirely provincial head to a shared head and *vice versâ* ; we have the funds, but cannot use them.

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41741. Can the English Government re-appropriate from one major head to another?—They work on allotments at home.

41742. Supposing there is an allotment made for the Army, can the Government re-appropriate anything without the consent of the House of Commons?—That I cannot say; but, as a matter of fact, we do re-appropriate from one major head to another of the same class.

41743. What is the point of having estimates which are approved either by the Government of India or by the Legislature, as the case may be, if you are allowed to have a general shuffle five months afterwards?—Of course that principle is objectionable, but suppose there happened, through fortuitous circumstances, to be savings under one head, which can be usefully appropriated to meet expenditure on another, why should you postpone the expenditure to another year?

41744. Roughly, what is the amount of revenue and expenditure involved in the divided heads in respect of forests?—Rupees 7,00,000 and 5,92,000, respectively, is our share in the revised estimates for 1907-08 for forests.

41745. What is it altogether under the divided heads?—The principal heads of income are divided, and the expenditure is also divided in the same proportion, except under land revenue, the expenditure under which is entirely provincial. The total provincial charges are Rs. 3,23,05,000 in the revised estimate.

41746. Altogether is the divided expenditure a big thing?—No; the divided expenditure is not a very big thing, because the provincial items are much larger.

41747. (*Mr. Meyer.*) You say that the first approach towards decentralization was made in 1877, but, as a matter of fact, was it not in 1871 by Lord Mayo's first settlements?—Yes, you are correct.

41748. You speak about the possibility of Local Governments building up reserves from which to finance famines, so that you contemplate, I take it, getting more money under your new system, somehow, than previously?—My idea was that when a provincial settlement is made with the Local Government it should start with a prescribed minimum balance and any other moneys the Government of India may give it.

41749. You propose a system under which you would substitute for the present system of divided heads a percentage contribution to the Government of India. Do you contemplate, as the nett result of that contribution, that you will be better off than you are at present?—We shall be better off so far as the abolition of taxes, restored by compensatory assignment, is concerned, and so far as the provincialization of fresh charges are concerned.

41750. And I suppose every province will be better off?—Every province will be better off if this system is generalized.

41751. And therefore the Government of India will be worse off?—To that extent, yes; but the Government of India have already admitted the principle advocated, in the case of the United Provinces and Madras, where they say the granting of a fixed compensatory assignment has operated badly against the provinces, and they have raised the percentages of shared heads.

41752. Can you build up large reserves under the present system?—We cannot because to the extent to which we might have built up reserves we would have to appropriate the savings under the growing heads of income to meet the effect of alterations on the provincial settlement, caused by the abolition of taxation, such as the Famine Cess, or by fresh expenditure imposed.

41753. You admit you got compensation for that, for the present?—Yes.

41754. But you do not get compensation for the future. Must not that compensation be paid by some one?—Yes.

41755. Do you suppose that the Government of India have some special treasury of their own out of which they can take it. Are not the funds derived from the people?—And from the entirely Imperial Departments, *e.g.*, Railways, Post Office, Telegraphs, profits from printing, and interest on securities held against currency notes.

41756. But do you think the Government of India can support themselves on the entirely imperial resources?—No.

41757. Then is it not really a question of the people paying finally?—Yes.

41758. Have you any acquaintance with "ways and means" in regard to imperial transactions, and do you know how the Government of India finance local loans?—I have had something to do with the matter in the Accountant-General's office.

41759. Do they not have to deal with provincial balances and other matters?—Yes, and the raising of loans.

41760. Therefore, the Government of India have to scrutinize the provincial budgets, even apart from the extent to which they affect their own surplus, in order to see what the ways and means position may be?—Yes.

41761. Why do you propose a contribution on the gross income of each province?—Because it would not be fair to the Government of India to calculate the percentage on the net income of a province, as a Local Government might inflate its expenditure during a year, and the Imperial Government would lose to the extent of the inflation.

41762. Would it not be rather unfair for a province, which requires a large amount of expenditure—say, for instance, Burma—if you took the percentage on the gross revenue?—It would be better to calculate it on the gross and decrease the percentage payable to the Government of India, rather than deduct the expenditure from the income and calculate it on the nett.

41763. You would have a different percentage for each province?—Yes.

41764. Leading, in fact, to all the old friction and controversy which used to take place?—But that is what is done now. The methods on which the heads are shared now are quite different—for instance, in the United Provinces the share of land revenue is half-and-half whereas ours is $\frac{3}{8}$ths and $\frac{5}{8}$ths.

41765. Is not the share of the United Provinces $\frac{3}{8}$ths?—I think it is half-and-half.

41766. At any rate that is one exception; in everything else do not all the provinces share equally?—I do not know.

41767. What practical use would your proposal be? If the Government of India get a percentage they will have to check your figures to find out what the total income is?—The Accountant-General would do that.

41768. Are not the Accountant-General's figures themselves scrutinized by the Government of India?—Yes, by the Comptroller-General.

41769. Do you think they are to be taken as absolutely correct?—I think so.

41770. Would you be surprised to know that in Bombay some time ago the Accountant-General sent up some absolutely incorrect figures in regard to a big Corporation loan? Is it not the fact that you have the same powers of sanction in regard to divided heads as in regard to those entirely provincial?—Yes, with regard to powers of sanction it is the same.

41771. As regards re-appropriation, if you want Rs. 50,000 more in the Forest Department, would that not be half imperial and half provincial?—Yes.

41772. And is there anything to prevent you taking the provincial Rs. 25,000 out of education if you can spare it?—But the rules in the Civil Account Code say that we are not allowed to re-appropriate from a shared head to a provincial head and *vice versâ*.

41773. The Financial Secretary of the Government of India told us quite a different thing: he said that you could take from any provincial head?—Providing the amount taken was equal to the shared quota?

41774. Yes.—That is not the view held by the Accountant-General, and we have been repeatedly told so in writing.

41775. Apparently one reason why you propose this system is in order to get longer time to consider the provincial budgets. Is not the Government of India budget, which has to deal with all the provinces, a more important thing than a provincial budget?—Quite so, but I was under the impression that if Local Governments were allowed more time to prepare their budgets they might be sent up in a better state than they are now. At present Departmental Officers' budgets are sent on the 15th November, which is about five months before the year begins, and we send our first edition on the 20th January. If we had an opportunity of sending them in later, we would be able to get in further actuals, and perhaps to anticipate many of the modifications now made by the Government of India.

41776. And the Government of India are to put off their communications with the Secretary of State until your figures are ready?—Of course I only make the suggestion from a provincial point of view.

41777. You want power given to Local Governments to grant local, personal, and deputation allowances to an officer, but does the Secretary of State himself allow that?—At present the sanction of the Secretary of State is necessary when the addition of these allowances raises the amount above the prescribed limit.

41778. Do you mean that the Local Government should be able to give a Commissioner an additional personal allowance of Rs. 300 a month to compensate him, say, for not being made a Financial Commissioner?—No; because that would be over-riding the principle of article 283, Civil Account Code, as creating an embarrassing precedent. Suppose, for instance, an officer is sent to an unhealthy tract. A Local Government should be competent to grant him a local allowance on account of the unhealthiness of the tract. A provincial Government is better aware of what the local conditions are.

41779. Do you not think that local allowances are sometimes sought after?—I dare say they are, but the Local Government might be allowed to sanction, provided they adhered to the general principles.

41780. What sort of expenditure in the Political Department is it which you want to be made provincial?—"The larger powers of sanction pleaded for expenditure classed as entirely provincial or shared might reasonably be extended to the clerical and menial establishments, and contingencies of the Ecclesiastical and Political Departments"—that is with regard to sanction.

41781. "Political Departments" is a wide term; do you mean the Imperial Political Department?—No; I mean the Political Department administered by a Local Government. Supposing for instance that the Political Agent in the Phulkian States has a clerk on a salary of Rs. 50, but finds that he cannot get a good man for that amount, the Local Government cannot sanction an increase in salary of 8 annas, but has to go up to the Government of India.

41782. (*Sir Steyning Edgerley.*) Where would you propose to keep the provincial balances under your scheme?—The provincial balances of course merge in the imperial balances and are all paid into the treasury, and lose their identity so far as imperial and provincial is concerned, but the Accountant-General keeps the particular accounts and works out the provincial surpluses.

41783. Then the provincial balance would, under your scheme, facilitate ways and means just as at present?—Yes.

41784. You would prefer that the provinces should pay a share of gross revenue?—Yes.

41785. Would you include in gross revenue everything that comes to account within the province?—Yes; except imperial items, for instance, salt, opium, &c., which are entirely imperial.

41786. Would you exclude those?—Yes, because they are entirely imperial and outside the scope of the settlement.

41787. If they were included, you would necessarily have different percentages for different provinces?—Quite so.

41788. Is your idea of the budget going up about the 20th February based on the suggestion that the Government of India should practically accept the estimates without modification?—The modifications now made by the Government of India are due to faulty estimating, which again are due to the estimates being submitted at a very early stage. We will, by my suggestion, anticipate very many of the modifications now made by the Government of India.

41789. Then would they still have to examine the estimates?—Yes.

41790. Do you still think they would have time after February 20th?—I think so; they have accepted our estimates for 1908-09 without demur or modification.

41791. If your system of payment of pensions through the Postal Department were adopted, how would you provide for the identification of the pensioner?—I would have the same rules as exist now.

41792. But the pension would go by post to the village, and the Treasury Officer would not be there. Suppose a man died in the course of a year, how would you be able to discover it?—The pensions would be paid at the post office and not at a man's house.

41793. Quite so, but by the village postmaster?—Yes.

41794. Suppose he chose to put the money into his own pocket, what check would you have on him?—That could be provided for by some one being required to identify the man.

41795. But would there not be much greater risk of misappropriation of pensions than there is now?—That risk is not entailed just now in the case of money orders which are paid at these places. It would be a great convenience, if it could be made possible.

41796. (*Mr. Dutt.*) Your proposal is that all the items of income and expenditure not purely imperial should be provincial, and that the provinces should contribute a fixed sum to the Imperial Government to enable it to meet expenditure?—Yes; in matters of defence and other directions.

41797. Under that scheme would Excise, Land Revenue and other Departments be entirely provincial?—Yes; as they virtually are now, as far as administration goes.

41798. Supposing the Government of India found it necessary hereafter to introduce some large reforms in the Excise Department which would reduce the income from that source of revenue, would not the provincial Government have a right to complain?—As matters stand now, we would get a fixed compensatory assignment; under my proposal, if a modification of the excise revenue took place and there was a loss to provincial revenues, our percentage which was fixed in the first instance would be modified in such a way as to leave us a revenue sufficient for our working expenses—in other words, the Imperial Government would pay in just the same way as now, the only difference being that instead of there being a fixed compensatory assignment it would be calculated on a sliding scale.

41799. I do not quite understand in what way the provincial Government would be compensated for a loss of twenty lakhs if your income was reduced in the Excise Department, say, from 50 lakhs to 30 lakhs?—In this way: say our gross income is 6 lakhs and the accepted standard of expenditure under my proposal is 3 lakhs—the percentage of income to expenditure is 50 per cent.—according to contract, we give the Government of India 50 per cent. Say, of those 6 lakhs, 1 lakh on account of excise is knocked on the head, our gross income is reduced to 5 lakhs of rupees; ordinarily we should give 2½ lakhs to the Government of India, but the 2½ lakhs left not being sufficient to meet the standard of expenditure of 3 lakhs accepted in the provincial settlement, we reduce our contribution to the Government of India proportionately.

41800. Supposing the Government of India introduced into the Department of Land Revenue some reforms entailing additional expenditure or a decrease in revenue, would you propose the same kind of adjustment?—Yes.

41801. And if the Government of India thought it desirable hereafter to abolish some of the sources of revenue, would that also be adjusted in the same way?—Yes.

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41802. Would not the Government of India have somewhat less control over the administration of these departments if your scheme was accepted?—Not having any share in the income from those departments the Government of India might have less control over the administration of those departments?—I do not think so.

41803. Would not the interest which the Government of India now takes in all the departments, and the control which they have over the administration of them, be weakened considerably if they had no share in the income?—I do not think so, because the change advocated is a purely financial matter, and it would not in any way interfere with administrative control. I think both the principles are compatible.

41804. You will admit that all administrations are better for some criticism and outside control, and that where there is no popular control, as in this country, some outside control, such as the control of the Government of India, is necessary and desirable in the administration of provincial affairs?—Yes, but that is administrative.

41805. Would not that control be lessened by the adoption of the scheme which you have suggested?—I do not think so, because one is purely financial and the other is purely administrative. For example, under Law and Justice, income and expenditure—both courts of Law and Jails—are entirely provincial under the existing settlement, yet I do not think the Government of India takes less interest in the administration of those departments than they do in Land Revenue or Forests, which they share.

41806. You say: "It is doubtful if a Local Government could in the circumstances hypothecate its share of income or any part of it as security for a loan if it had borrowing powers." Are you not against granting borrowing powers to Local Government?—Yes.

41807. And you think if they had borrowing powers, they could not raise loans on the same terms as the Government of India?—Quite so, and if several Local Governments called for loans at the same time, it would lead to unfavourable tenders, and you would find one Local Government competing against another.

41808. You do not want to restrict the right of appeal any further than it is at present?—No; nor to withdraw any advantages which the people now enjoy.

41809. Do you think any restriction of them would lead to the impression that the interests of the people were being sacrificed to the convenience of Government officials?—It might lead to that impression.

41810. And you think that is undesirable?—I think it would be impolitic.

(*The witness withdrew.*)

Mr. C. E. V. GOUMENT was called and examined.

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41811. (*Sir Frederic Lely.*) You are Superintending Engineer and Sanitary Engineer to the Government of the Punjab?—Yes. All my service has been in the Punjab.

Commissioners are at present empowered to sanction estimates and allot funds for revenue buildings up to Rs. 500 in each case. Their powers should be extended to sanction projects and grant funds up to a limit of Rs. 2,500. Their annual allotments for such works should be increased accordingly.

The curtailment of the right of appeal to the Government of India and the Local Government is not recommended.

District Boards might be employed to greater advantage for the maintenance of local Public Works if the engineering establishment under their control for the execution of such works were reorganized so as to improve the pay and prospects of District Engineers and place them under the professional supervision of the superior staff of the Public Works Department. In order to conform to the spirit of the measures for self-government, the control of the local staff as regards finance and general administration might be left entirely in the hands of District Boards, but the approval of estimates for their important works of construction and maintenance and the periodical inspection of such works should be entrusted to Superintending and Executive Engineers of the Public Works Department, whose inspection reports should be forwarded to District Boards for necessary action through the usual channels. As at present organized, the local engineering establishment is under the orders of a Board, the members of which have no knowledge of engineering, and, with the exception perhaps of the President, who is usually the Deputy Commissioner, take but little interest in local Public Works. The result is that the experiment tried in this province of making over some Public Works to local bodies for maintenance has not proved a success, and it has been found necessary in many cases to retransfer such works to the provincial Public Works Department. We have had to go even beyond this and transfer many local works which should have been in charge of local bodies, to the Public Works Department for construction or maintenance. In reorganizing the local staff and in selecting the works to be maintained by local bodies and the Public Works Department respectively it would be necessary to see that the distribution of works and establishment was so made as to avoid, as far as possible, having two sets of officers and subordinates carrying out works in the same tract of country. This is a serious objection to the arrangement of having two different engineering establishments as it does not tend to economy. It would perhaps not be possible to avoid this difficulty altogether, but, with a little care, it could be obviated to a considerable extent.

Another serious drawback to the proper control by District Boards of local Public Works is the present financial policy of Government which enforces the allotment of the greater portion of each Board's income for the fixed charges of other departments (Educational, Medical, Veterinary, &c.), and leaves an uncertain balance for expenditure on Public Works. The Famine Code prescribes that Local Fund resources are to be exhausted before provincial funds are drawn upon for famine expenditure. Plague rules require that the financial burden of all plague measures must fall, firstly, on District Funds, and provincial money is not to be spent on these till Local Funds are exhausted. After all the above compulsory demands have been met, the residuum is supposed to be available for expenditure on original Public Works and on the ordinary annual repairs of roads and buildings. This balance is often insufficient, and all expenditure on original works has to be stopped and existing works cannot be properly maintained. Roads and buildings are allowed to fall into disrepair, and a special grant has sometimes to be made from provincial funds to restore them to their former condition. If District Funds were relieved of the uncertain and heavy demands of famine and plague expenditure, and if undue encroachment by other departments on local resources was prevented by fixing the minimum to be spent annually by Boards on the construction and maintenance of their roads and buildings, a great advance would, I think, be made towards improving the position of these Boards as regards their management of local Public Works.

41812. Are the Public Works of the District Board usually executed by a separate District Engineer in their employment?—Usually. We have transferred some of our works to them for maintenance, and we maintain and construct some of their works in different districts.

41813. Does the system of transferring Government works to the District Engineer work well?—It has not worked well; we have had to re-transfer several works which we had made over to them originally, because they could not maintain them properly.

41814. In what way could they not maintain them properly?—Roads, for instance, went to pieces, and we had to take some of them back again; buildings were not well maintained, and we had to take some of these back also.

41815. What is the class of man who is usually employed by the District Board?—He is generally an

Engineer from an Indian College who has failed to get an appointment in Government Service, or one of our Upper Subordinates, or a man who has had a practical training in engineering somewhere ; he gets a low pay, about Rs. 250 a month ; one cannot say that he is very well qualified.

41816. Is he borne on any list ?—No.

41817. Has he any pensionary rights ?—No ; he gets no pension.

41818. In other districts Local Board works are done by the Public Works Department Engineer ?—We have some of their works to maintain, but very few ; the maintenance grant for these works is about Rs. 40,000 *per annum*.

41819. Are there any districts in which there is no District Engineer ?—No, some districts call them overseers.

41820. Generally speaking, the Public Works Department, as represented by the Executive Engineer, has no concern with the Local Board works ?—No.

41821. The system does not result in good work ?—No, simply because there is no professional supervision of the District Engineer.

41822. The District Board cannot command the services of sufficiently efficient men ?—No.

41823. Have you any suggestion to make as to the best system of carrying out local Public Works ?—I suggest that Local Bodies should increase the pay of their District Engineers and get a better class of men, for one thing ; then the work of the District Engineer should always be under the professional supervision of the superior authorities of the Public Works Department. A Deputy Commissioner is not an engineer, and very few members of the Board know anything at all about engineering ; so that when a District Engineer gets to feel after a time that there is no one to appreciate his work, or to condemn it if it is bad work, he naturally gets slack.

41824. Is there absolutely no supervision over the District Board work ?—No. We are supposed occasionally to inspect Public Works which have been made over to the local bodies for maintenance, to see that they are properly maintained, but we are not suppose to inspect District Board works proper, which are under the direct control of District Boards.

41825. The works that you refer to are contributory works ?—Yes.

41826. You consider that famine and plague are matters of imperial concern ?—I think they should be.

41827. And that they are not a proper charge on Local Funds ?—No.

41828. Is there a Sanitary Board ?—Yes.

41829. Are you a member of it ?—Yes.

41830. Who else are members ?—The Financial Commissioner is President ; and the members are, the two Chief Engineers—the Chief Engineer of the Irrigation Branch, and the Chief Engineer of the Buildings and Roads Branch—the Judicial and General Secretary to Government (I think he is now called simply Secretary to Government) ; the Sanitary Commissioner ; the Commissioner of the division in which the Board meets ; and the Sanitary Engineer.

41831. Have you any control over municipalities in respect of sanitary works ?—No ; we are merely an Advisory Board.

41832. Suppose a municipality projects a waterworks, do you assemble as a Board in the place to give them preliminary advice ?—Not in the place ; the project is generally sent up by the Sanitary Engineer through the Commissioner to the Board for approval.

41833. Do you draw up the plans ?—I draw up the plans of all large important projects ; as to the smaller ones I advise the municipality, or I give them a man to do the work for them under my direction.

41834. In the case of a rather important water project, is the municipality compelled to utilize your services or is it free to employ its own agency ?—They are compelled to utilize my services as approving officer any way ; they may employ their own agency for preparing the estimate, but their project must come up to me for professional approval.

41835. Does Government impose any fees for your services ?—No ; they used to, but that system is abolished ; my services are now given gratuitously. When I have passed the project it goes on through the Commissioner to the Sanitary Board ; if the Sanitary Board approves, it passes on to the Local Government for sanction.

41836. Is there any limit within which the sanction of the Local Government is compulsory ?— Yes.

41837. I suppose it is not necessary for very small works ?—No. If the municipality is a second-class one it sanctions its own projects up to Rs. 2,500, and if it is first-class, up to Rs. 5,000 ; if the work is to cost more than Rs. 5,000, it comes up to me for professional approval ; I approve all projects up to Rs. 10,000.

41838. Do you tour about the country with a view to ascertaining its sanitary wants ?—Yes.

41839. Do you visit all the municipalities in turn ?—Yes, most of them.

41840. Is there any popular feeling in favour of sanitation ?—No ; there is no great enthusiasm.

41841. Is there reluctance in spending money ?—The maintenance is not well done. We have completed several drainage works for them ; I inspect these once a year, and I often find that the drains are not well scavenged or flushed.

41842. Are your recommendations listened to ?—To a certain extent, but there is no great enthusiasm about it.

41843. (*Mr. Meyer.*) You propose to give the Commissioner power to sanction in respect of minor works up to Rs. 2,500 instead of Rs. 500. Has that not been done already ?—Not that I am aware of.

41844. Anyhow, it is entirely a matter for the Local Government to decide upon ?—It is.

41845. Are you in favour of breaking up the provincial Public Works budget ? Of course the Local Government must keep a certain amount at headquarters for reserve, and for the biggest works ; but might they distribute the rest and give each Commissioner a budget within which he might sanction off his own bat ?—I think not ; because the Commissioner can not look beyond the boundary of his division, while the Head of the Department is always alive to the interests of the whole province, and he is the man, under the orders of Government, to adjust the expenditure among the different divisions and to suggest reappropriations. Bringing the Commissioner in in that way would be adding a fifth wheel to the coach ; it is not wanted, and it would not improve the running of it.

41846. At present the money goes to the Superintending Engineer who is quickest in the field or has the most persuasive pen. He says that his projects must be sanctioned, and if he has a very persuasive pen, other people suffer ?—No. All budget proposals are sent up through the Deputy Commissioner and Commissioner ; they express their opinions on the proposals when they come up to headquarters to the Local Government, and their opinions are duly considered when the budget is prepared.

41847. Are there not generally far more proposals than there is money to finance them with ?—As a rule, yes.

41848. Who decides ?—The Lieutenant-Governor, as advised by the Chief Engineer.

41849. You think there is no danger of some particular division getting starved because the Commissioner and the Superintending Engineer have not been spry enough, or plausible enough, as to their projects ? I think not.

41850. As regards roads, does not the Government keep a certain number of roads as provincial ?—Yes, all through lines of communication.

41851. That is to say, all roads passing from one district to another ?—Yes, through several districts.

41852. In this province, speaking roughly, does that mean a large proportion of the road work ?—Yes, because we have not very many district metalled roads in the province so far. The Grand Trunk Road is the longest, extending from Delhi to Peshawar ; that is under the Public Works. There are several other important metalled roads in charge of the Public

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Works Department. The District Boards maintain very few metalled roads, but most of the unmetalled roads are in their charge.

41853. Which pays most for the roads, the Government or the District Boards collectively?—The Government.

41854. You say that District Board works should be under the inspection of Superintending and Executive Engineers. Your department has some control, in respect of any work over Rs. 5,000; have they not to be passed by the Superintending Engineer?—Yes; the estimates come up for approval; but after he has approved of the estimate he is not supposed to have any further concern with it; he does not inspect the work or report on it.

41855. Is not the Executive Engineer always a member of the District Board?—Not always; in fact, he is not a member as a rule.

41856. Nor the Superintending Engineer?—No.

41857. Do you not think that they should be members?—Yes; but it would be inconvenient perhaps for an Executive Engineer at headquarters, who is very hardworked, to be attending District Board meetings in outlying small districts.

41858. You mean that there is not an Executive Engineer for each district?—No.

41859. You have 29 districts?—Yes, and we have 11 divisions, 2 or 3 districts in each division.

41860. Still the Executive Engineer might be on the District Board, and as a District Board member there would be nothing to prevent him, in the course of his tours, sending in a memo., and saying that he found such and such a road in bad order?—No; there would be nothing against it, but I think it should be put on a more certain footing than that. It should be made part of his duty to inspect local works, and report on them to the District Board or the Commissioner; then we should make sure that the work would be done.

41861. My experience in another province was that the Public Works Officers did not care for that duty particularly; they used to say, "There is the Local Fund Engineer, let him do the work"?—That is just where the difficulty lies; the Public Works Officer perhaps would not do it if it was not made part of his duty.

41862. Even so, would he take to it very kindly?—I think so, because he could be relieved of a certain amount of work which would be made over to local bodies, and he would have more time to inspect local works.

41863. Do the District Boards look after many buildings for the Government now?—Not many; they do in the outlying districts, but at the headquarters of a big town like this, Lahore, nearly all the public buildings are in charge of the Executive Engineer.

41864. When you have an Executive Engineer that is the natural thing; but in outlying districts where you have no Executive Engineer on the spot, the Boards would look after them?—Yes.

41865. If your system was brought in, they could look after more buildings, perhaps, than they do now?—Yes.

41866. When a municipality carry out big sanitary projects, drainage works, water works, and so forth, are they assisted by Government?—They are nearly all carried out for them by the Public Works Department.

41867. I meant rather in the matter of finance; do the Government make a contribution?—They do to small municipalities who have an urgent work to do and cannot afford to carry it out themselves; Government gives a grant-in-aid. As a matter of fact the provincial Sanitary Board has an annual grant of Rs. 30,000 for the purpose of giving small grants-in-aid to municipalities who are not very well off and cannot afford to do the work themselves.

41868. That would not go far for a big drainage or water scheme?—No.

41869. Suppose Amritsar wanted to start a new drainage scheme; it might cost some lakhs; would the Government pay a contribution?—No; the most they would do would be to give them the establishment free; we are supposed to charge 12 per cent. for all work done by the Public Works Department, but in most cases Government remit the charge. They also help the municipality by giving them loans at a low rate of interest, 4 per cent.

41870. (*Sir Steyning Edgerley.*) You carried out the Ambala water works. Have you made a study of sanitary engineering in Europe?—Yes; I had a two years' practical course there in 1889–91.

41871. So that when you became Sanitary Engineer here you had professional qualifications?—Yes.

41872. Is there any difficulty in getting a sufficient number of Engineers from the Public Works Department to supply the sanitary needs of the province?—There is at present, because we have not a sufficient number of trained men, but gradually we shall train our men, and they should do very well. As a matter of fact, in this province we have done so many water works and drainage works that a good many of our men are familiar with the work, and would do very well indeed for any sanitary work.

41873. Do you think that the provincial Public Works Department is a sufficiently wide field for recruitment, or is there any necessity to go further and recruit a Special Service?—My idea is that we should strengthen the *cadre* of the general branch of the Public Works Department and train our own men for provincial sanitary works.

41874. Picking out the men who seem to like sanitary work and giving them special training?—Special training under the Sanitary Engineer. I have had three assistants in my office as personal assistants, who I consider have been well trained in the preparation of projects for sanitary works.

41875. Would you give facilities for further study in Europe?—Yes; after they have had five or six years in this country, I should send them home for a year.

41876. After they have learned Indian conditions?—Yes; when they know what they should make notes of; I would not send home a boy with a year or two's service, but a man who has had some experience.

41877. You would not suggest a separate service as a necessity?—No, it is not absolutely necessary.

41878. Would it be desirable?—I think not, if the system I suggest was adopted.

41879. Do you not follow the system you suggest as far as you can already?—We do in this province; we have trained several men who are fit to take up the construction of sanitary works.

41880. There is no basis in the Punjab for the suggestion that the Local Government exercise no care, but put into Sanitary Engineers' appointments anybody who comes along?—No. I do not think so. We have had to do that once or twice in officiating appointments for a short time; we have had to take a senior Executive Engineer and put him in for 2 or 3 months, but the two men who have been Sanitary Engineers in the Punjab have made a special study of the subject.

41881. You think you would always have a sufficient supply to secure trained men for at any rate permanent appointments and indeed for anything except very short acting appointments?—I think so.

41882. If you do ordinary work for a Local Board, do you charge them for doing it?—We are supposed to charge 12 per cent., by the rules, for establishment, but the Local Government generally remits the charge in the case of municipalities which cannot afford to pay it.

41883. If the Local Board undertakes the maintenance of Government buildings or other works for you, do they charge you a percentage, or is that done free too?—I think we calculate our grants for maintenance on the supposition that they will supply the establishment, and also to cover any special repairs which might be necessary later on; for instance, the renewal of a roof or something of that sort, something more than is absolutely necessary for the annual repairs of buildings.

41884. You practically work for each other free?—Yes, that is to say, no separate charge is made for establishment in each case for the maintenance of works.

41885. You suggest that because of the demands of the department the balance left at the disposal of

District Boards after providing for various fixed minima of expenditure is often insufficient to meet expenditure on Public Works; but the remedy you suggest seems rather a homœopathic one—to impose yet another fixed annual minimum to be spent on the construction and maintenance of roads and buildings?—I think it would be sufficient if the restrictions in other departments were removed, and the District Board were given a free hand to regulate its own expenditure.

41886. You would prefer that?—I should, although I have recommended that a minimum should be prescribed for Public Works also.

41887. Would that not practically eat up the whole of their income?—Yes; but if the restrictions in favour of other departments were not removed altogether, it would be necessary to fix a minimum for Public Works also to prevent the unfair distribution of funds among the different departments.

41888. (*Mr. Dutt.*) Are the demands for famine and plague expenditure very heavy?—Yes, they are very heavy.

41889. Do they take away a large portion of the income of the District Boards?—Yes.

41890. You have spoken of drainage works constructed in different municipalities; are they generally large and expensive works?—They are, in large municipalities. There is Amritsar, for instance, with an annual income of about 5 or 6 lakhs; they spent 12 lakhs on their water-works, and they are spending about 5 lakhs on their drainage works; I should call those big works in proportion to the size of the municipality.

41891. Had they to contract loans for the construction of those works?—Yes; in most cases.

41892. Did they all pass through your hands, and were the estimates also approved by the Sanitary Board?—Yes.

41893. Small works you have power to sanction yourself?—Up to Rs. 10,000, I have to approve professionally, and the Commissioner sanctions administratively.

41894. Do District Boards ever construct such large sanitary works?—No.

41895. Do they ever undertake any sanitary improvements the estimates for which have passed through your hands?—Not District Boards.

41896. Have the municipalities any sanitary inspectors or other similar servants of their own?—Yes.

41897. The large municipalities?—Yes.

41898. They prepare the estimates in the first place and submit them to you?—No; in many cases I have to prepare the estimate for large sanitary works; they have not got the staff to do it, so I have to do it, or it is done by the local Public Works Department Officers under my direction.

41899. You have suggested that the District Boards ought to generally increase the pay of their engineers and get a better class of men. Is not the work which they have to do generally very easy engineering work, either unmetalled roads or plain bridges?—And metalled roads and buildings.

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41900. Are there many buildings in the case of District Boards?—No, they do their own buildings.

41901. Roadside bungalows?—And rest-houses, and so on.

41902. If they had a better class of engineers, could they do most of these works without requiring any supervision?—No, I think not; I would not advise their being left to themselves; professional supervision is absolutely necessary.

41903. But if they had good professional men, on pay of Rs. 600 or Rs. 800, as the Bengal District Boards have in the large districts, would they still require supervision in respect of all works, or only in respect of very important works?—I think it would be a good thing always to put the District Engineer under the Public Works Department staff, simply to make him feel that there is some one who is going to inspect his work, and that if he does good work it will be appreciated, and he will get a good report on it, while if he turns out bad work it will be condemned.

41904. You mean, under the supervision of the Executive Engineer?—Yes; or the Superintending Engineer.

41905. Suppose the District Board Engineer had the same qualifications as the Executive Engineer, would that not lead to friction?—If he is a man of good standing, and draws a salary of about Rs. 700 or Rs. 800, it would be sufficient to get the Superintending Engineer to inspect his work.

41906. Any remarks that the Superintending Engineer had to make would be forwarded to Commissioner?—Yes, for communication to the District Board.

41907. You tell us that, generally speaking, for the work which is done by the Public Works Department for the District Board, the Government does not charge the District Board?—As a rule it does not, if the District Board cannot afford to pay. For the construction of original District Board Works, such as roads and buildings, we generally levy establishment charges if the Board can afford to pay them. Where Government remits departmental charges more freely is, as a rule, in sanitary work, to encourage municipalities to take up sanitary work; but for the ordinary construction of District Board roads and buildings, we charge our 12½ per cent., as a rule.

41908. Then, for the work which you entrust to District Boards, do they charge you?—This is generally maintenance work; their establishment charges are included in the grant which is made to them every year for maintenance. The grant consists of funds for establishment, annual repairs, and special repairs. All these are lumped together, and the combined grant is made over to them annually for maintenance.

(*The witness withdrew.*)

Mr. J. J. MULLALY was called and examined.

41909. (*Sir Frederic Lely.*) You are Secretary to Government in the Public Works Department and Chief Engineer of the Irrigation Branch?—Yes. I have been employed during all my service in the Punjab.

The department has, at the present time, the following gazetted officers:—Two Chief Engineers who are also Secretaries to the Local Government; 10 Superintending Engineers; 31 Executive Engineers; 67 Assistant Engineers; 16 Covenanted Engineers; 50 temporary Engineers, and 22 Deputy Collectors. These officers are divided into 10 Circles of Superintendence, containing 41 divisions and 112 sub-divisions.

The operations of the department comprise the construction and maintenance of irrigation works in the Punjab and North-West Frontier Province, with the exception of a few small works which are controlled by District Officers, and the assessment of revenue from the works (with a few exceptions) in their charge.

As Chief Engineer, I am responsible for the design and execution of irrigation works and the assessment of revenue from the works in the charge of the department. As Secretary to the Local Government in the Public Works Department, Irrigation Branch, I am responsible for advice in departmental matters given to the head of the Local Government (Punjab) or Administration (North-West Frontier Province), and for the exercise of the powers delegated by the Supreme Government to the Local Government or Administration.

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Canal Officers tour more and more frequently than the officers of other departments, and have in consequence greater opportunities for personal contact with the people. As Sub-Divisional Officer, and again as Executive, the irrigation man lives his life amongst the people whose interests are his. He is constantly on tour through out-of-the-way places, seldom if ever visited by European officers, for, without frequent inspections of the numerous small channels traversing unbeaten tracts, he cannot administer his division properly. He comes into touch with the people automatically, and learns their language and their

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customs and their wishes without effort. Any change in the current system would be likely to have disastrous effects. Any dual control of irrigation administration would be most detrimental to the interests of the people and of the Government. The Engineer must have a personal acquaintance with every feature of irrigation, on the present lines, before he can apply any remedy to remove alleged disabilities. It would introduce an impossible *régime* to relegate to him solely the construction and maintenance of irrigation works. The time and argument involved in investigating every cause of complaint lodged under any dual system of control and represented through native subordinate agency would bring matters to an *impasse* so far as the interests of the cultivator, and therefore of the Government, are concerned. There is no rule of thumb for training the irrigation expert; he must live amongst the people and acquire an intimate knowledge of them and of their ways; he must gain intuitively a knowledge of the "demand" and act promptly to satisfy it, balancing the relative merits of situations. He cannot do this unless he have control of all details except the actual gathering in of the £ *s. d.*

Transfers have been very frequent of late, owing to the beginning of work on four large new canals almost simultaneously and the want of establishment. The new posts have now been almost all filled up, and transfers will not in future be so frequent, if the present rate of recruiting is maintained.

A certain number of the charges could well be reduced in size, but this can and will be done gradually and need not cause trouble.

I wish to sound a note of warning with reference to the demand being made by the District Officer for larger powers. The demand is based on a genuine belief that it will be for the good of the country, but it must be remembered that power means responsibility, and therefore more work. The District Officer's complaint now is that he has so much to do that he cannot attend to his most important duties, and yet the demand has been made that he should be given the power of interference with departmental experts in their work. This will further increase the burdens not only of the District Officers, but also of all the departments. The country is making and will make enormous strides in every direction. The people are becoming highly educated; they rightly demand the best Government we can give them, and they demand a share in it. Their demand for the best in every branch of the service has led to the employment of experts in law, in settlement matters, in education, and so forth, and care will have to be exercised to see that these experts are not hampered in their work by the interference of junior men having no expert knowledge of any kind.

41910. The other branch of the Public Works Department, the Roads and Buildings Branch, is separately represented in the Secretariat?—That is represented by Mr. Farrant. He is also Chief Engineer and Secretary to Government.

41911. You chiefly refer to the propriety of dividing the management of irrigated land between the Irrigation Officers and the Canal Officers; has not that subject been dealt with by the Colonization Committee?—Yes.

41912. (*Mr. Dutt.*) Is the irrigation assessment in all the canal colonies in the hands of the canal engineers?—It is; by assessment I mean measurement.

41913. Measurement and fixing the amount to be paid by each cultivator?—Yes.

41914. The actual work of collection is in the hands of the Revenue Officers?—Exactly.

41915. Does this assessment vary from year to year according to the crops raised?—No. It is fluctuating in so far that we give remissions.

41916. You fix the amount, and then you give remissions if the crops are not up to the full standard?—Yes.

41917. Are complaints frequent about the non-distribution of water or the insufficient distribution of water?—They have been lately on the colony canals, but not on the others.

41918. Have you any remedy to suggest?—It is very difficult to suggest any remedy; the water in a river being limited, we have to do the best we can in its distribution.

41919. Has the Deputy Commissioner any voice in the distribution of water?—He can always listen to complaints from persons interested, and investigate them, and represent the result of his enquiries to the local Irrigation Officers, who immediately take the necessary steps to improve the distribution.

41920. Would you be in favour of a recommendation that has been made that the Deputy Commissioner should have some control over the distribution of water?—Absolutely not. I am quite sure it would not work, because he, as an outsider, knows nothing of the difficulties of distribution, and he might ask for water to be sent to one place when it was more urgently wanted in another.

41921. But he generally has charge of a large area—the whole district?—He has the whole district.

41922. Therefore, would he not have a chance of knowing the needs and requirements of different parts of the district, and of the different parts of a canal colony?—But a canal irrigates as many as three districts—it passes through one to another.

41923. When it irrigates three districts, is one Public Works Officer in charge of the areas within the three districts irrigated by that canal?—It is divided up possibly into two, possibly into three divisions, irrespective of district boundaries.

41924. But there is always one Head for the whole canal?—Yes.

41925. We have heard complaints about of corruption among the lower officers who are engaged in distribution work; do you think there is some foundation for those complaints?—Certainly, where the men are under-paid or low-paid that is the case in all departments.

41926. Do the superior officers do all that they can to check that corruption among the lower officers?—Certainly, that is one of their first duties.

41927. But is the duty rigidly performed?—To the best of their ability: to the best of my knowledge it is.

41928. (*Mr. Hichens.*) For irrigation purposes is the province divided into circles?—Yes.

41929. How many circles are there?—We have now 10 circles.

41930. Usually they are larger than a district?—Yes, considerably.

41931. Do they coincide in any way with a division?—No; they do not. They are arranged quite irrespective of districts or divisions. They must be arranged with reference to the canal-irrigated tract, which must be divided up according to the area commanded.

41932. Would it be the case that if the Deputy Commissioner, or the Commissioner, were given power to order that this or that should be done in the way of distribution of water, the Irrigation Officers would lose their sense of responsibility?—Certainly, you would take the whole responsibility from them.

41933. And if anything went wrong, they would try and put the blame on somebody else?—It would certainly not be their fault if they were ordered to do a thing, and matters in consequence went wrong.

41934. And there might be considerable scope for misunderstandings and trouble?—Very great indeed.

41935. Your view would be that one man must be definitely responsible for a specific job, and that you cannot have two people in charge of one job?—Quite so.

41936. Is the work of distribution, for example, highly technical?—It is technical in a sense; the basis is technical.

41937. We were told in one place that the scientific distribution of water was a study which was not yet complete, and that considerable development and improvement might be looked for in that direction?—We are working to that end.

41938. It would be difficult for the Irrigation Engineers to carry that out unless they had a fairly free hand?—Quite so.

41939. Does the same thing apply to other aspects of the Public Works Department? Take roads for example; is the Executive Engineer or the Superintending Engineer the man who is most likely to

know what is the best thing to do in the interests of the province, in regard to roads under his control?—I think so, within certain limits.

41940. But if it came to be a question between making this road, or making that road, within the radius of an Executive Engineer's charge, who would be the best person in that radius to say which road should be made, the Engineer or the Deputy Commissioner?—I think they would be about the same.

41941. In your opinion it would be advisable to leave the last word with the Executive Engineer?—Certainly, not to the Executive Engineer, but to the superior officer in the Department—the Secretary to the Government.

41942. Your point would be that if there was a difference of opinion between, say, an Executive Engineer and a Deputy Commissioner, the matter might be referred to the Commissioner, who could discuss it with the Superintending Engineer?—Certainly.

41943. And if they differed, then it could go to Government?—Certainly.

41944. But in practice would not the prestige and influence of the Commissioner weigh for a good deal, and the Superintending Engineer would not be likely to go against him unless there was some very substantial reason?—I can only speak for the Irrigation Branch, and in our Branch we always lay the greatest weight on the Commissioner's wishes; in fact, all our projects are referred to him in the first instance; the same thing would probably apply to the other Branch, but I have never been in that Branch, and I cannot say.

41945. (*Mr. Meyer.*) You say that the Canal Officers know the language; are they all acquainted with Punjabi?—Not very well with Punjabi, except what they pick up by actual contact with the people.

41946. Are they really always in the saddle and going about?—They are always in the saddle.

41947. It would be unfair to say that a Canal Engineer confined himself to his office and such occasional inspections of water as were necessary, and that he did not go about among the people?—Certainly it would.

41948. As to this present system, under which the Irrigation Officer practically has the last word, and the District Officer not, in the matter of irrigation, has it not been found unsatisfactory in some respects?—There is a Committee sitting with regard to the Punjab canal colonies.

41949. Has there not been a certain amount of evidence to the effect that the existing system is unsatisfactory?—Yes, there have been complaints.

41950. Do you regard those complaints as unfounded?—No, I regard a great many of them as founded, but they are due to our insufficient knowledge of the laws regarding the flow of water, and to the immense tract of country that we have to irrigate. We have been only 10 years at the Lower Chenab Canal and in that time we have irrigated an area of nearly two million acres; the task is so great that I am surprised there have not been more complaints.

41951. You have done a great work, of course, but do you think the existing system is sound, and that it is merely owing to the insufficient experience of your staff as a whole that there are complaints?—Yes.

41952. You would agree that the Irrigation Department, or any other department for that matter, exists for the benefit of the people and of Government?—Certainly.

41953. Then, again, your policy seems to be controlled by experts. Do experts ultimately control the Public Service in England or in any other country that you know?—It is a question of what you mean by control.

41954. There are two alternatives. You have got the expert, who must always be available as an adviser; but the ultimate control is entrusted to somebody who is not an expert, but who has administrative experience, and who is supposed to be able to look beyond the expert's point of view—that is one theory. The other is that the Government should be that of experts entirely—that medical work should be run by a medical man, irrigation work by an irrigation man, army work by an army man, and so on; is the latter the theory you favour?—Not at all; but I consider that if you tell a surgeon that he should cut in this way, and he considers that he ought to cut in that way, the decision of the surgeon should be final; it is when you descend to matters of detail of that kind that the expert ought to have the final say.

41955. Take another analogy: take a man who wants a house built. If he is a wise man he will trust his architect, but he must in the end decide what sort of house he wants and what he is prepared to pay for it?—Exactly.

41956. You will admit that in the government of this province the Administrative Department, the Lieutenant-Governor, the Commissioners, and so on, should have their say in that respect?—They do have their say; all our projects are first submitted to them, and they may go to the Government of India and even to the Secretary of State, and when they have all had their say we carry out the work.

41957. Take the Commissioner's power in respect of the Public Works budget; you contend that he has his say. Let me take you back to the days when you were a Superintending Engineer. You had to prepare a budget, I suppose, for expenditure in your circle?—No; ours is not provincial expenditure at all; ours is all imperial.

41958. Your experience has been entirely irrigation?—Yes.

41959. But somebody has to prepare the budget estimates for the year?—It goes to the Government of India.

41960. But who prepares the estimates here?—I prepare them as Chief Engineer.

41961. Do you get the materials from your Superintending Engineers?—Yes.

41962. Take the Superintending Engineer, does he consult the Commissioner at all?—No; he does not.

41963. Suppose he desired a new work—let us suppose some distributory channel to an existing canal—would he consult the Commissioner?—We never make a distributory channel without consulting both the Deputy Commissioner and Commissioner.

41964. Then the answer is that he does consult the Commissioner?—Certainly but not in the matter of the budget.

41965. All your irrigation work is really big work?—Yes, we have no tanks.

41966. It has been suggested in other provinces that the Government Public Works budget should be to a large extent broken up, so far as it refers to buildings and roads, and minor irrigation works (tanks, and so forth), and that the Commissioner should be given a divisional budget within which he should have the same power of sanction as the Lieutenant-Governor has now in respect of the budget as a whole; would you see any objection to that?—I have not had an opportunity of studying that view of the question, and I do not quite see where it would lead to.

41967. The advantages urged in favour of it are these; in the first place that it ensures each division getting a certain amount of expenditure, and in the second place that it stops references to headquarters; the Superintending Engineer and the Commissioner might settle things between themselves?—Perhaps I may suggest something that we actually do now; as Chief Engineer of the Frontier Province, with the Revenue Commissioner's approval, I allot a sum of Rs. 20,000 to Rs. 40,000 yearly (at their demand) to the Deputy Commissioners as a lump sum, or rather I allot it to the Revenue Commissioner, and he distributes it to the Deputy Commissioners as he finds it necessary.

41968. That is for minor works?—Yes.

41969. The principle of the suggestion I refer to is the same, but it would be for much bigger works?—I am not prepared to give any opinion about that.

41970. (*Sir Steyning Edgerley.*) Is your establishment of officers interchangeable from Irrigation to Roads and Buildings, or are they absolutely divided?—Our work is so very technical that we are practically separated; occasionally we do have transfers.

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41971. Is the establishment of 198 officers entirely Irrigation?—Entirely Irrigation.

41972. Is that entirely a provincial establishment or entirely imperial?—It is all chargeable to imperial revenue, but some of them are classed as Provincial Engineers and some as Imperial Engineers.

41973. Can you explain how the classification is made?—I think as a general rule it is regarded as separating the Imperial from the Provincial Service.

41974. But it is provincial and imperial in a different sense than if they were paid for by the provincial Government or by the Imperial Government?—These are all paid for by the Imperial Government.

41975. Does the money come from the allotments for the works that they superintend?—Yes.

41976. Then the provincial Public Works establishment is practically only Roads and Buildings?—Practically only that.

41977. And you do not include that in this statement?—No.

41978. Do the Government of India do all the postings?—No; we do the postings except for Chief Engineers and Superintending Engineers.

41979. Those are done by the Government of India?—Yes.

41980. Is that a good system?—I think so.

41981. You would rather continue that than put it into the hands of the Punjab Government?—We have practically a free hand in the matter; the Government of India very seldom interferes.

41982. In that case would it not be just as well to give the power to the provincial Government?—I think not, because the Superintending Engineers and Chief Engineers are on the list for the whole of India, and liable to be transferred to any province.

41983. Is that a good thing?—Yes.

41984. You might get a man sent here as Superintending Engineer or Chief Engineer with very little experience of the particular irrigation works that he would have to be responsible for?—Our Chief Engineer has just come from the United Provinces.

41985. You think it is a good system?—He is a first class man; our works will certainly not suffer from it.

41986. Assuming that it is essential, in your view, that the Executive Engineer should have full charge of the distribution of water and the assessment—and, I suppose, remissions—is there any reason why yon should not go a step further, and make him an *ex-officio* Assistant Collector, responsible for the collections also?—It never struck me; I have not considered that.

41987. The difficulty is, apparently, at present that you have two establishments coming in at one stage or other; would it be a solution to have only the one establishment under the Deputy Commissioner, responsible for everything?—You cannot have a man under two superiors, that is the difficulty.

41988. You tell us here that the Executive Engineer is very much better acquainted with the whole area and everything in it than anybody else can be; why should he not collect the revenue and deal solely with the area?—I am not strong on general revenue matters, but it seems to me that the revenue collector has other moneys to collect as well as canal revenues, and we should hardly be prepared to take it all over; I should say, let the revenue authority remain as he is.

41989. You would not adopt the suggestion?—I think not: we are not prepared to go so far out of our line.

41990. Is not assessment rather out of your line?—No; we claim that without it we cannot do our work, because it gives us an intimate knowledge of the demand for water.

41991. When you have made the assessment, why must you hand over the collection, the enforcement of your assessment, to somebody else?—It is the simplest thing to do; the establishment is there to your hand.

41992. Then you get a double establishment, and complaints go up to one against the other, and so on?—No; the bills are simply sent to the central office, and they claim for the money.

41993. Suppose somebody comes up to them and says "I ought not to pay, I have not had enough water?"—Then it is simply referred back; it is all perfectly simple.

41994. You say "Power means responsibility and therefore more work"; why more work?—Because if you undertake the responsibility for a thing you must go to the bottom of it and sift the matter, and that always means more work; it will not do to give an order without thinking it out.

41995. Nor will it do to make a recommendation without thinking it out; if you make a recommendation instead of settling the matter yourself, you have to wait for the answer and deal with that, and by the time you have thought it out you are ready to dispose of it?—Yes.

41996. Therefore, why "more work"; it is easier to pass the order at the time and have done with it than to recommend and take it up again when the answer comes down?—I was referring there, I think, to a special matter.

41997. No; there is the general statement that "Power means more responsibility and therefore more work"; it seems to me that power may mean more responsibility, but it may not necessarily mean more work?—Very well; I accept that.

41998. (*Mr. Meyer.*) We were told in the United Provinces that the Canal Engineers there had Deputy Collectors—Extra-Assistant Commissioners as you call them here; have you not got Deputy Collectors attached to you?—Yes.

41999. Do they try cases arising out of breach of canal regulations, and so on?—Provided that the Executive Engineeer considers it is conducive to the good working of the canal; it is simply in cases where people cut the banks.

42000. This man tries the case and fines or imprisons, and all the rest of it?—Yes.

42001. Do you employ him in any other way?—Yes; he is one of the men to check the *zilladar's* work.

42002. What is his status; is he an Extra-Assistant Commissioner in the regular line?—No; he is not, he is purely an irrigation man; he is a promoted *zilladar*.

42003. Drawing what pay?—He draws about Rs. 200 to Rs. 400.

42004. Has he got first class magisterial powers?—No; only second class.

42005. What does he rise to, or does he remain in the department altogether?—He remains in the department; he simply tries the very pettiest cases.

(*The witness withdrew.*)

Adjourned.

SEVENTY-FIRST DAY.

LAHORE, *Saturday, the 18th April 1908.*

PRESENT:

Sir FREDERIC LELY, K.C.I.E., C.S.I., *Presiding.*

Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Mr. W. M. HAILEY, I.C.S., was called and examined.

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42006. (*Sir Frederic Lely.*) You are Secretary to Government in charge of the Revenue, Commerce, Local Self-Government and Home Departments?—Yes. I have had experience in a district as Colonization Officer, but none as a Deputy Commissioner. I acted as an Assistant Commissioner and Sub-Divisional Officer for about two years in the early part of my career.

Admitting that the system introduced in 1904 was a great improvement on the unsatisfactory system which had preceded it for 30 years, it was still only a half measure. The hands of the Local Government are still tied in incurring expenditure on the internal development of the province, and the element of uncertainty in its finances has not been removed. Complete financial independence is no doubt impossible as long as the Imperial Government has to bear the major risks of Indian Finance,—heavy loss in opium revenue, or national disaster, such as war or severe famine; or so long as it remains the custodian of the interests of the general tax-payer, who is entitled to the remissions of surplus revenue. The schemes formulated by certain members of Lord Dufferin's Finance Committee of 1884–85, and repeated by the dissentient minority of the Expenditure Commission of 1895, are based on the theory that the whole of the revenues raised by provincial taxation should be appropriated to the needs of the province, and imperial requirements met by contributions from the provinces. But comparative financial independence can be secured without so complete a reversal of the present position.

At present provincial shares with imperial a number of heads of revenue, and shares, in, roughly, the same proportion (though with some important exceptions), the corresponding heads of expenditure. As a result, the province must submit its budget of expenditure not only for information, but for revision, to the Imperial Government. There is not only the uncertainty whether the Government of India will accept its expenditure on shared heads; there is the equally undesirable need of preparing the budget four months in advance, with the necessity for placing undue reliance on that sorry financial expedient, the "revised estimate." Again, there is the damaging limitation that the Local Government cannot without further sanction re-appropriate from savings on a shared head for expenditure on any other head, and there are difficulties connected with the transfer of fresh services to the Local Government in pursuance of schemes of reform. Though the service may be one involving continually increasing expenditure, the Imperial Government finds it necessary, under the present system, to make a fixed contribution, instead of recognizing an increasing liability. To recognize the latter would import uncertainty in its own finances instead of into those of the province. The result is apparently inevitable under the system; but it is easy to understand that the province fears these Danaan gifts.

It is clear that the rest of the objection lies in sharing heads of expenditure. If the Imperial Government would take from the province a proportion of receipts either in gross or detail, and would at the same time abolish the shared heads of expenditure, the province would be in a position (1) to budget with greater certainty; (2) to frame its budget later in the year; (3) to re-appropriate from savings without the necessity of obtaining sanction; and (4) the change would do away with the irritating system of fixed doles to meet the transfer of services involving increasing expenditure. At the same time the interests of imperial finance would need to be safeguarded. The present system provides that the Government of India shall revise the existing proportions in case of necessity; and such a condition would be equally inevitable in the arrangement now proposed. The one danger is that the Local Government might work its expenditure up so nearly to the level of its receipts that when the call comes it would be unable to meet it without hopelessly disorganizing its services. To meet this, the minimum balance might be increased, and a standing rule made that the total expenditure of a recurring type should not bear more than a definite proportion to the whole. The Government of India, secure from any embarrassment owing to the action of the Local Government, could then afford to withdraw most of the restrictions which limit the latter in its expenditure, and to allow it to develop its own services on its own lines. The province, as Sir David Barbour said, is a big enough unit to have a financial system of its own, and to manage its own affairs.

As regards the basis on which the share of the total revenue to be enjoyed by the province should be calculated, it is clear that no arbitrary rule can be laid down. The 40 or 50 per cent. rule advocated at different times is mere idealizing. Although the present arrangement obviously leaves the Government of India with large surpluses, the Punjab would probably not complain that the proportion now allowed to the province is so far unfavourable that it requires radical revision. Judged by previous standards, the Government of India has not dealt illiberally with the Punjab. In the course of the five settlements carried out up to date, the province has been allowed on every occasion (with one small exception) to enjoy the result of its own increases of revenue. But the province would ask that, if in the future the Government of India finds itself with a surplus to dispose of, it should distribute that surplus for the general benefit of provincial revenues, instead of dictating the lines on which it shall be expended. The dictation of general lines soon merges into the supervision of details, and it is cases of this type which emphasize most strongly the weakness of the Local Governments. The resolution of 1877 announced that the Governor-General "will as far as possible avoid interference with the details of the administration of the transferred accounts and any embarrassment of provincial finance." As long as the system of doles continues, no one can say that this ideal has been reached.

At present provincial expenditure is incurred entirely against income. There are many works which might be profitably undertaken as a charge against capital expenditure, and I would allow the Local Government to open a loan account with the Government of India for such purposes. It would also appear desirable to allow the Local Government to guarantee (1) interest on light railways, (2) interest on loans by District Boards, as these bodies would thus be able to secure a lower rate of interest than they would otherwise have to pay.

At present the direct influence of the Government of India is felt in administrative matters in two ways. It lays down lines on which alteration should be made in existing provincial procedure; and this is frequently done without consulting the Local Government. I may instance the recent orders requiring the Local Government to localize the vaccination establishments; the direction to the Local Government to modify its Court of Wards procedure by abolishing

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the district Court of Wards in favour of a central Court; the desire expressed by the Government of India, but not pressed to a conclusion, that the Local Government should take steps to found an inspecting Sanitary Department. In the second place the schemes of reorganization initiated and financed by the Imperial Government not only indicate lines of reform to the provincial Government, but dictate the minutest details of the action to be taken. They are not perhaps the reforms which the Local Government would itself choose as most pressing. Still they are reforms, and are welcomed as such; but the welcome does not extend to the prescriptions of minute detail with which the orders are accompanied. It is sufficient to quote the police reorganization scheme, which in the course of its development has involved a mass of correspondence on details; while the attitude of the Government of India throughout has been to insist on the most minute compliance with the scheme laid down by it.

The attitude of the Government of India should be that of an advisor on lines of policy, rather than that of a superior indicating details. If it has surplus revenues, it should allow the Local Government to decide which of its services calls loudest for reform. It is not a point on which the Local Government is likely to be ignorant.

In this connection I would call attention to a class restrictions on the powers of the Local Government in matters which are perhaps rather financial than administrative. I refer to cases such as the following: (1) the limitation on the powers of the Local Government to extend an existing settlement from 20 to 30 years, or to sanction a new settlement up to 30 years; (2) the limitations imposed on the powers of the Local Government to grant allowances to Assistant Surgeons in charge of lock-ups or to Hospital Assistants; (3) the minute rules laid down by Government of India regulating the promotions and punishments of the subordinate medical staff; (4) the rules contained in the Hill Allowance Code regulating in minute detail the amount of establishments which officers may take up to Simla; (5) the ruling of the Government of India that vaccination inspectors should be a provincial and not a local charge; (6) the series of rulings regarding the classification of articles for purposes of octroi, and such restrictions as, *e.g.*, the farming of octroi fees; (7) the recent series of rulings on the subject of details of excise administration; (8) the restrictions on the sale of *nazul* lands; (9) the minute restrictions on the continuance of life assignments; (10) the restrictions on grant of leave to professors of medical colleges and Administrative Medical Officers; (11) the restriction on appointment to posts listed as open to the Provincial Services. I quote these as examples only of a somewhat numerous class of cases in which the Local Government might well have been left to exercise its discretion, when main lines of action have been indicated.

Something has already been done to substitute the statutory "control" of the Government of India for the "sanction" which under many of the older Acts was needed before the Local Government could make rules (*e.g.*, Land Improvement Loans Amending Act, VIII of 1906). But a good deal remains to be done in this direction. No general act of delegation would, I think, be sufficient, and I think that specific legislation is necessary.

The departments of the Government of India have probably less departmental bias than the departments of the Local Government. The personal factor is necessarily less prominent; for the Government of India does not contain the phenomenon peculiar to provincial Governments, the Head of an Executive Department re-appearing, like a quick-change artiste, as a Secretary to Government. But if the influence is not appreciably departmental, it is certainly towards uniformity. The allowances of the subordinates in the Punjab finger-print bureau have had to be withdrawn (in spite of a second protest by the Local Government), because the Home Department understands that they are not given elsewhere. The Assistant Secretary to the Financial Commissioner is not allowed to go to Simla, because the officer in a similar post in the United Provinces is left in Allahabad. The wards' estate in the Punjab must be managed by a central Court, because this is the system which has commended itself in the United Provinces. The remedy would seem to lie in granting to provincial Governments increased powers of expenditure, and by conceding the position that the Imperial Government, while advising on questions of policy, should have questions of detail for the decision of the Local Government.

There are now 13 Directors-General or Inspectors-General, dealing with non-imperial or only partly imperial departments, and the majority of the appointments have been made in recent years. For the present purpose those officers who deal with purely technical subjects (*e.g.*, archæology) may be put on one side. The Local Governments see little of their work, and would always be prepared to welcome their advice on their special subjects. There seems reason to anticipate, on the other hand, that the appointment of imperial officers who deal with questions affecting the general administration will tend to minister to the cause of uniformity and eventually to undermine the authority of the Local Government. The Government of India announced that one of the objects of appointing an Inspector-General of Excise was to "co-ordinate as far as possible the systems of different provinces." The Chief Inspector of Explosives, who started as a technical adviser pure and simple, is (by order) consulted by the Local Government regarding every license given for an installation. The Sanitary Commissioner now corresponds officially with the provincial sanitary authorities. The Inspector-General, Criminal Investigation Department, has addressed the Inspector-General of Police on the question of allowances to certain subordinates. The Director-General, Indian Medical Service, adjudicates on complaints regarding the character rolls of Military Assistant Surgeons permanently employed in the Punjab, and the Inspector-General of Civil Hospitals, Punjab, is not allowed to see their character rolls. If the presence of such officers is necessary to the Government of India, they should be retained purely as advisors, and information which the Government of India requires on the subjects with which they deal should be obtained from the Local Government. That the Imperial Government should be prepared to rely for information on the impressions of an officer imperfectly acquainted with the local conditions would seem to argue that the provincial Government is unfitted to exercise any control over the services entrusted to it. Further, in the interests of the authority of the Local Government the correspondence of the Inspector-General should be directed to it, and not to its officers.

A number of administrative reforms of the first importance have been carried out of late years under the direct orders of the Government of India. No purely administrative reform of equal importance has been initiated (as regards the Punjab) by the Local Government, though measures probably even more far-reaching in their effect on the general population (such as the Land Alienation Act) have owed their origin to the Local Government. It is necessary, however, to make two remarks. The reforms referred to—of the type of police reorganization, the promotion of primary education, the institution of an agricultural department—have been rendered possible, because the Government of India had a financial surplus; and it has employed that surplus in pushing certain measures which appeared to it of urgent importance. It has gone further and dictated the exact details. (*e.g*, in matters of police and education) of the reform contemplated. But there were not in every case the reforms most needed in the province. Nor were the lines on which they were carried out in every case the most suitable to local conditions. Thus the release of the 20 per cent. contribution now paid by the District Boards to the provincial funds is probably a measure of greater importance to the province than the foundation of a number of primary schools: the reorganization of the pay of the land revenue and ministerial establishments is probably a more urgent necessity than the abolition of the patwari cess, or the increase of the pay of certain portions of the police force No attempt has ever been made to estimate the comparative urgency of the reforms which lie before the Local Government.

I am not aware of any cases in which appeal lies to the Government of India in respect of administrative action by law or rules having the force of law. But as regards appeals under executive rules, the existing

appeal rules are too wide in their scope. However seldom the right of interference may be exercised, the fact that such appeals can be made loosens the hold of the provincial Government on its establishment; and by doing so it increases the difficulty of the greatest problem of the administration, that, namely, of securing honesty among its officials. No appeals against dismissal or other punishment should be forwarded from the servants of a Local Government who are appointed by that Government or by any local body under it. As regards the orders requiring all petitions for mercy to be forwarded, humanity demands that the delay in execution of the sentences in death cases should be restricted as far as possible. The present procedure merely leads to a fruitless delay, and I would forward no appeals except those in which the Lieutenant-Governor himself wishes (owing to the existence of exceptional circumstances) to refer the matter for the further orders of the Governor-General. No appeals against sentences of imprisonment should be forwarded. A certificate that reasonable grounds of appeal existed would involve a recognition of the right of ultimate appeal, and destroy the necessary sense of finality in the orders of the Local Government. It is a provision suitable for the solution of disputed principles of law, not for questions of fact or of conduct.

The number of returns in the Civil Department has increased in the last ten years by 19; but a considerable part of these are in the Political Branch. The increase in the Revenue Branch (10) is not large when it is realized that we now send reports regarding colonization and agriculture and co-operative banks. The only instance of late years in which a return has been required involving much increased labour is in connection with the agricultural statistics. At the same time, a scrutiny of the returns submitted to the Government of India with the annual reports will probably show that they contain in many cases an amount of detail which is not essential for administrative purposes. It may be needed by the Government of India or the Secretary of State, but is certainly not required by the Local Government. The last annual Jail Report has 73 printed pages of returns, the Dispensaries Report has 56, the Sanitary Report has 35, the Season and Crop Report has 27. On the other hand, the Police Report, for which the Government of India has lately prescribed new forms, has only 16. It is also possible that some of the present reports might well be made triennial instead of annual. A year is in many cases too short a period to judge of progress, and a system of triennial reports would reduce somewhat the burden of constantly writing and reviewing these publications. In any case, the practice of double reviewing should be abolished. We are now confronted with the Government of India orders on the Local Government's review of the Financial Commissioner's review of the Excise Commissioner's compilation of the Deputy Commissioner's reports. We can dispense, at all events, with one of these redundancies.

The Government of India requires an abstract of all B (*i.e.*, unprinted) proceedings to be sent to it. Such abstracts convey little information as to the precise nature of the papers, which are in themselves of minor importance. For provincial purposes an index of these papers would be sufficient, and if the province sent up only its A (printed) proceedings, a good deal of time would be saved.

It has long been a matter of complaint that orders in revenue matters are delayed, because, after being fully considered by the Financial Commissioner, they are referred officially to Government and scrutinized anew in the Secretariat. There is, I believe, no remedy for this, except so far to extend the powers of the Financial Commissioner as chief revenue authority that the matters which come up to Government shall be of sufficient importance to justify the double scrutiny.

It is the position of the Commissioner rather than that of the Financial Commissioner which demands the grant of increased administrative powers. His position has on the one hand been impaired by the growing strength of the various departments; but he still enjoys great personal influence among natives of all classes; and the very fact that the march of centralization has left his position somewhat undefined, has increased his independence, and therefore his potential value. The following suggestions are made on the theory that we should seek to strengthen his general position without unduly burdening him with detailed administrative work.

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He should have a recognised position in regard to Public Works. He is the best authority on the needs of his division in regard to roads and communications. The provincial budget for these purposes should be divided among Commissioners; the projects would, of course, be dealt with on the technical side in the Public Works Department; but the initiative in projecting works, and the allotment of funds for their execution, would lie with the Commissioner. At present not only has he no clear position with regard to these works, but there are cases in which the advice of Commissioners have been treated very cavalierly by the department.

As regards revenue works, the Financial Commissioner, as Head of the Revenue Department, would still be the chief sanctioning authority; but Commissioners should have power to sanction works up to Rs. 2,500.

As regards police administration, the result of the Police Commission has been that instead of exercising control (with powers of a Deputy Inspector-General) from within he is now to exercise a watchful insistence from without. The phrase is better suited to adorn a resolution than to solve a situation. We cannot, perhaps, revert to the former practice, but in giving effect to the orders of the Government of India it should still be possible to give him power to insist adequate punishment of police officers of proved bad conduct.

He has no definite position as regards either the Educational and Medical Services. He could, however, secure for him a more definite status in this respect if his position with regard to local bodies were more fully recognized by the Local Government. These bodies are at present bound by a rule laying down an enforceable minimum expenditure on medical and educational objects. This rule should be—as it possibly will be—abolished; and if this is done, the Commissioner will be the authority to decide regarding the adequacy of the provision made by local bodies on these objects. The local Education Code is to be revised; and in doing so, the Commissioner should be given a definite position in regard to the management of primary schools. He, and not the Inspector-General of Civil Hospitals, should decide whether the local body should be allowed to open or abolish a dispensary. The local body should be subject to his authority, and not to that of the Inspector-General of Civil Hospitals or Sanitary Commissioner in altering the scale of establishment in hospitals and the strength of the vaccine establishment.

He should be controlling authority for sub-registrars, making all appointments himself; the present sanction of Government is only formal. He should also appoint visitors to jails, and grant certificates to persons fit to prospect for minerals.

As regards District Boards, he should have power to appoint and also accept resignation of members (sections 11 and 13 of Act XX. of 1883); also appoint a Chairman (section 13); have full powers to sanction rewards for servants; his power over the budget should not be restricted by the rule of enforceable minima; his administrative sanction should be sufficient for the execution of any major work (the sanitary schemes being dependent on the concurrence of the Sanitary Board); he should have powers to sanction permanent advances up to Rs. 500; he, and not the Inspector-General of Civil Hospitals, should be the authority to decide if dispensaries shall be opened or closed. As regards municipal budgets, he should have power to sanction without regard the enforceable minima, and should give administrative sanction to expenditure on large Public Works, subject to the concurrence of the Sanitary Board. The Accountant-General has already been warned that his sanction must be taken as final on all questions regarding the propriety of expenditure from local funds.

At present his position with regard to irrigation is very unsatisfactory. No extension of existing irregation should be made without a Commissioner's concurrence. There are instances of extensions being made in places where the people do not require water; others in places where the soil is unfit to take it.

I would note the extent to which the Commissioner's position has been encroached on by the Director of Land

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Records and the Excise Commissioner. The necessity for the continued existence of the former officer is doubtful. The Commissioner could discharge without difficulty his functions as Inspector-General of Registration, while such administrative work as allotting extra naib-tahsildar for mutation work is certainly appropriate to the Commissioner rather than the Director of Land Records. If a senior Revenue Extra-Assistant Commissioner were attached to each division as the Commissioner's assistant for the inspection of *tahsils* and land records, the post of Director of Land Records could be dispensed with and a substantial measure of decentralization secured. Equally, there are a large number of the functions of the Excise Commissioner which belong properly to the Commissioner and should be restored to him.

The Commissioner should have a contract allowance for extra naib-tahsildars and kanungos required temporarily for extra work, especially in connection with fluctuating assessments; and a divisional reserve for contingencies.

At the same time his political position should be much more fully recognized. There seems to be no reason why he should not appoint *darbaris*; and he should certainly have a "political" allotment for entertainment, *khillats* and similar purposes. Such an allotment is given on the frontier. That a Commissioner should have the means of conciliating interests or rewarding loyalty among our own subjects seems of equal, if not even greater, importance.

In order to set the Commissioner free from merely routine work his office establishments, now on an antiquated scale, will need reinforcing.

As regards Deputy Commissioners—

(1) He should grant *kursi nashin* certificates, and, like the Commissioner, have a political allowance.

(2) He should have power to effect changes in his superior office establishment without obtaining the Commissioner's sanction.

(3) The position of the Deputy Commissioner in districts containing canal irrigation is a most anomalous one. On the main canals the assessments of both land revenue and water-rates are made entirely by the Canal Department; there is no appeal to the Collector either under the assessment rules or under the rules regarding failed crops. The native view of this system can be put briefly: we not only farm the revenue, but let the contractor fix the rates. Even if the whole system is not radically altered—and a radical alteration is urgently needed—the rules should provide for an appeal to the Collector. The question is an administrative one of the highest importance; there are in the Punjab over four million acres to which these rules apply, either as regards occupiers' rate only, or as regards to both land and occupiers' rates.

The centralized Court of Wards was created at the instance of the Government of India, and there has been a general feeling expressed in favour of a return to the old system, and the delegation of greater powers to the Commissioner and Deputy Commissioner. The Punjab Court of Wards Act should be recast with this view.

I would give Commissioners (1) direct powers in apportioning Public Works expenditure on roads and communications; (2) a reserve for employing temporary naib-tahsildars and kanungos, especially in tracts where there is fluctuating assessment; (3) a budget allowance for temporary subordinate establishment for special needs (visit of troops, land acquisition, &c.). I would also give a Collector a budget allowance for temporary subordinate establishment for special purposes. The cases in which an appeal to the Local Government is allowed by law are very few, *e.g.*, section 32 of Punjab Municipal Act (XX. of 1891), section 17 of Act VII. of 1878 (Forest Act), section 23 (3) of Act X. of 1904 (Co-operative Credit Societies Act). No alteration seems called for here, nor in the law regarding appeals for mercy. As regards appeals to the Local Government allowed by rules or executive practice, there is not, as far as I am aware, any need for amendment except in the case of appeals from officials regarding orders affecting them personally. In all other cases the appeal against orders passed is simply in the nature of a petition. There is no need, and no possibility, of curtailing petitions.

As regards appeals on orders affecting officers personally, there is a large class of cases in which appeals and double appeals are admitted at present, and which might well be curtailed. A Deputy Commissioner, for instance, should be allowed to transfer a patwari or fine a chaukidar without an appeal being made to the Commissioner; and it is absurd that a patwari's promotion should form the subject of an appeal from a Commissioner to the Financial Commissioner. I would therefore arrange for all departments a scale of punishments much on the lines of that contained in the draft Police Bill. The order of the controlling officer should be final for (1) the dismissal of inferior servants; (2) minor punishments (including transfer) of superior officials. Superior officers (Non-Gazetted) should be subject to dismissal by Commissioners, Superintending Engineers, and inspectors of schools, and be allowed an appeal to the Financial Commissioner, Chief Engineer and Director, Public Instruction. A system of punishments on these lines is already working successfully in the Police Department. No appeal should be allowed beyond the Local Government in the case of officers appointed by the Local Government itself. A definite grant of authority on these lines would tend to strengthen the position of Controlling Officers in dealing with their establishments, while securing a reasonable measure of consideration for the rights of officials. Some of the existing restrictions on the prosecution of officials (*vide* 197, Code of Criminal Procedure) would be removed; but this would not in itself be objectionable.

The provincial Secretariat is unduly accessible to the influence of Heads of Departments who are *ex-officio* Secretaries. It is perhaps not necessary to quote here instances in which a Head of a Department has unduly influenced—*quâ* Secretary—the discussion of current measures. But such cases have existed; they are well known in the province, and have resulted in measures which will need redress by the Local Government. At present the Financial Commissioner is a Head of a Department, but not a Secretary. The two Chief Engineers are Heads of Departments and are Secretaries; the Inspector-General of Police and Director of Public Instruction are Under-Secretaries, but the latter has the right of addressing the Government of India; the Inspector-General of Prisons and Inspector-General of Civil Hospitals have no position in the Secretariat. The position of the Inspector-General of Police is that which seems to secure most efficiently the requisite degree of accessibility and despatch, together with the minimum chance of departmental bias. It is perhaps too late to advocate a change in other departments on the same lines; and all that can be done is to arrange that no new proposal affecting in any way the general administration or general interests shall be mooted by any Head of Department until it has been referred to the Deputy Commissioner and Commissioner concerned; and better defined rules of business, on the lines of those prevailing in the Government of India, for communication of cases between departments in the Secretariat.

The opportunities of Executive Officers for contact with the people are not insufficient, but they might with advantage be increased by (*a*) relieving the District Officer of office work. To do this we must improve the office establishment—there are few head clerks in the Punjab who can be trusted to draft a letter; (*b*) substituting, where possible, triennial for annual reports; (*c*) posting an Assistant Commissioner or good Extra-Assistant Commissioner as personal assistant in each district. It is a part, and an important part, of an executive officer's duties to receive the visit of natives of position. Every house built or hired by Government for an Executive Officer should have a proper waiting-room attached. The sight of a line of respectable gentlemen sitting in a row outside an officer's bathroom is not one to contemplate with complacency. The point is more important than might at first sight appear.

We are gradually breaking up districts of unusual size, and the chief need now is to increase sub-divisions. At present a Deputy Commissioner has to rely too much on his tahsildars. With a reliable English or Native Sub-Divisional Officer in charge of every two

tahsils, he would be relieved of much of his work; and the change would lead to quicker despatch of both criminal and revenue business.

No great extension of the present system of selection of officers would be necessary; the revised scale of recruitment is now showing its effects in making a much larger number of senior men available for first appointment to districts. There are some anomalies which prevent a free use being made of selection. The posts of Settlement Officer, Registrar, Co-operative Societies, Director of Agriculture — all pleasant posts, carrying the privilege of a visit to the hills—have allowances, while no Deputy Commissioner as such is given one. Selection would be easier if all grades of the Service were promoted on a time scale (similar to those introduced in the Forest Department) and district posts of exceptional difficulty or inconvenience carried an allowance. If further powers are to be given, the Local Government should also have the power of retiring officers of pensionable service, and also, in extreme instances, officers of proved incapacity before they reach full pensionable service. The principle of article 459, Civil Service Regulations, can be carried too far. This power, if carefully safeguarded, would be exercised so seldom that it would not impair the feeling of independence and security necessary in Administrative and Judicial Services.

The solutions of the difficulties occasioned by too frequent transfers commonly discussed turn on the offer from Government of advantageous terms in order to induce an officer to forego furlough when due. Both the efficacy and the policy of this measure are doubtful, and I would suggest that a minimum period be laid down for all districts, furlough being granted only on medical certificate during the period. Settlement Officers are not, as a rule, granted furlough till the settlement is completed (usually five years), and there is on the face of it no reason why the same procedure should not be followed with District Officers. The grant of allowances for difficult or inconvenient districts would also tend to reduce changes.

No need appears to exist for granting larger statutory powers to District Boards, or extending their present functions. Some alterations in the present District Board Law (XX of 1883) are needed in order to remove unnecessary restrictions. (1) Under section 39 (6) and (7), as the Deputy Commissioner is always Chairman of the Board, a reference to the Commissioner is needed for all expenditure not provided for in the budget. This might be modified. (2) Section 62 (1) requiring his sanction to all contracts between the Board and its servants might also be modified. (3) Section 29 unduly hampers the power of the Board in granting gratuities, and (in connection with articles 811 and 814, Civil Service Regulations) leads to a great deal of correspondence with Government. The restriction of gratuities to cases where the monthly pay is less than Rs 10 is inadvisable, as it often leads to the grant of annuities of an absurdly small amount, and a Board should be left free either to purchase an annuity or to grant a gratuity at its option. The present need in the case of District Boards is not the removal of statutory restrictions, but the cessation of 'regimentation' on account of the claims of Government Departments. So much is demanded on account of the Medical, Educational and Public Works Departments that the Boards have very little left for other work, while their finances have been exploited in the past in the interests of provincial finance. The process began with the levying of a 20 per cent. contribution for general services (section 9 of Act XX of 1883); it was in evidence lately when the Local Government appropriated for one service (feeder roads) half of the annual grant of 6½ lakhs made by the Imperial Government in aid of District Board finances. But the subject is now under discussion, and a beginning has already been made in remedying the situation. The exclusion of the Boards from incorporated funds will allow them a free disposal of their own balances (subject to the prescribed minimum). Their liabilities in respect of plague have lately been strictly defined. The Local Government has decided to waive any contribution on account of the 'Local Fund' establishment in the district office. It is probable that the 'enforceable minimum' expenditure of 12½ per cent. on medical and 25 per cent. on education will be abolished, and the matter left to the discretion of the Boards under the control of the Commissioner. It is proposed to modify the Education Code in order to give Boards a freer hand in regard to primary education. Much, however, remains to be done. The liability for famine expenditure should be limited in the same way as plague expenditure. The veterinary staff should, like the vaccination staff, eventually be localized. The 20 per cent. contribution paid by district to provincial funds under section 9 of Act XX of 1883 for general services should be abolished as soon as provincial finances permit. (*d*) All minor contributions such as those for the cost of lunatics at the central asylum and to the pay of (provincial) vaccination inspectors should also be waived as soon as possible. I have already suggested that the Commissioner as the controller of local finances should decide whether dispensaries should be opened or closed; whether subordinate medical establishments should be increased or decreased.

As regards municipalities, the Punjab Municipal Act (XX of 1891) is under revision. Some relaxation of the control of the Commissioner and a revision of section 34 (which is similar to that of the section 29 of the District Boards Act) are necessary, but these points will no doubt be discussed in the Legislative Council. Municipalities have, as Excluded Funds, escaped that close connection with provincial finances which has proved so disadvantageous to District Boards. Many of the remarks made regarding District Boards will, however, apply to municipalities. The contribution for audit has been waived, that for police is about to be waived, and the charge for 'local fund' supervising establishment will probably be waived by the Local Government. The measures of immediate urgency are to give the Boards greater control over their medical and educational budgets by abolishing the 'enforceable minima'; to abolish the minor contributions; to allow them power subject to the order of the Commissioner, regarding the establishment and abolition of schools and dispensaries; to insist on the position that the municipality, subject to the statutory control of the Commissioner, is master of its own finances. At present the tendency of the local audit is to require a reference to Government on a number of questions referring to details of local expenditure for which a resolution of the Committee supported by the orders of the Commissioner should be sufficient authority.

As regards the suggestion to institute Advisory Councils, I am not sure what subjects the advisory bodies would deal with. Local notables have, as a rule, little grasp of the principles of legislation; but when any large scheme (such as the Land Alienation Act) has been under discussion their advice has been sought. For the rest, there are very few points of ordinary administration or executive business on which they would be consulted. The Deputy Commissioner already has in his district board a body which he can, and frequently does, consult on all questions on which discussion is profitable. Finally, there are objections to creating in every district a body which is purely consultative. The native gentleman of ordinary interests and calibre would not care to serve on such a body: its discussions would not interest him, and he would resent being asked as a matter of routine for opinions on questions on which his advice would not necessarily be followed. Much more can be attained by the present practice of consulting individuals with special interests at stake.

Section 211 of the Municipal Act (XX of 1891) provides a simple form of administration of minor municipalities, and the intervention of the District Board does not seem to be called for. On the contrary, the suggestion lately made that several new *mandis* created at the Southern Punjab Railway stations should be managed by the Board was keenly resented by the inhabitants. The *mandis* were accordingly declared to be notified areas.

I have no personal acquaintance with the working of the panchayat system, though I have seen something of the working *jirgas*. The record of attempts to work panchayats for civil work in the Punjab has not been a happy one; the idea has always been welcomed by villagers; but the vitality of the panchayat has been due entirely to strong pressure from the District Officer, and it has collapsed as soon as that pressure was removed. It is doubtful if the system could well exist side by side with regular courts working on rigid rules of evidence and procedure. The Local Government has lately decided to abandon the legislation

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which it had projected for extending to the Punjab as a whole a system of Councils of village elders for dealing with certain forms of crime and for enforcing village responsibility on the lines of the Lower Burma Act III of 1889. There have, however, been cases in which villagers have combined to form a common fund from the proceeds of their waste land. Such instances encourage a hope that *panch* system on simple lines would be able to deal with village sanitation, and to some extent with village education. It is unlikely, however, that it would be able to take the place now occupied by the *lambardars* in police and revenue work. Much, however, might be done by giving minor criminal and revenue powers to selected *zaildars* and *inamdars* and in some cases to *lambardars*.

The discussion of the details of decentralization or delegation may be useful; but there are in the Punjab matters of greater import which demand reform. You will not restore the *Saturnia regna* by allowing the Head of a Department greater freedom in the purchase of stationery or permitting a Deputy Commissioner to buy his own type-writers. Two matters are of special importance. The first is, the restoration to the district administration of powers now improperly attached to Departmental Officers. As already pointed out, over a considerable part of the province the water-rates, and in many cases also the land revenue, are assessed by the Irrigation Department, which is neither by its interests or its instincts properly qualified to discharge the work. The control of the Commissioner over the police has been limited; neither he nor the District Officer have any concern with education or with Public Works. In the second place, it is necessary to exercise a proper control over our establishments. We admit that they grow rich improperly; we listen to the exceedingly bitter cry against them, but we do nothing to remedy the evil. Criminal action is in most cases impossible; the machinery of the Act of 1850 regarding public servants is cumbrous and ineffective. We need a far simpler machinery (possibly a small committee appointed as occasion arises by the Divisional Commissioner) and, most of all, a recognition of the principle advocated by the Police Commission, that evidence of general repute should be sufficient to warrant the condemnation of a Public Servant.

42007. Is the report of the Colonization Committee with your department?—No; it has not been received yet. I think it is still in the press; they are correcting the proofs now.

42008. Will you supply the Commission with a copy?—Yes, certainly.

42009. How many Commissioners are there in the Punjab?—Five. There are 29 districts.

42010. You refer to the powers of the Commissioners which you think should be enlarged. Is one difficulty in the way of enlarging the powers of Commissioners that it would be encroaching on the Financial Commissioner's powers?—Yes.

42011. And that you would have, to use a native proverb, two swords in one sheath?—Yes.

42012. Do not the powers of the Commissioner and the Financial Commissioner rather overlap?—In revenue matters, at all events, they deal with the same subjects, and usually with regard to such matters as remissions and suspensions, the Commissioner has certain definite powers, and the Financial Commissioner final powers.

42013. Both the Commissioner of a division and the Financial Commissioner being men of much the same standing and experience, is there very much difference between them?—No; the Commissioner as a rule has about 25 years' standing, and the Financial Commissioner 30 or 32 years.

42014. What would you say to associating the Financial Commissioner more closely with the provincial Government, giving him power to hear appeals on behalf of Government, and generally to act as an adviser and colleague in important executive matters?—To do that you would first of all have to bring him into a sphere where he has no functions at all at present. The Commissioner has a great deal of work in connection with local bodies, with which at present the Financial Commissioner has nothing to do at all.

42015. That would not necessarily be a disadvantage; is there any reason why those branches should be excluded from the purview of the Financial Commissioner?—Only that we should be doubling the work which is done, or rather, doing it twice over.

42016. But, accordingly to my suggestion, the Financial Commissioner would reinforce the Lieutenant-Governor, with the result of abolishing him as a distinct step in the series of authorities, and thereby diminishing to a certain extent the circumlocution and delay of official work; have you ever thought about that?—Yes; I have several times thought about the Financial Commissioner having a position of direct approach to the Lieutenant-Governor, so that all important revenue questions, such as settlement and assessment questions, might get straight from the Financial Commissioner to the Lieutenant-Governor, without coming through the Secretariat at all.

42017. That is, in some degree, making him a Secretary to Government?—It would not be quite the same thing as making him formally a Secretary.

42018. Would you approve of transferring the powers of the Financial Commissioner to Commissioners and raising the Financial Commissioner to the position I have indicated?—It would be possible to give a very large number of the revenue powers of the Financial Commissioner to the Commissioners, but I do not at present clearly see the advantage of putting in the Financial Commissioner in charge of any of the subjects on which Commissioners approach Government directly at present.

42019. Is there any distinct advantage in the Financial Commissioner as an intermediary between the Commissioner and Government?—He relieves Government of an enormous body of work in consequence of that.

42020. But why should not the Commissioner do it?—There is no reason at all that I can see, why the Commissioner should not do a great deal of it.

42021. Is a second difficulty in the way of delegating more powers to the Commissioners and bringing them more into the general administration that they are scattered, and it is difficult to co-ordinate them?—That is one thing, and another is that the Commissioner at present has not a definite amount of administrative work to do. He is rather more valuable as an adviser to Government, and is also looked upon by the people as having a good deal more prestige, from the fact that he has no particular measures to carry through himself, but stands, as it were, between the Deputy Commissioner and the Government.

42022. Then his authority is, to some extent, an unknown quantity?—Yes; I think that is rather a valuable element in his position.

42023. Might not the difficulty as to Commissioners being scattered and each in his own division, be obviated by conferences of Commissioners, such as there are in Bengal and the Central Provinces; have you heard of that system?—Yes; I have seen reports of it.

42024. Would you advocate it?—If Commissioners were given much extended power, it would be necessary to have conferences in order to agree on unanimity of action, but at present I do not think it is necessary.

42025. You say that large number of the functions of the Excise Commissioner belong properly to the Commissioner and should be restored to him; can you mention one or two of those?—Yes; such as the question of varying the scale of fixed fees, also the question of accepting bids at auction.

42026. Has a Commissioner much say in the matter of excise now?—As a matter of fact, he has very little indeed to say.

42027. Do you think he ought to have?—Yes.

42028. Would you give him the right to veto any action of the Excise Commissioner, subject to an appeal to Government?—Yes; my idea was that both the Excise Commissioner and the Director of Land Records should be very much more advisory than they are at present to the Commissioner or the Financial Commissioner.

42029. Then you would leave the responsibility of action to the Commissioner?—Yes.

42030. Would that not rather tend to overload him?—He would require assistance, I think, if any of these steps were carried out, though this assistance should be given with caution as there might be some danger that he might create a Secretariat of his own.

42031. Would you leave the Excise Commissioner to carry on his current work, referring all matters that needed discussion to a conference at which the Excise Commissioner should be present, and the joint opinion of the Commissioner should be formulated, and, if necessary, sent up to a higher authority. Would that not bring general influences to bear on excise matters, and at the same time leave the Excise Commissioner practically at liberty to deal with details?—But that would only be a question of principle, and would not apply to procedure in any particular district.

42032. If the Deputy Commissioner disapproved of anything that the Excise Commissioner had done, he would bring it to the notice of the Commissioner, and the Commissioner would put it down among the agenda for the next conference?—I think it would be more satisfactory if a Commissioner had a right to issue orders straight off.

42033. I am supposing that he would have a veto. Would not the difficulty be that you would have five Commissioners to deal with, and those Commissioners might take different views on a question which applied to each of the 29 districts?—Yes; my experience, for instance, of the Sanitary Board is that it is not a body that it is easy to get a definite opinion out of, and I should be rather afraid that a meeting of Commissioners might be an unbusinesslike body in the same way.

42034. Is not the Sanitary Board rather an unattached body, having no particular interests in any particular district?—Quite so.

42035. Would you doubt rather whether the conference plan would work?—Yes, I rather doubt whether it would be a practical body.

42036. It might be suggested that the same course should be adopted with regard to police and educational matters, and in fact all matters of general interest. Would you propose to give Commissioners power of giving direct orders in these other departments?—No.

42037. Are there any other means of bringing the opinions and experience of the Commissioner to bear on these outside departments than by referring questions to a conference?—I think a Commissioner should have a power of veto, with a reference to Government.

42038. Supposing a Commissioner vetoed a thing in his division and another allowed it in his, would there not be a certain amount of disunion?—Yes; but that would be regularised when it came up to Government, and the Government would ask what other Commissioners were doing, what their opinions were, and would pass orders accordingly.

42039. Would that be better than the system of conferences and sending up their united opinion to Government?—On the whole it would lead to getting their opinions in a somewhat better form, and perhaps getting them more quickly.

42040. Do you mean if each Commissioner was left to write for himself?—Yes, I think so.

42041. But that would not result in any combined opinion at all?—I think the proposal to have Commissioners sitting in a body, as proposed, would not work. Government now has the individual opinions before it, and it is as easy to take cognizance of individual as of combined opinions.

42042. After all, do you not consider the chief functions of a Commissioner to be to advise Government as to what orders they should give to the District Officers?—Certainly, but my idea is that they would be secured by letting the Commissioner address Government direct.

42043. But is there not the difficulty that you would have five Commissioners addressing Government, and each giving, perhaps, a different opinion?—Yes; there is that difficulty.

42044. (*Mr. Dutt.*) You say there is a damaging limitation that the Local Government cannot, without further sanction, re-appropriate from savings on a shared head for expenditure on any other head. Are you sure that you are quite correct there?—We had the idea that article 295 of the Civil Account Code forbade that.

42045. Has it not been made clear now that the provincial Government has the same power both with regard to shared heads and ordinary provincial heads?—It has the same power in passing definite expenditure, but it has not the same power, or my idea was that it had not, of re-appropriation. We have had a case in which we were limited in that way as to making some payments on account of the Forest Department; whether we interpreted it rightly I do not know, but that was the way we did interpret it.

42046. Then you recommend that the Local Government should have power to guarantee interest on light railways, and also on loans by District Boards; will the Government of India ultimately be responsible for all these loans?—Yes. Of course, it might insist on the Local Government making savings in other directions, and that it should meet the liability out of its own resources.

42047. But as a matter of fact, do not all loans granted to local bodies now fall ultimately on the Government of India?—Yes; at present they do.

42048. And you would not object to the Local Government being held responsible for loans which are sanctioned by the Local Government?—No.

42049. You say that no general Act of delegation is sufficient, and you think specific legislation is necessary; is it your opinion that when legal power has to be delegated, it is the right thing to do it by an amending Act and not by executive order under a general Act of delegation?—I have been looking at the Acts again, and I think that there are not so many objections as I thought at first to an Act providing for delegation, as long as it is carefully safeguarded.

42050. We have been told that such a general Act of delegation violates the principles of legislation; do you agree with that opinion?—It might violate the principles of substantive legislation, but a great deal of the legislation which goes on in India is legislation by notification. If one takes the case of the Epidemic Diseases Act, or the Criminal Tribes Act, the Act itself is nothing; the important point is the fact that you notify a particular tribe and bring it under a series of rules which are not defined in the Act itself.

42051. Quite so, but they are rules framed under the Act?—They are rules framed under the Act, but the Act only provides generally that you shall frame rules. For instance, if you consulted the criminal tribes, they would tell you that it was the particular rule which mattered, not the Act.

42052. But supposing a power of imposing a tax is vested by a particular section of an Act in the Supreme Government or the Local Government, and it is desired to delegate that power to the Commissioner or Collector, would it be fair to the people generally to do so by a Gazette notification rather than by bringing in an amending Act?—I was not contemplating going that length; I was only contemplating that the Imperial Government might by notification extend its own powers to the Local Government, but that it should not give powers of delegation to the Local Government itself.

42053. Do you mean legal powers or executive powers?—Powers, for instance, to frame rules.

42054. I am speaking of legal powers which are vested in the Government by a particular Act. If it was desired to delegate those to a Local Government, which do you think would be the better procedure,—to do it by Gazette notification or by an amending Act?—I see no harm in doing it by Gazette notification, provided that due notice is given and the thing is published beforehand.

42055. Do you think that procedure would be generally liked by those people who take an interest in legislation?—I think if they were given due notice of it, and allowed to make their objections to it, there would be no great feeling on the subject.

42056. When any objection was raised, how would it be disposed of,—by a debate in Council, by public deliberation, or how?—If it was a debate in Council, it would come to the same thing all over again; according to my theory, it would be sufficient if it was disposed of by executive orders. I would not, however, apply this to taxation.

42057. And you would not extend it except in a case where the Supreme Government desired to delegate its powers to the Local Government; you would not allow it to be used to delegate the powers of the Local Government to subordinate officers?—No.

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42058. You tell us that Local Governments should be allowed to fix taxation for village police; what tax is now levied for village police?—Taking the chaukidari cess under the Punjab Act IV. of 1872 there is an assessment list prepared by the tahsildar and passed by the Deputy Commissioner which is revised periodically in theory, but it is very seldom revised actually.

42059. Who collects the money?—The *lambardar*.

42060. How is the chaukidar paid?—By the *lambardar;* the money does not come into our accounts at all.

42061. Similarly you suggest that Local Governments should be allowed to approve of local taxation; what do you mean by local taxation?—Under section 5 of the District Boards Act there is a District Board cess provided, and, in addition, section 30 of the Act provides that, subject to the orders of the Government of India, the Local Government may sanction local taxation on the part of District Boards; that is what I was referring to.

42062. Would that, generally, be of the nature of a cess on land like the existing cess?—What I was thinking of was, for instance, the sanitation of large villages. At present District Boards cannot collect anything on that account from the villages, and such a tax might be applied in the form of a house-tax in the village. Section 30 of the Act of 1883 does not apply in cases where a local rate cess is taken.

42063. Does it only apply to local taxes in villages for special purposes?—It applies to local taxation for special purposes; the section which refers to the land cess is section 5.

42064. Would you allow the Local Government power to sanction such a tax as that?—I see no harm in that coming up to the Government of India, because it is a very important question.

42065. And it has engaged the attention of the Government of India for some years?—Yes.

42066. So that any tax on land should receive the attention of the Government of India?—Yes. It formed the subject of legislation as lately as 1906.

42067. With regard to Inspector-Generals, and so on, of the different departments other than those on purely technical subjects, have they been practically of use to your provincial Government?—Two of them are entirely new,—the Inspector-General of Excise and the Director, Criminal Investigation.

42068. How long have they been in those appointments?—The Criminal Investigation Department has been in existence three years, and the Excise about a year and a half.

42069. During that period have they been able to help the provincial Government in any way?—I do not think we have seen anything, so far, as a Government, as the Director of Criminal Investigation Department.

42070. Generally do you think that any help they might render should be in the shape of advice and information, and not in the shape of directions or orders to the officers of the provincial Government?—Yes; that is my idea.

42071. You say that a large number of administrative reforms have been initiated by the Government of India, but that a few, with very far-reaching results, have been initiated by the Local Government, and you instance the Land Alienation Act, and, I suppose, the Pre-emption Act?—Yes; and the Minor Canals Bill too.

42072. Are not matters which are brought forward in the shape of reforms sometimes too frequent, while it might be almost better if they were not introduced by Local Governments in such a hurry, and there was not such a restless activity in the Legislative Department?—I think we have passed in our Local Government only four or five Acts which you might say are in the nature of reforms or alterations.

42073. Have the two special Acts I have referred to —the Land Alienation Act and the Pre-emption Act— been universally accepted as moves in the right direction, or is it too early yet to give an opinion?—We have had six years' experience of the Land Alienation Act, but only a year of the Pre-emption Act, and it is on its trial.

42074. But the Alienation Act, you think, has been beneficial and has been accepted as such by all classes? —It has certainly been accepted by agriculturalists.

42075. Of all classes?—Except the very minor portion of the agriculturalists concerned, who are excluded from its benefits. It has achieved its object in stopping sales.

42076. Has it affected the value of holdings?—Yes; immediately after the passing of the Act the sale value of land was Rs. 37, and it has now gone up to Rs. 56 an acre.

42077. Are prices better than they were before the Act was passed?—Yes; they are better here now than they have been for 11 years.

42078. Do you attribute that to the Act itself, or do you trace it to the general rise in values in regard to all things?—I attribute it partly to the Act, because it has put the agriculturalists in a far better position with regard to their floating debt. The mortgage price of land has gone up in the same way, and it is higher than it has been for 13 years.

42079. You say that no appeals against dismissal or other punishment should be forwarded from the servants of a Local Government who are appointed by that Government, or by any local body under it; are Extra-Assistant Commissioners in this province appointed by the Local Government, rising to a pay pay of Rs. 700 or Rs. 800.

42080. Suppose a man in that class was dismissed, would you not allow him an appeal to the Government of India?—No, I do not see any necessity for that, though I know it would be very unpopular to bring in a rule of that nature.

42081. Is it worth while incurring that unpopularity? —I think so; it would tighten the hold of the Government over its employés.

42082. Then, practically, you would allow Extra Assistant Commissioners no appeal at all?—No.

42083. Do you think that would be fair?—I think so. I suppose the members of the Indian Civil Service should have no appeal, if they were dismissed in that way.

42084. But almost all men of every service generally have one or two appeals, and in the case of these officers, according to your scheme, they would have no appeal. Would that be considered a fair rule by the persons affected?—As I say, it would be very unpopular.

42085. Would you be inclined generally to accede to the proposition that all important steps taken within a Commissioner's division by the different departments should be with the assent of the Divisional Commissioner?—In working out that proposition in detail, there are some things which one could not call upon a Commissioner to express an opinion upon—such, for instance, as the transfer of Assistant Surgeons; but any question like the opening or closing of a hospital or school, I should think, certainly could be brought before him.

42086. You would not consider the transfer of an Assistant Surgeon a very important step, but as ordinary routine work concerning the department. In all important matters should the Commissioner be consulted and his assent obtained?—Yes, and I should go further with regard to Public Works. I would give him a distinct divisional budget.

42087. For roads and buildings within his own division?—Yes.

42088. You say that there are instances of canal extensions being made in places where the people do not require water; who has the authority to make those extensions now?—The Superintending Engineer sanctions up to a maximum of up to Rs. 10,000, otherwise it comes up to Government in the Irrigation Department.

42089. Generally speaking, do you think the Commissioner and the Collector ought to have a little more voice in the management of these canal colonies, and especially in the distribution of water?—Not in the technical question of the distribution of water, because that is almost impossible, but certainly with regard to the opening and closing of distributaries and making new distributaries; we should not only do something to prevent water-logging and putting wells out of use,

in places where they should be kept in use, but we should save a great deal of money by allowing Commissioners to have a far greater say in those matters.

42090. (*Mr. Hichens.*) Two theories have been put before us with regard to the Commissioner,—one that he should be a sort of Sub-Governor of his division, and another that he should act more in an advisory capacity ; which of those views would you favour ?—I am rather against the Sub-Governor view, because I think the province has taken shape as a whole now, and men may have interests in various divisions ; and the same tribes extend over various divisions, and if they found they were treated differently in one division from what they were in another, that would be a grievance.

42091. Would you say that the Punjab is not of an unwieldy size for a single Government ?—I do not think it is.

42092. Is there any marked divergence in characteristics as between the different parts of the province ?—There is a great divergence, for instance, between the Delhi division and the Northern Punjab.

42093. Then, as far as that goes, that would be an argument in favour of the Sub-Governor theory ?—Yes.

42094. For example, when you get to Sind, you get almost a different entity, and there would be a strong argument for treating the Commissioner as a Sub-Governor ?—Yes, but there is not the same argument in other parts of the Punjab.

42095. Apart from the Delhi division, would the other divisions fall into line ?—Yes.

42096. Do you know, roughly, the size of a division ?—About 19,500 square miles ; there would be about 2,500 villages.

42097. Do the divisions correspond to any tangible unit, whether historical, or physical, or otherwise, or are they purely administrative units ?—They are purely administrative units, I think, apart from Delhi.

42098. Are they framed more from the point of view of convenience of size, and so on, than from the point of view of securing a homogeneous population, or reasons of that nature ?—Yes.

42099. Therefore, from that point of view, there is little or no reason why the administration of the province should not be uniform ?—No.

42100. I did not quite understand your point of view with regard to the relations between the Commissioner and the technical departments, such as the Public Works Departments, and so on. Now-a-days the tendency of all Governments is to have special departments for certain things ; would your position be that the Commissioner is to control those departments in relation to each separate division, or that he should merely act in an advisory capacity ?—If I take the Public Works Department, for example, at present, the Commissioner has absolutely no position with regard to it at all, and my proposal would be that he should have for roads and communications a distinct budget every year, and that the Superintending Engineer, under his orders, should prepare schemes, for instance, of communications which were wanted, and that the Commissioner himself should sanction them.

42101. When you say the Commissioner has no control, has he not power to write to the Secretary of the Public Works Department, if he chooses, and to write to the Lieutenant-Governor, if he chooses, and all the influence which the position of a Commissioner brings ?—Yes.

42102. And if he were to say, with all the force of that influence, that in his opinion the Superintending Engineer of his division had made a mistake, his opinion would certainly receive substantial consideration ?—It would.

42103. Then the Commissioner can exercise a substantial influence ?—He might be said to have some influence, but he has no control.

42104. You think he has not a voice in the Public Works programme of his division ?—No ; he does not see the programme at present ; a work might even be begun without his knowing it ; the order of urgency, which is the important thing, might be completely altered without any question being put to him by the Secretary in the Public Works Department.

42105. Could that be done without the sanction of the Lieutenant-Governor ?—At present, yes ; it is done. There is no definite order of urgency for these works ; the works receive administrative sanction, a Public Works budget is given to the Public Works Department, and they do the allotment themselves.

42106. Then would you be prepared to give to the Commissioner certain powers of direction ?—Administrative direction.

42107. Would you give him power to say—"Do this work before that work," in spite of any objections there might be on the part of the Public Works Department ?—Yes ; if there were strong technical objections, they would have to come up to Government, but in the absence of technical objections, according to my scheme, he would be allowed to give administrative sanction and set the order of urgency.

42108. He would be a better judge as to whether it was desirable to do work A or work B first than the Public Works authorities would be ?—Infinitely better, because he knows the local needs of the people.

42109. Better than the Engineer ?—Yes. I know of a particular case in which two Commissioners were over-ridden by the Public Works Department, who insisted on making a road they did not want.

42110. What was the upshot of it ?—So far, for financial reasons, the road has been deferred, but those were the orders issued.

42111. The orders were that the works which the Public Works Department wanted made should be made ?—Yes ; it was a question of metalling a road.

42112. I suppose they produced statistics and so forth to show what the traffic was ?—It was done for reasons which did not commend themselves to the Commissioners or the Deputy Commissioners concerned.

42113. But which commended themselves to the Government ?—Yes.

42114. And you think that was wrong ?—I think so ; and I think events will prove it to be wrong too.

42115. With regard to the relations between the Government of India and the provincial Governments, you seem to lay great stress on the desirability of greater freedom in the matter of re-appropriation. You say, as I understand, that it would be a substantial advantage if you had no shared heads, because that would augment your power to re-appropriate considerably ?—Yes.

42116. How much does the shared expenditure amount to ?—About 6½ lakhs excluding the major works item.

42117. That will not help you greatly in your re-appropriation schemes ?—It would help us in this way, that the budget would be practically an independent one, because if there were no shared heads, the Government of India would have less reason to interfere with any of our budget provision.

42118. The first point is that 6½ lakhs is rather an insignificant sum ?—That is so.

42119. The second point that you appear to aim at so much elasticity that the budget can be altered from top to toe by the Government after it has once been passed ?—Yes.

42120. Can you parallel that anywhere in the world ; is there any Government which has the power of upsetting the budget from top to toe without the sanction of somebody—it may be a Legislature or it may be a superior authority of some kind ; but has any Government got such a power as that ?—I think the Federated Governments have that power.

42121. Have not the Federated Governments got Legislatures of their own ?—Yes, but in India, budgets are not put before the Legislatures.

42122. Having no control from below in regard to your budget, is it not desirable that you should have some control from above ?—I would only admit that if it was admitted that it was desirable that our budgets as a whole should come before the Legislature ; as it is, they come under executive control.

42123. Can you find any Government in the world where the budget is not controlled either from above or from below ?—No, I do not know of any.

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42124. Is it wise to adopt a principle of that sort, even in regard to India, unless you can show very substantial reasons why the conditions are different here to what they are elsewhere?—There would be no reason why one should not adopt it here, because in the first place the exact amounts that have to be spent on any particular object are subject to financial control,—additions to establishment, and so on. In the second place, we have the minimum balance; that is another measure of control. In the third place, a part of my proposal was that we should have some standard between recurring and non-recurring expenditure.

42125. That would be enough justification you think?—I think so.

42126. Are you not asking that this financial control should be relaxed in very substantial particulars?—Not entirely withdrawn, but relaxed.

42127. Very substantially relaxed?—Yes, but not the minimum, and not the question of recurring and non-recurring expenditure.

42128. Would you not relax that at all?—No; I would fix a standard of recurring and non-recurring expenditure.

42129. It is not possibly desirable to retain a broad control over principles rather than to retain a narrow control over details?—Certainly.

42130. Therefore it is conceivable that it might be desirable that the general control of the budget should under existing circumstances—that is to say, unless and until the Legislatures get some wider powers—remain under the general control of the Government of India, but that the details of execution should be left more to the Local Governments?—Yes.

42131. In regard to that, do you think it would be a sound principle to substitute the words "subject to the control of the Government of India" for the works "with the previous sanction of the Government of India," in regard to many of the rules and regulations which to-day require the previous sanction of the Government of India?—Yes, except in regard to taxation.

42132. The general principle of the relations between the two being that the Government of India lays down the principles and the provincial Governments are responsible for carrying them out?—Yes.

42133. The details of course are really only the expression of the principle, but the Local Government would be trusted to carry out the principles in the spirit in which it was intended; would that be reasonable?—Yes.

42134. All you would want really in that case would be that the Government of India should hold a watching brief and see that the spirit of the thing was generally carried out; would that be sound?—Yes, that would be reasonable.

42135. If a particular instance came up where the Local Government had infringed the law—let us say, for the sake of example, that they had given a local allowance which appeared to the Government of India to be either excessive or out of place—the Government of India would not seize upon that particular case and reverse it, but they would apply the general principle to it, and they would have to make out a case that the general principle had been infringed?—I think that would answer.

42136. Is it the case that more bitterness and bickering ensues over the discussion of a small case than over the discussion of a general principle?—Yes; I have a particular case in point with regard to the Police Department which certainly proves that.

42137. Therefore if you could avoid disputes over particular and petty cases and save the discussion for broad matters of principle, it might improve the relations between the Government of India and provincial Governments substantially?—Yes.

42138. (*Mr. Meyer.*) Do you think it would be easy to draw a broad line between principle and detail in that way?—I should think it would be difficult, but I fancy it could be done.

42139. You can whittle away a general rule by the application of exceptions for instance?—You can, if you are disposed to do so. I do not suppose that the Local Government, in view of the principle, would be disposed to whittle it away.

42140. Might you not have so many detailed exceptions that you would wipe away the rule entirely?—I do not think that is the case where Local Governments have been given any discretion already.

42141. In the case put to you by Mr. Hichens, I understand you might give a conveyance allowance to Mr. Smith. The Government of India would say—"We will not interfere in the case of Mr. Smith, but you must not give any more conveyance allowances of that sort"; would not that be just as likely to lead to bickering as a previous application for sanction in the case of Mr. Smith?—I do not think so; I do not think that the relations with the Central Government can be said to involve bickering; we sometimes feel that we are hampered in various ways, but there is no bickering.

42142. Then you would rather qualify your answer to Mr. Hichens when you said there was no bickering about details; there is just a certain amount of correspondence?—It hampers public business to some extent.

42143. You seem to think that it is only necessary for the Government of India to scrutinise the provincial estimates of receipts and expenditure under divided heads?—No; I am aware that it scrutinises them under all heads.

42144. But you think it is only necessary in the case of divided heads, because you imply that if you could do away with the divided heads, you could do away with the Government of India budget control to a large extent?—I do not object to a scrutiny made with a view to secure the correctness of the budget, but to a scrutiny made from the point of view of control.

42145. With regard to the imperial budget, is it not also necessary to scrutinise purely provincial heads; is not the imperial surplus affected to the extent to which the Local Governments are either drawing on their balances or passing money from their current revenues into balance?—Certainly.

42146. And it is the business of the Government of India, for the purpose of ascertaining the imperial surplus, and possibly dealing with the remission of taxation, to get the figures as accurately as possible?—Certainly.

42147. Therefore from the point of view of accurate estimating you have got to look at the purely provincial heads?—Yes.

42148. Then you propose, in place of the present system of divided heads, a lump contribution based on the aggregate provincial receipts; would not that mean different percentages for each province?—I did not attach any importance to the question whether you have your contribution in gross or in detail; that is not important from the provincial point of view. We have a number of shared heads of income at present, but I do not think it makes any difference to us whether they go to the Government of India in gross or in detail.

42149. One object of your proposal, I thought, was that you could avoid the control of the Government of India in budget matters by having contributions in gross?—No; my proposal referred to the abolition of shared heads of expenditure, not of income.

42150. Suppose you had a gross percentage, would not the Government of India have to check your figures just the same to see if they accepted the calculations on which the percentage was based?—Yes.

42151. So that you would not really gain anything; you cannot check figures in a lump without checking them under the various heads?—You would not gain anything by a gross percentage, but I was not proposing that; I was proposing to accept, if necessary, the present system of shared heads of income.

42152. I did not gather that from your statement Do you think that the shared heads are the best on the whole?—The shared heads of income, not of expenditure.

42153. You say you are in favour of distributing a surplus for the general benefit of provincial revenues instead of for particular objects. How are you going to calculate the way in which these doles are to be given?—I suppose they might be calculated in proportion to the income of the provinces; it would be a rule-of-thumb method.

42154. It would then be calculated on the principle of "To him that hath shall be given"?—The richer provinces have larger services to meet.

42155. Not necessarily. Take a backward province like the Central Provinces; its proportion of expenditure is considerably larger than the expenditure of Madras or Bombay, for instance?—I should be quite content to leave to the Government of India what share they would give us.

42156. Then again might not the Government of India legitimately think it to be a matter of political necessity, say, to increase the efficiency and emoluments of the police?—Yes; that has happened in some cases, but in that particular case we ourselves had applied to the Government of India for power to increase the emoluments of the police.

42157. As regards this police matter, you complain of the detailed interference of the Government of India. Did not the Government of India acted on the recommendations of the Police Commission?—Yes.

42158. And the Police Commission contained a member from the Punjab?—Yes.

42159. It discussed all its proposals in detail with the Local Government?—Yes.

42160. And after the Police Commission's report was issued the Local Government was again consulted and asked whether it had anything to say against the proposals?—Yes.

42161. So that really the Government of India took you very much into counsel—it did not over-ride you?—It has over-ridden us in matters of detail.

42162. Then you departed from what was laid down in the report of the Commission?—The Commission laid down wide general principles; in some cases it was necessary for the working of the police force to depart from these principles, but we have not been allowed to do so.

42163. As a matter of fact, have you now got the establishments that you required,—of course nobody gets everything they want,—but, speaking generally, have you got most of what you wanted?—Yes, the establishment certainly.

42164. Are about one-third of the aggregate members of your District Boards elected?—You have to strike off first 12 District Boards which have no election at all; they have purely nomination.

42165. That leaves 17, or so?—Yes, and in those 17 two-thirds of the members are elected, and one-third appointed.

42166. How are members elected?—First of all circles are fixed which usually consist of either one or two or three *zails*; the qualification of voters varies from a payment of two to four rupees for local cess, or a man must be a *lambardar*.

42167. Are the constituencies large generally, I mean as regards the number of voters?—No.

42168. Do the elections excite interest?—The general complaint for a number of years has been that they have excited no interest at all.

42169. In certain municipalities do you not depart from the ward system and have a class system; the Sikhs have so many members and Muhammadans so many, and so on?—Yes.

42170. How many municipalities does that apply to?—Ten.

42171. Are those, generally speaking, the ten most important in the province?—No; it only applies to three important municipalities,—Lahore, Multan and Amritsar.

42172. When was it introduced?—It is of very old standing in Multan. We have just applied it to six minor municipalities which will bring the number up to 16.

42173. When was it introduced in Lahore?—In 1891.

42174. Should you say that the system works better than that of territorial constituencies?—It all depends upon the strength of local feeling, I fancy. There is rather a tendency lately to send up suggestions for increasing class representation. We receive a number of petitions on the subject from people now; Muhammadans, for instance, complain that they are not properly represented on the Municipal Boards.

42175. Do you think it is a good system?—Certainly.

42176. To every Deputy Commissioner *ex-officio* Chairman of the District Board?—The Act leaves it optional with the Local Government either to appoint a Chairman or to allow the Board to elect him.

42177. Which have they done?—In 12 instances the District Board rules provide that the Deputy Commissioner is *ex-officio* Chairman.

42178. Are these the 12 in which there are no elected members?—No, they are a different 12; then in the rest the rules either do not mention the point at all or the Chairman has been appointed *ex-officio* by the Local Government directly under the Act.

42179. So that in practice he is appointed because he is Deputy Commissioner?—Yes, either by the Government directly or by the Boards themselves.

42180. Are the Vice-Chairmen always elected?—Yes, always elected.

42181. Are they mostly officials or non-officials?—The cases do not come up to Government; they are not notified, but there are a large number of them who are non-officials.

42182. You do not notify the appointment of Vice-Chairman?—No.

42183. Do you notify the appointment of members of the District Board?—Yes.

42184. Is not the Vice-Chairman rather more important than a mere member?—He is notified as a member and then elected Vice-Chairman.

42185. Is he approved by the Commissioner, or does he become Vice-Chairman as soon as he is elected?—As soon as he is elected.

42186. Is it the fact that the Deputy Commissioner is the President of all headquarters municipalities?—He is President of seven first-class municipalities and of 29 second-class municipalities, of which 20 are at headquarters.

42187. And ordinarily the out-lying municipality is presided over by whom?—In 29 cases it is presided over by non-official Presidents; in six cases by officials who are elected by name and not by office, and in other cases by officials who are appointed by office.

42188. The tahsildar, as such, would usually preside?—Yes.

42189. You have got first and second class municipalities, and first and second class District Boards. We had it from another witness that there was some distinction between them as to the cost of works in regard to which they have to obtain sanction; is there any other material distinction?—The only distinction in the case of District Boards is in the matter of works for which they have to obtain sanction; in the municipalities there are distinctions of works, and there are distinctions in regard to powers under the Act too. In second class municipalities the Local Government can hand over certain of its own powers to the Commissioner; that is to say, the Commissioner notifies the appointment of members instead of the Local Government. In second class municipalities, again, certain appeals lie to the Deputy Commissioner instead of to the Commissioner. Again, first class municipalities can compound for offences against the Act.

42190. Does the Commissioner pass all the municipal budgets?—This is not necessary under the Act, but by the Municipal Account Code, which has been introduced lately, he now passes all the budgets.

42191. Do they go up to Government beyond him?—Government gets a memorandum from the Accountant-General showing the budgets when passed, and also gets the budgets of indebted municipalities.

42192. Those that are indebted to Government?—Yes.

42193. Take the Lahore municipality, the Commissioner passes the budget and sends it on to the Government merely for information?—That is so.

42194. With regard to reports does each municipality send an administration report?—Yes; the Deputy Commissioner sends in all the reports for the municipalities of his district, and they are collected in a divisional report by the Commissioner and sent on to the Government.

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42195. The Commissioner does not review the report of the Lahore municipality singly, but he would review the reports of all the municipalities in the division, including Lahore?—Yes.

42196. There are sanctions now required to re-appropriations to and appropriations from balance which you desire to get rid of?—Yes, the Municipal Account Code provides that Commissioners must sanction re-appropriations; we want to get rid of that.

42197. As regards the power of municipalities to create appointments, are they subject to any restriction outside general budget control?—There is no provision about it in the Act, but we have made regulations at various times on the subject. For instance, with regard to the appointment of engineers; for engineers they must have certain departmental sanction, that of the Sanitary Engineer or the Superintending Engineer, according to the pay.

42198. Take their ordinary clerical establishment and their octroi collectors?—Government has not laid down any rules about that at all, but the Commissioners have laid down in three divisions that any increase of establishment must be sanctioned by them.

42199. That is to say, the Commissioner has centralized?—Yes.

42200. Any appeal from a municipal servant who thinks he has been aggrieved by the municipality would go to the Commissioner?—The Government rules provide that no person drawing over Rs. 50 in a first class municipality, or Rs. 20 in a second, shall be degraded without the consent of the Deputy Commissioner. The appeal goes, as a matter of practice, to the Commissioner.

42201. You do not put it, as they do in Madras, before the collective Municipal Board?—No.

42202. Would that be a good thing?—The Act does not provide for it at all; it does not mention appeals.

42203. But as a matter of policy, would it not choke off these appeals to outside authorities if the original power of punishment rested with the Chairman and there was an appeal from him to the collective Board?—Where you have the Deputy Commissioner as Chairman it would come to this; first of all he would dismiss a man, then the man's appeal would come before the Board, and if the Board accepted his appeal, it would weaken the authority of the Deputy Commissioner a good deal.

42204. More than if the Commissioner upset him?—I fancy so.

42205. What are you doing now with the quarter grant on the Land Cess given by the Government of India?—We have distributed it to District Boards in this way; we have given them 3 lakhs of rupees for making what are known as first class feeder roads, and we contribute another 3 lakhs as against that ourselves.

42206. Do you select the roads or do they?—They send us up a list of roads, which we sanction.

42207. It did not really amount to your relieving provincial expenditure by saying "We are going to make these roads and the District Boards shall pay for them"?—Some of these roads we should have made ourselves, undoubtedly, but then, on the other hand, we are contributing an equal amount, 3 lakhs.

42208. You would have had to pay the whole if you had made the roads provincial?—Yes, but we should not have made the whole of them.

42209. What are you doing with the rest of the grant?—We have given 1½ lakhs for veterinary establishment, one lakh for hospital establishment, and the rest for arboriculture.

42210. As regards the veterinary establishment, there is no real control by the Boards?—Over the part of the expenditure represented by the grant now made they have control; the Veterinary Service is provincial; we pay the establishment charges; they pay for contingency charges, hospitals, medicine, and so on.

42211. What was the grant spent upon?—On hospitals and dispensaries, also in buying stallions and bulls.

42212. The original intention was that in time the grant on the Land Cess should become a *pro rata* contribution, that each Board should get 25 per cent. of the Land Cess it levied; is there any chance of your working to that? You dole these things out now entirely at your own discretion?—The arrangement described only lasts for five years; at the end of the five years we shall no doubt make it a *pro rata* arrangement.

42213. About these District Boards; is the general control over them, the matter of budgets, appointments, re-appropriations and the rest, the same as in the case of municipalities?—There is a statutory control of the Commissioner in the case of District Boards; that is to say, the Act provides that the budget shall first of all be passed by the Deputy Commissioner, or, if he is a member of the Board, by the Commissioner.

42214. And in the Municipal Act?—That is silent on the subject entirely.

42215. So far as the Municipal Act goes, there might be no control at all?—That is so, except that the Act provides for the general control of the Commissioner.

42216. You are revising your Municipal Act now?—Yes.

42217. Are you altering that?—No.

42218. As regards first and second class District Boards, is there any material distinction except in the matter of works?—No, none at all; it might be swept away.

42219. You have made some interesting remarks about what you consider the defects in the local self-government scheme and the extent to which they may be remedied. Generally, I gather you are in sympathy with the principle that the authority that pays ought to control?—Yes.

42220. One may say, generally, that that principle has been subject to absolute negation, in practice, in this province?—Yes.

42221. In fact, it would not be going too far to say that the whole policy of the Punjab towards local bodies has been absolutely contrary to the spirit of Lord Ripon's Local Self-Government Resolutions?—Owing to financial stress we were obliged to make arrangements about the local bodies which perhaps we should not have made otherwise.

42222. These restrictions that you introduced were not due to the Government of India?—No.

42223. You speak elsewhere of the desirability of leaving the provincial Government more to their own devices; might it not have been better in this case if the Government of India had interfered with you a little more, and prevented you from doing these things which you now regard as objectionable?—If they had provided us with the money, it would have been well, but we could not have done it otherwise. Directly a chance occurred, such as taking over the veterinary establishment, we took it; that had always been regarded as a District Board charge, but we ourselves now pay for that, at a cost of about 1½ lakhs.

42224. Formerly you gave them the expenditure, but you kept the control; that was your principle here?—No; we have taken now both the expenditure and the control of the establishment.

42225. But previously?—Previously, that was so.

42226. When did this wave of reform begin that you are now on the crest of, apparently?—About 2½ years ago.

42227. To whom was it due?—I cannot say; I think it originated, perhaps as much as anywhere, in the Secretariat.

42228. Not with the late Sir Denzil Ibbetson?—No; it originated before he came, but was approved of by him.

42229. You say the Punjab would rather have had a grant from the Imperial Government to enable it to get quit of the 20 per cent. it takes from the Land Cess than have had money for the spread of education: did the Punjab Government ever ask for that?—No; the Punjab Government was informed that 3 lakhs was placed at its disposal for education and it simply took it.

42230. You are aware that all such budget proposals are communicated confidentially to the Lieutenant-Governors, and that they offer suggestions?—Yes.

42231. Are you aware that any Lieutenant-Governor of the Punjab suggested doing away with this contribution from the Land Cess?—No; in this particular instance, it had been communicated as a matter of policy that primary education was to be encouraged, and this course was consequently adopted.

42232. On the other hand, was there not a tendency to resent the repeal of the Famine and Patwari Cesses?—No; what we asked for was that the fact should be recognised that the expenditure against the Patwari Cess was continually increasing; we asked that the Imperial Government should recognize an increasing liability instead of a fixed liability.

42233. You want full compensation for future as well as present liability; suppose you got that, would it not have to be met by the Government of India, that is to say, by the tax-payers of India?—Certainly.

42234. And, in the same way, Bombay, Madras, Bengal, and all the other provinces would get compensation from the Government of India, again at the expense of the tax-payers of India?—Yes.

42235. Would it not rather come to the classic instance of the people who earned their living by taking in each other's washing?—After all, the Government of India was relieving a particular body of tax-payers in the Punjab of a certain cess, and we did not exactly see why they should be relieved of that cess at what, in the future, would be the expense of the general tax-payer in the Punjab.

42236. You could say the same with regard to the reduction of income-tax or anything else?—We are not concerned there; there would be no expenditure incurred against income-tax, as there would be against the Patwari Cess.

42237. Who controls the notified areas?—They have an appointed committee.

42238. Who controls the proceedings, the Deputy Commissioner or the Commissioner?—They are under exactly the same rules as apply to the municipality.

42239. To all intents and purposes they are second-class municipalities?—Yes, but with minor powers.

42240. When did your latest provincial contract begin to run?—1904–05.

42241. (*Sir Steyning Edgerley.*) So that, having at last got a liberal contract, you were enabled to undertake these reforms in your relations to local bodies?—We have been able to contemplate them.

42242. The previous inability of the Local Government to do so was possibly due to the quinquennial assessment under the old system of provincial contract?—I think so.

42243. So that the whole responsibility is not entirely on the Local Government for failure to treat the Local Boards in a more liberal manner?—No, if we had been able to do it, there are several changes we should have pressed on before.

42244. As to the suggestion that Local Governments by continual exceptions might whittle away a rule, is that not the course which is invariably followed in reaching alterations of law by the result of experience?—Yes.

42245. As the local instances begin to prove that a rule needs modification, you proceed to the modification of the rule?—Yes.

42246. So that there is nothing extraordinary in exceptions being gradually made which will alter the whole rule?—No.

42247. Then you say, so far as regards the fixed assignment, "This result is apparently inevitable under the system." I do not quite understand why that is so. Your fixed assignment has reached apparently about 58½ lakhs, and it would be perfectly simple, provided an arrangement could be come to, to entirely provincialize the revenue and expenditure under excise, stamps, and forests and assessed taxes, and thereby reduce your fixed assignment to about 5 or 6 lakhs?—Yes, that would mean doing away with the shared head expenditure.

42248. Is that not what must happen from time to time as the fixed assignments grow too big?—Yes.

42249. As regards the question of doles, you say that you think the Local Government ought to be allowed to choose their own reform. I have heard it given as an argument against that view that the Financial Department, face-to-face with the big spending departments of the Government of India, if they only were to give a general sum to the Local Governments, would be too feeble to resist the onslaught of, say, the Military Department or any big spending department. Do you think much weight ought to be attached to an argument of that sort?—I think it is difficult to tell; I do not see why the Military Department should not be equally insistent now when it comes to a question of giving money for sanitation.

42250. The suggestion is that unless the Finance Department are able to name some specific purposes the Military Department would rise in its wrath, and the Finance Department of the Government of India would go to the wall; is that likely?—I should not think it is likely.

42251. You quote a large number of instances as examples of a somewhat numerous class of questions where the Government of India have in your view gone too much into detail. Should you be inclined to agree with the following remarks of Sir Thomas Gordon Walker: "Each important step in the process of specializing has almost without exception meant that the Central Government has taken the end of one more string out of the hands of the Local Government. The particular branch of administration is controlled not from a local centre, but from the centre of all. For this reason it is that we have the enormous development of departments, and special branches in the Central Government for such development has meant control from the centre and presumably greater efficiency, but it also means centralization and reduction of the powers and responsibility of the Local Governments"?—Yes, on the whole certainly.

42252. May one almost say that in spite of this latest notable effort at decentralization by the Government of India, in the *quasi*-permanent financial settlements, the tendency of the Government of India has been rather towards the steady absorption of authority?—I fancy it has been so on the whole.

42253. With reference to your answers to Mr. Dutt with regard to the delegation Act, you mention a certain number of proposals necessitating the amendment of the statutory law. Assuming that you had a properly guarded delegation Act in force, do you see any reason why any one of those powers should not be given by the Local Government to the subordinate authority suggested by a notification under the Act, instead of by special legislation?—Take for instance the second one—I would exclude that. I do not see any other that could not be perfectly well given to the Commissioner by notification under such an Act.

42254. Then, except for that one, there would be no necessity to go through the enormous procedure of legislation, which means going up to the different Executive Departments of the Government of India, then to the Legislative Department, and then to the Secretary of State, and awaiting his sanction to a Bill in order to carry out those proposals?—Yes, but the best to which you have referred only contains proposals for giving over to the Financial Commissioner the authority at present enjoyed by the Local Government in a certain definite number of matters.

42255. But if you had a general delegation Act in force, there is no reason in the nature of the things themselves why you should employ the enormous engine of separate legislation to do each of these particular things?—No.

42256. Is not the Punjab Government rather peculiar for the number of "quick-change artistes" it possesses?—I do not know what it is in other Local Governments, but I think it has been felt in ours.

42257. The only "quick-change artiste" in most Governments is the Public Works Secretary and Chief Engineer?—Yes.

42258. Would you be in favour of swinging the present rule entirely round and saying that the procedure and precedent of a neighbouring province shall not be quoted as an argument in favour of a case in this province—that you should stand on your own feet and make out your case on your own merits?—Yes, but I think that examples drawn as illustrations from other provinces often are of the greatest assistance.

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42259. But the general rule might be that you should be judged on your own merits and not on what has been found suitable elsewhere?—Yes, I think so.

42260. You instance the case of the police as one where there has been a tendency to undermine the authority of the Local Government; you consider that if the Government of India requires information or facts for the purposes of control or correspondence with the Secretary of State, they should get them from the Local Government and not from their own Inspector-General?—Certainly.

42261. Is that a fundamental matter?—Yes.

42262. It was suggested to us by a previous witness that one means of keeping the Commissioner in his relative position to the other Heads of Departments would be that he should be the financial sanctioning authority; would you agree with that suggestion?—Only as regards Civil Works.

42263. Not as regards the other Departments, like the Land Revenue for instance?—Land Revenue is an enormous head of expenditure, and the expenditure is mainly by way of establishment.

42264. Excise or Agriculture or Land Records?—There would be no harm perhaps as regards those, but Civil Works is the one I would lay most stress on.

42265. Assuming that you enhanced the Commissioner's position as you suggest, you would be prepared to give a very much stronger office establishment to the Commissioner?—Yes.

42266. And I suppose a high-class personal assistant?—Yes.

42267. Whether the pick of the Extra-Assistant Commissioners or a European—would you have any preference?—I think the danger of giving them a European Assistant Commissioner would be that the latter would be inclined to trouble the Deputy Commissioners too much.

42268. Your preference would be for a good native assistant?—Yes.

42269. On a pay of something like Rs. 1,000 a month?—The highest of our provincial appointments is Rs. 800 or Rs. 900.

42270. Ought it to be a prize appointment, or would you take an ordinary selected Extra-Assistant Commissioner?—I should take a selected assistant out of the higher grades.

42271. You have been a Colonization Officer for some years; what do you consider is the proper relation between the Executive Engineer and the Deputy Commissioner?—The Executive Engineer must be independent in technical matters.

42272. Do you think he might be an *ex-officio* assistant to the Collector in the matter of assessments and remission?—No. I think the question of assessments and remissions ought to be in the hands of the Deputy Commissioner.

42273. We are told that there is nobody like the Executive Engineer for knowledge of what is going on in the canal district, of the causes to which remission is due, and of the factors on which to assess for water, and so forth; you do not think you would give the Deputy Commissioner sufficient control over his proceedings by making him the Executive Engineer an *ex-officio* Assistant Collector?—No; I do not think the Collector would have sufficient control that way.

42274. If you could give the Deputy Commissioner complete control, would it be a good thing that one establishment should do the collection of revenue as well as assessment?—Undoubtedly; the double establishment at present means that people have to pay twice.

42275. Is any solution possible in the direction of making one establishment on a major canal?—I think it could be worked out on those lines without any great difficulty.

42276. With control by the Deputy Commissioner?—With control of assessments.

42277. Of assessments and collections and remissions?—Yes.

42278. As to the Court of Wards, you say there is a general feeling in favour of a return to the old system; is there any power of delegation reserved under the Act? For instance, in the Madras Act there is a section by which the Court of Wards can delegate any of its powers to anybody?—Our Act provides for delegation with the previous sanction of Government.

42279. Could the position which you think would be reasonable be reached by a process of delegation without amending the Act; that is to say, is it the Court of Wards itself which has centralized, or does the Act compel it to centralize?—I think the Act compels it to centralize; it practically took all the executive rules of a number of years and merged them into a statute.

42280. If you had a general Act of delegation, you could do it gradually as occasion arose?—Quite so.

42281. You say you think the provincial Secretariat is unduly accessible to the Heads of Departments, and you say there are cases which are well known in the province. Can you illustrate that?—I was quoting the case just now of a road, a case in which two Commissioners both came up to Government, and they were overruled by the Public Works Department. I can quote also another case in regard to education, in which the Commissioner was obliged to apply to Government separately in the Civil Department, because he did not know whether he was being addressed by the Under-Secretary for Education or by the Director of Public Instruction. Cases of this nature create a very uneasy feeling in the province.

42282. Why do you think it is too late to make a change?—I should like to see the change made myself, only I doubt whether Government would do it.

42283. Is there any use in a Royal Commission sitting on decentralization if you cannot make changes?—No, obviously; of course, if the Commissioners take the point up, the change will be made.

42284. You think the reform must come from without and not from within?—This one undoubtedly, I think.

42285. It was suggested to us in the North-West Frontier Province that you did not obtain proportionate relief by breaking up districts; that the reports all still went on: the two districts each had just as many reports to submit and detail to work up as the original one district, and that as a matter of fact it was a rather ineffective remedy, and that a better remedy was a personal assistant and an improvement in establishment within the district. What have you to say to that?—At present in the two districts that I am thinking of it is really impossible for the Deputy Commissioner to control the work on account of the large number of villages.

42286. You think you must sub-divide, in certain cases at any rate?—Yes, particularly in a case where you have a very large city.

42287. You do not believe in carrying it as far as some witnesses have advocated, who wished to get down to a one-man district where the Deputy Commissioner could do everything?—No.

42288. You are in favour of the principle of selection for appointments being more strongly insisted upon?—Yes, certainly.

42289. And along with that you would also give greater power to the Local Governments of removal of officers who are either worn out or unfit?—I do not think you can insist on the principle of selection unless you give that power.

42290. Would it not also lead to a system of proportionate pensions for all Services?—Yes.

42291. As regards the Indian Civil Service itself, do you think that this system of proportionate pensions would affect recruitment?—I think not.

42292. If it did, do you think they could meet the danger sufficiently by any increase of pensions to officers who succeeded?—Yes, I should say that if you increased the pensions of men over 30 years' standing, for instance, that would work well.

42293. That would meet any possible objection?—It would more than meet it, I think.

42294. As to the question of inconvenience arising from the grant of leave, a suggestion made to us has been that every officer should have a leave ledger, and that the whole of what is due to him should be

written up and he should take it just as he pleases, provided that the Local Government are prepared to sanction it and to say "You may go." Do you think that that would be a relaxation or simplification?—I am not quite clear what would happen if the Local Government said he should not go.

42295. He would remain on duty, subject to medical certificate?—They would not compensate him for missing his turn.

42296. They do not do that at present?—Then I do not quite see where the advantage would be.

42297. The advantage it is suggested would be this: at present if an officer goes on privilege leave; he has to remain 18 months before he can go on furlough, and he can only take privilege leave up to 3 months. In the scheme suggested, he would have absolute freedom; if he had 8 months' privilege leave to his credit, he could take it, if the Local Government chose to let him go. It would be simply a leave ledger and the whole criteria would be whether he had leave due to him, and whether the Local Government thought the exigencies of the service allowed him to take it?—I should prefer some definite rule such as we have with Settlement Officers; the term of settlement is always 4 or 4½ years, and it is always understood that a Settlement Officer should not go on leave during the term of the settlement.

42298. In such a case Government would refuse leave till the settlement was over. However you have not thought about the suggestion?—No.

42299. (*Sir Frederic Lely.*) If the opinion of Commissioners could be obtained in a combined form, would it not have very great weight, as great a weight as that of the Financial Commissioner?—Certainly.

42300. Do they not stand nearer than any other to the people through their District Officers?—Certainly.

42301. A conference would secure uniformity on all important matters?—It would secure uniformity probably at the loss to Government of the opinions of some of the Commissioners that it valued most.

42302. How so?—One always feels in a conference of that nature that there is rather a tendency to sink opinions in order to secure uniformity. With our present system, by getting the written opinions of the Commissioners, at all events, one does learn what a Commissioner feels on any given subject.

42303. You think there is a danger that a Commissioner who feels at all strongly on a point would suppress his opinion merely for the sake of harmony?—He might waive it.

42304. Is your only other objection that the Commissioners, like the Sanitary Board, would not take much interest in matters brought before the conference?—I think so.

42305. I understand that you consider that the Commissioner has not sufficient power in police matters?—That is my view.

42306. You say: "The position of the Inspector-General of Police is that which seems to secure most efficiently the requisite degree of accessibility and despatch together with the minimum chance of departmental bias." What security at all is there against departmental bias in the treatment of an ordinary police officer?—What I meant to say is this: everything from the Inspector-General of Police comes through the Civil Secretariat; he may talk about various matters with the Lieutenant-Governor, but all references come through the Civil Secretariat.

42307. He is himself the Under-Secretary so it comes through himself?—It goes to the Lieutenant-Governor through the Secretary, and very important matters go through the Chief Secretary in addition.

42308. You think that is sufficient?—It at all events has the security that the Lieutenant-Governor has before him the views of the Civil Secretariat as based on the previous records.

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42309. In the actual administration can you suggest any possible further links between the Commissioner and the police administration?—At present the Commissioner merely sees the special police reports and the annual reports; he has no power of insisting on the punishment of a sub-inspector at all.

42310. Would you desire to give him some formal power of that kind?—Yes.

42311. In what way—how would he know whether a sub-inspector had been properly punished or not?—It would be referred to him by the Deputy Commissioner.

42312. Would you give him power to act in certain matters on the report of the Deputy Commissioner?—Yes. At present the provision is that the District Magistrate has the right to demand of the Superintendent of Police that he should take into consideration the conduct of a sub-inspector, and if the Superintendent does not punish him the District Magistrate has the right to refer it to the Deputy Inspector-General of Police. The Commissioner does come in there, but he is not a link in the proceedings at all.

42313. Would you go so far as to allow the Deputy Commissioner and the Commissioner to be made the appellate authorities in all or any cases?—No.

42314. You would not give them appellate power of any kind?—I do not think you would get the best work out of the Deputy Inspector-General of Police if you did that; you would take away his sense of responsibility.

42315. Does not the Inspector-General send a confidential report on the qualifications and character of his Superintendents and Assistant Superintendents and Deputy Superintendents every year?—Yes.

42316. Would you see any objection to that report going through the Commissioner for his remarks?—No, none at all.

42317. Would it be rather a good thing?—Yes, certainly.

42318. But you cannot suggest any further link, apart from the scheme of conference for discussion on all important points?—No, except that the Commissioner should always have power of inspection where he thought it was necessary.

42319. Has he not that at present?—It is a very limited power at present under the police rules.

42320. Has the Commissioner enough power in police matters in your opinion to give him any interest in them?—No, not at present.

42321. Suppose a conference of Commissioners was instituted, would you see any objection to selected Indians being invited to join it?—No, it would be an advantage if the body were purely consultative.

42322. Do you think that it would be a very great advantage to get Indians to join in a conference of that kind, where they might see the spirit in which Englishmen do their work and how they consider public matters?—As long as it was a purely consultative body, I think it would be difficult to put them into an executive conference.

42323. I am speaking of a conference which by the nature of the proposition has no executive power?—I agree, we are proposing to invite them to attend the meetings of the Sanitary Board in order to see how we deal with sanitary matters.

42324. There is a great deal said about political education; would it not have a more educative effect to get them to sit along with officers in their deliberations upon public matters, rather than to turn them loose among themselves and let them simply talk to each other?—I should think so, certainly.

(*The witness withdrew.*)

The Hon. Mr. J. Wilson was called and examined.

42325. (*Sir Frederic Lely.*) You are Financial Commissioner of the Punjab?—Yes.

The gazetted staff under the control of the Financial Commissioner includes all the Commissioners of divisions, Settlement Commissioner, Deputy Commissioners, and Settlement Officers and their staffs, also the Commissioner of Excise and the Directors of Land Records and Agriculture. As Chief Revenue authority the Financial Commissioner controls, under the orders of the Local Government, the general revenue administration of the province, including all matters connected with the assessment and collection of the land revenue, the maintenance of the record-of-rights, and the relations between landlord and tenant. He also controls

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the administration of the Departments of Agriculture, Excise, Stamps, Income-tax, &c., and is consulted on large questions of irrigation and forest administration.

The financial powers of provincial Governments should be considerably extended, more especially in the direction of allowing them the power to sanction deviations from the general rules of the Civil Service Regulations and Civil Account Code, which at present require the sanction of the Government of India or the Secretary of State—for instance, in the matter of local allowances, *honoraria*, and small relaxations of the pension rules. They should also be given power to sanction appointments not more than Rs. 500 per mensem, and increases of establishment not exceeding Rs. 50,000 a year.

No more complete separation of imperial and provincial finances is required, but I would give the provincial Government the same financial powers as regards shared heads of expenditure as they have regarding purely provincial heads. The interests of the Imperial Government are not likely to suffer.

I would not give Local Governments separate borrowing powers, but I wish the Imperial Government would borrow more freely for productive expenditure, and would not be frightened by apparently high rates of interest. It will pay to borrow at even four per cent. when the net return on the expenditure is sure to be five or ten per cent.

There are many restrictions imposed by the Civil Service Regulations and the Civil Account Code which greatly tie the hands of Local Governments. My attention was drawn to several absurd restrictions of a petty nature by having to take up to His Excellency the Viceroy cases in which Local Governments were overruled in petty matters, involving small expenditure, in which some so-called financial principle was supposed to be at stake. I would go through these two Codes, and add to numerous sections of them the note—"The Local Government may, at its discretion, sanction a departure from this rule."

As Secretary to the Government of India in the Department of Revenue and Agriculture I was successful in getting the financial powers of Heads of Departments under that department considerably enhanced. A similar effort should be made as regards other Heads of Imperial Departments, but it requires careful study by a strong and determined committee, with time to go into details and energy to overcome the reluctance of the Secretariat to part with its powers, and especially of the Finance Department to trust other people with the spending of the taxpayers' money. I gratefully acknowledge that the Finance Department has been much more liberal in such matters of late years, but in a number of cases they would not go so far as the Department of Revenue and Agriculture was willing to go, and perhaps even that department did not go far enough. It is better to risk a certain amount of unprofitable expenditure than to tie the hands of Heads of Departments and keep highly paid Secretaries busied with questions of petty detail.

Generally speaking, provincial Governments have sufficient latitude in the application to local conditions of general lines of policy laid down by the Government of India, if only they would understand that when the Government of India makes suggestions they are meant as suggestions, and not orders. There seems to be too great a tendency to treat advice as if it were an order. According to my experience in the Revenue and Agricultural Department, we have rarely actually overruled a Local Government on an important question of policy, though we often reluctantly had to on some petty matter of accounts. It is true that we often gave them advice, but we did not insist on its being followed unless the Local Government itself approved of it. My view is that the Government of India, with its experienced Members and Secretaries and Heads of Departments, and its opportunities for studying the systems in force in the different provinces and their results, is in a position to place at the disposal of the provinces the general experience of all India and its own advice, which is often most valuable; and that it should freely communicate that advice to Local Governments, but should not insist on its views being carried out against the opinion of the Local Government unless in matters of real importance. To emphasize this position, the Government of India might well issue a resolution explaining that when it makes suggestions to a Local Government for its consideration they are only intended as expert advice, which the Local Government may accept or not as it thinks fit. And that even when definite orders are issued, a Local Government is at liberty to ask for their modification if, after considering the views expressed by the Government of India, it thinks these orders are unsuited to the circumstances of the province. There are many matters in which the Government of India should not interfere by order, but in which it would be a real loss to the administration if the Local Government did not receive the benefit of the experienced advice of the Government of India and its experts.

There are many matters in which restrictions as to details imposed upon Local Governments by law, or by rules having the force of law, might be relaxed with advantage. I would go through all the Acts, and wherever the sanction of the Government of India is required, consider whether the Act should not be amended so as to eliminate that clause, as was done in the case of the Takkavi Acts. I would also pass a general Act of delegation, allowing the Government of India to dispense with the need for its sanction as regards different matters in particular provinces. (All are not equally fit to be trusted with powers.) It may be objected that this would make Local Governments more powerful, and place individuals and classes more completely at their mercy. To my mind this is an advantage, and most Local Governments are quite fit to be entrusted with larger powers in many matters that they may insist on the public good as against the interests of selfish individuals.

The influence of the Departments of the Government of India is naturally in the direction of excessive rigidity and uniformity. This is partly due to the financial rules which should be relaxed as above suggested. If Local Governments were clearly told that the advice given them by the Government of India itself and by its expert Heads of Departments was merely advice, they would be able to resist any undue tendency to uniformity.

It is naturally the tendency of each Department to consider matters from its own departmental point of view. The cure is to allow Local Governments to accept or reject the advice offered them, and to ask for a reconsideration of orders of which they do not approve, which practically means an appeal to the Viceroy personally. I do not think the Government of India is so much dominated by considerations of revenue as it is by the supposed sanctity of financial Codes, which should be treated as merely a body of general rules from which Local Governments are free to depart when they think fit for special reasons.

Directors and Inspectors-General under the Government of India, in dealing with departments which are primarily administered by Local Governments, should be strictly confined to giving advice, and that it should be clearly understood that they have no powers to issue orders to any provincial officer, and that the Government of India, though it will freely place their experienced advice at the disposal of Local Governments, and perhaps add its own, will not insist on that advice being followed unless the Local Government approves of it and willingly adopts it. On this understanding the advice of these experts should be most valuable to Local Governments and most of them would be glad to have it.

The initiative in administrative reforms in recent years has been mainly due to Lord Curzon's reforming energy backed by keen and able Members of the Government of India. Although they have caused much labour and met with some opposition, they have resulted, and will result, in great good to the people of India, and especially to the agricultural masses I would allow provincial Governments to develop their administration on their own lines, adopting or not, at their discretion, suggestions of reform brought to their notice from other provinces, but I think the Government of India should not cease to press such suggestions on them with all the weight of its wider experience, not ordering them to adopt reforms, but persuading them, by argument and advice, of their utility.

I would curtail the right of appeal to the Government of India. Petty cases often come up which involve the expenditure on them, both by the Local Government and by the Government of India, of far more time than they are worth. In almost every case the appellant should have been content to accept the orders of his Local Government, and no real injustice

would be done if no appeal were admitted by the Government of India without a certificate from the authority below that reasonable grounds of appeal exist. Especially is this the case as regards the rules relating to appeals and memorials by officers of Government, which are much too lenient and tend to relax the standard of discipline in the Government Service. It is absurd that a petty official should be able to appeal, even against an order of dismissal, passed by such a high and impartial authority as his Local Government. I would allow no appeal against the order of a Local Government or the Head of an Imperial Department by any officer who was appointed by or under the orders of the Local Government or Head I would allow one appeal to the Government of India by an officer who was appointed by that Government or by the Secretary of State, but would allow no appeal to the Secretary of State even by an officer appointed in England unless the Government of India certified that there were reasonable grounds of appeal. If these were the rules, no faithful servant of the State would feel at all more insecure in his appointment; if unfaithful servants felt less secure, so much the better. At present it is far too difficult for India to get rid of her bad bargains. And if a candidate for service is not prepared to trust his fate in the hands of the Local Government or Government of India, let him seek employment elsewhere.

Lord Curzon's enquiry into the system of reporting led to a substantial reduction in the burden which so oppresses all Executive Officers in India and hampers their power for good, but it did not go far enough, and the demand for returns and information is again increasing. Sometimes it is the Secretary of State who too indulgently calls for information to satisfy some inquisitive Member of Parliament, without thinking how much trouble the demand will involve to a Local Government and its officers, whose whole energies and attention may be required to combat famine or plague. I would ask the Secretary of State to issue general instructions to the Government of India to the effect that when he calls for any particular information the Government of India may, if they think its collection will involve incommensurate trouble, ask him to reconsider the matter and do without the information or obtain it from the archives of his own office. I would also ask him to empower the Government of India to appoint a strong committee to consider specially all the returns now demanded either by the Secretary of State or the Government of India and ruthlessly cut out any column, the filling up of which requires incommensurate labour, perhaps to thousands of clerks and patwaris and hundreds of overworked officials throughout India. Local Governments should also be encouraged to protest against new demands for statistics or information made by any department of the Government of India, and such protests should be placed before the Viceroy for orders. In no other way is it possible to check the insatiable demand of Secretariats and Heads of Departments for more and more statistics. They should be content to make use of such statistics as the Local Governments find sufficient for their needs.

In the Punjab extended powers regarding matters relating to revenue have recently been given to the Financial Commissioner, Commissioners of divisions, and Deputy Commissioners, and matters are now generally on a fairly satisfactory footing. But I am in sympathy with many of the suggestions recently submitted by the Punjab Government, and a good deal more might be done with advantage in the same direction. We shall no doubt go on asking for and obtaining sanction in cases as they come to notice, but a strong effort should be made to settle the question once for all The Lieutenant-Governor should appoint a small committee of experienced officers in whom he trusts, placing them on special duty for the time, with instructions to make definite proposals for the further delegation of powers to all classes of officers. These proposals should not be criticized in the Secretariat, but should be accepted or rejected by the Lieutenant-Governor on his own personal knowledge or faith in the committee, and any of them which require the sanction of the Government of India should be accepted or rejected after examination only by the Secretary and Member of the Department concerned. The Government of India should approach the subject with the feeling that a considerable delegation of powers is desirable, and as regards details, if a Local Government is willing to trust its officers, it should be permitted to do so. If each proposal is noted upon and objected to by a succession of clerks, Under-Secretaries and Deputy Secretaries the net result is very small for all the labour involved, and there would be no danger in the more summary procedure advocated, as the delegation would be made on the advice of experienced officers with a full sense of responsibility. The same remarks apply to the case of extended powers regarding matters of general administration.

The recent Act went much too far in centralizing the powers of Courts of Wards in the hands of the Financial Commissioner, and the powers, both of Commissioners and Deputy Commissioners, should be considerably enhanced by delegation.

Commissioners and Collectors should have much greater power to control expenditure in their divisions and districts. Each of them should be given a considerable allotment to be spent in accordance with rules, the Commissioner's or Collector's order for the expenditure being accepted as sufficient authority by the Audit Department, so long as it was not contrary to the rules. Each Commissioner and Collector should also be given a sum to be expended on such objects as he thinks beneficial to his charge, subject merely to a report to his immediate superior every year as to what he has done with the money, but entirely exempt from any professional audit. Many of the powers, now vested in Local Governments by the Civil Service Regulations or other financial rules, might safely be entrusted to Heads of Departments, Commissioners of divisions and Deputy Commissioners.

I would allow no appeal to the Local Government in respect of administrative action unless accompanied by a certificate from the authority appealed against that reasonable grounds of appeal exist. I would allow every officer of Government one appeal, but I would instruct the appellate authority not to interfere with the original order unless it appeared that substantial injustice had been done, especially in the case of petty officials, who should ordinarily be content to abide by the decision of their immediate superior. I would allow no second appeal to the Local Government unless in the case of an officer who was appointed to his post by the Local Government itself. I would deal similarly with appeals to Heads of Departments and Commissioners. If the officer passing the order had the power to appoint the erring official, I would allow an appeal only when a certificate was given that there were reasonable grounds for appeal.

The influence of the Provincial Government is not in the Punjab seriously in the direction of excessive rigidity or uniformity, but by increasing the powers of Commissioners I would provide for greater elasticity.

The tendency of all Secretariats must be to regard matters from a purely departmental standpoint, but this tendency has not of late been allowed to go much too far in the Punjab, chiefly because the Secretaries have been men with long district and settlement experience, and have not got out of touch with practical work in the districts. Secretariats cannot, however, help dealing with matters strictly according to rule and precedent, which tends to rigidity and uniformity. The cure is to remove as many matters as possible from their interference by ample delegation of powers to officers on the spot. The Punjab Government has not been too impersonal or too much dominated by considerations of revenue, as it has been presided over by Lieutenant-Governors of great experience of real work in the districts and of broad sympathies with the agricultural masses.

The Commissioner should be consulted more fully than he is in matters appertaining to all departments. His position should be greatly strengthened by delegating to him a considerable share of the powers now retained by Government and the Financial Commissioner, and by requiring his assent to all important measures concerning his division proposed by other departments.

Executive Officers are too much tied down to their desks and to headquarters by excessive work, including report-writing. I would reduce report-writing by making reports shorter and requiring them at less frequent intervals, and by accepting a less high standard of report in all but important matters. An ordinary routine report might well be written by an

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Assistant Commissioner or head clerk, and the Deputy Commissioner might confine himself to cutting out what was inaccurate or superfluous, and adding a few remarks of his own. Each Deputy-Commissioner should be given a better paid and better qualified head clerk, able to draft a good letter and fit to be trusted to sign for the Deputy Commissioner routine dockets and returns. He should also have an experienced Assistant to whom he can safely hand over portions of his duties, only keeping a general control over him. This Assistant should have a special allowance in consideration of his special responsibility. In heavy districts he should be a senior Assistant Commissioner, and in light districts a selected member of the Provincial Service. His main duty would be not to share the work of the ordinary staff, but to perform as much as possible of the routine duties of the Deputy Commissioner, and so leave the latter more time to tour, to mix with the people and to devote thought and attention to really important matters.

In my opinion Executive Officers generally do not possess sufficient knowledge of the local dialects and often experience a difficulty in understanding and making themselves understood by the illiterate villagers. And this is one of the chief reasons for misunderstandings and want of sympathy. I would require and encourage all officers of all departments to acquire a thorough knowledge, not of literary languages, such as Sanskrit or Persian, but of the local dialects of the villagers, by making the rules for examinations much stricter and the standard of examination in such dialects stiffer, and offering a substantial reward for proficiency in a local dialect.

I do not think any large general increase in the administrative staff is required, but some increase is desirable in order to provide for an experienced Assistant or Extra-Assistant Commissioner being permanently retained in each district to relieve the Deputy Commissioner of routine work. No general reduction in the area of district or other charges is called for, but the Lahore district should be divided into two, and as time goes on, it may be found desirable to reduce the area of one or two other districts or *tahsils*.

Sufficient care is usually exercised in the selection of Commissioners, and these officers are all fitted to be entrusted with enhanced powers. As regards Deputy Commissioners, the difficulty is that they are of very different degrees of experience and ability. It is a great mistake to refuse to trust Deputy Commissioners generally with enhanced powers because a few of them may not be fit to exercise them. I would therefore divide Deputy Commissioners as regards powers into two classes. An officer on first appointment would exercise second class powers which would only be a little higher that those at present exercised by all Deputy Commissioners. When the Lieutenant-Governor was satisfied that an individual Deputy Commissioner was qualified to exercise the higher powers, financial and administrative, of the first class, which would be more like those now exercised by Commissioners, he would invest him with first class powers, which he would thereupon exercise for the rest of his service as Deputy Commissioner. Even so, I think the Local Government should be more ready than it usually is to revert an officer who has proved himself unfit to hold the very responsible position of Deputy Commissioner, and should have the power, subject to the sanction of the Government of India, to compulsorily retire on reduced pension a Civilian who has not come up to the average standard of the service. It does immense harm to the administration and is very unfair to the people to keep on an incompetent officer and have to provide him with posts suitable to his seniority. Such a power would be rarely exercised, but its existence would do much to stir up the lazy and incompetent without in any way lessening the security of the main body of good officers.

Transfers of officers are far too frequent, and these constant changes are one of the greatest evils of our present system, as it is impossible for officer and people to get to know and understand each other, so that administration becomes mechanical and all the advantages of personal rule and sympathy are lost. They are caused by the frequency of vacancies due to leave, and by the expectation of officers that their personal claims will be considered in making appointments. In posting officers more regard should be had to the claims of districts than of the officers themselves. To each district a particular officer should be told off and he should be expected to stay in it for at least three years, if possible for five. He should be told that he will not be transferred merely because a temporary vacancy has occurred elsewhere which would give him slightly higher pay, or because some other district has fallen vacant which he would like to have. If it becomes necessary to transfer him temporarily, his post should be filled up temporarily by an Assistant or Extra-Assistant Commissioner on the spot, and the permanent incumbent brought back as soon as possible to his own district. In filling up temporary vacancies it should not be thought necessary to bring from a distance a slightly better or senior man, either because he is considered better qualified to fulfil the duties, or because it will give him a slight rise of pay. That means a chain of transfers, each destroying continuity of administration and of knowledge. For a temporary vacancy an inferior man with local knowledge is better than an Admirable Crichton with none. So far as possible, no man should be transferred from his particular district until a permanent post in another district is available for him. He should never be transferred merely because he is thought to have had a pleasant station long enough, in order to give some other officer a turn of a good climate. That is all very well for the officers, but bad for the people. In order to reduce the uncertainty of leave vacancies, I would draw up a roster in which each officer would be allotted his due share of leave. If he took his leave at the time fixed in the roster as most convenient for Government, Government should pay his passage home and back, together with those of his wife and children. If he asked for leave at any other time more convenient to himself but less convenient to Government, he should pay for his own passage, and would run the risk of having his leave refused.

It would be a good thing to have experimentally in some divisions and districts an Advisory Council, with no administrative powers. It should consist of a small body of carefully selected individuals, nominated by the Commissioner, to hold office for five years at a time, but to be eligible for renomination. They should be selected as men of intelligence and local influence, representatives of the different classes and especially of the landowning class. They would be consulted as a matter of course on all proposals for legislative or administrative changes of importance, and would be assembled once a year to meet the Commissioner or Deputy Commissioner, who would explain to them the policy of Government, give them any information they desired, and discuss informally with them any matters of general interest. Such a body, so long as it had no powers, would be of use to the administration, and its existence would help to keep officials and people in closer touch with each other.

I think that no administrative powers could be entrusted to all village communities generally, but that there are many communities which could and ought to be so trusted, and that their number will increase as time goes on. There is a strong feeling in some of the most advanced villages that the more intelligent members should have greater power than they have to enforce measures for the common good on the recalcitrant few. The old village community has greatly decayed, because each individual villager now finds that with the help of the Courts he can defy the wishes even of a large majority of his fellow-villagers, and that we have provided no legal substitute for the old sanction of village opinion, the authority of which we have destroyed. I would pass an Act empowering the Commissioner to establish in any village, in which the people generally show a desire to have it, a village panchayat consisting of the headmen and such other residents as the Deputy Commissioner may nominate after consulting the villagers generally, but without taking votes. I would invest this panchayat with power to manage the common property and common expenses of the village and to impose a small cess for village purposes on all persons owning or occupying land or residing in the village. They should have power to enforce sanitation, and might in time be given power to decide petty criminal and civil cases. Appeals from their orders should lie only to an experienced official, and no one under the rank of naib-tahsildar should be employed to report on their working or on any dispute that may arise.

42326. Your districts in the Punjab are on the average small?—Yes, as compared with other provinces of India.

42327. The sub-divisional system scarcely exists here?—We have about half a dozen sub-divisions only, in about six districts, I think; I forget the exact number.

42328. In other districts the revenue work and the chief touring work is done under the Deputy Commissioner by the Revenue Assistant?—That is so.

42329. Is he often the only Covenanted Civilian in the district?—He is not usually a Covenanted Civilian at all; the Revenue Assistant is almost always an Indian; it is only exceptionally that an Assistant Commissioner is appointed Revenue Assistant.

42330. He belongs to the Provincial Service?—The Revenue Assistant ordinarily does.

42331. I understand that ordinarily in these districts where there are no sub-divisions, the Deputy Commissioner is the only man belonging to the Civil Service who tours among the people; is that so?—In some of the small districts it is so, but in most of the larger districts we have staff enough to appoint an Assistant Commissioner, who belongs to the Covenanted Service, as an Assistant to the Deputy Commissioner, in which case he also tours a good deal. Most of the touring is done either by the Provincial Service men or by the Deputy Commissioner himself in the smaller districts.

42332. When there is an Assistant Collector who also can tour, what are his functions? Are they territorial or is it simply general subjects?—Unless he is in charge of a sub-division, he is supposed to do things generally as he goes along, especially to devote himself to revenue matters and to look into matters like the administration of schools and hospitals, and roads and sanitation, and the general administration of the district; then if there is any particular question the Deputy Commissioner wants to have enquired into on the spot he tells him to make enquiries.

42333. Then generally his outlook is the same as the Collector's, only in a subordinate capacity?—That is so.

42334. What is your own opinion about the territorial system which we find in some other parts of India, where an Assistant Collector or an Extra Assistant Collector has a portion of the district allotted to him as a sort of miniature Collectorate in which he is responsible generally for all the agencies of Government?—I am strongly in favour of extending that system. We have added recently to the number of sub-divisions in the Punjab, and I should like to see more. First, it brings the officer with authority and position more closely into contact with the people; then it relieves the Deputy Commissioner of a considerable portion of his work; and thirdly it is a most excellent training for a young Assistant Collector for the duties of Collector.

42335. You rather advocate a return to the old system of the Court of Wards, but why was the old system abandoned?—I believe it was practically forced on the Punjab Government of the day by the Government of India. In the old days the Deputy Commissioner was the Court of Wards, subject only to control from above. When there was a question of improving the Court of Wards Act and bringing it up to date, the Government of India, owing to experience in some other provinces, practically insisted that in the Punjab we should centralize by making the Financial Commissioner the Court of Wards, and allowing him to delegate the powers that he thought necessary to Commissioners and Deputy Commissioners.

42336. Then the statement that the system in the Punjab had broken down in consequence of incomplete supervision over the Deputy Commissioner is not founded on facts?—No, it had not broken down at all; we had only two or three short sections in the Punjab Act under which we were working, and we found that as the needs of the province had grown we required a more elaborate Act, that is all. May I correct a statement that Mr. Hailey made. We have power under the Court of Wards Act to delegate any powers we choose; with the consent of the Local Government, the Financial Commissioner can delegate any of his powers to the Commissioner or Deputy Commissioner.

42337. Does he do that really?—Powers have been delegated to a certain extent; and I have just recently drawn up a list of the powers which I propose should be delegated to Commissioners and Deputy Commissioners, and I have asked the Commissioners to make further suggestion if they wish to do so. I expect the result of that will be that powers will be very considerably delegated.

42338. Do you agree that one of the chief difficulties at the present day is to make the people generally understand the intentions and wishes of Government?—I have found it so to a very large extent; they very often do not understand what we are doing, and, misunderstanding, are easily misled.

42339. And that leads to trouble?—Yes.

42340. Do you think it would be worth while for Government to issue a simple village Gazette containing notices of appointments and other interesting Government news, and important Government Resolutions, paraphrased into simple vernacular?—I certainly think it would be a good thing in selected districts, and especially as regards selected villages. There are many villages in the Punjab where hardly any of the people can read or write, and in such cases a Gazette such as you mention would be useless; on the other hand, there are many villages where such a publication would be very eagerly examined and discussed. I should like to see it tried.

42341. Are there villages in the Punjab in which even the ordinary vernacular paper is not read?—There are very many villages to which no paper ever goes at all.

42342. About feeder railways; do you think that projects of that kind are facilitated as much as is desirable in this province?—I should like the Local Government to have more power to raise money in some way, to extend feeder railways which are likely to be profitable, or if not profitable, at all events advantageous in different ways in developing the country.

42343. Are there proposals which are hung up either by the Local Government or by the Government of India which might be of great service to the public?—I believe there are. There is a programme which is discussed once a year by the Lieutenant-Governor with the Heads of Departments interested, and there are a number of schemes which have been approved, but they cannot be carried out for want of funds.

42344. Are there not also cases that have been taken up by promoters who are ready to provide the money if reasonable terms were offered to them?—There is a difference of opinion very often about reasonable terms; they generally want more than Government is willing to give in the matter of guarantees, and so on.

42345. Do you think the Local Government should have more power to deal with cases like that than it has?—I am not prepared to go as far as that in the Punjab; the chief difficulty is to get the money.

42346. You would not give the Government power to facilitate the raising of money by guaranteeing or sanctioning a guarantee of any sort?—Yes, I would.

42347. You think the Local Government ought to have more power?—I think it should, under the control of the Government of India as regards getting the money. I do not mean that the Local Government should have power to borrow money apart from the Government of India, or to give a guarantee which was not backed by the Government of India, but that the Government of India should leave it a freer hand in giving such a guarantee, and provide the money, where necessary, more readily.

42348. Would you draw the distinction between lines which cannot by any probability become portions of a main line, and lines which may become portions of a main line?—Certainly; I should be much more ready to allow a private company to construct a line which was not likely to be part of a main line.

42349. You would give the Local Government more power in such cases?—Yes, I should be prepared to do so.

42350. You speak in more than one place of the advisability of forming a strong committee to consider one subject or another. Would you advocate the appointment of a committee, or rather of an

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expert, to overhaul what I may call the minor practice of the audit office and to prune down superfluities?—I should very much like to see that done. The audit of accounts is very burdensome to the Accountant-General and his staff and to every officer who has to deal with accounts, and I think it is carried into far too great detail.

42351. Would you say that the system has grown up gradually, insensibly, for many years?—Yes.

42352. And it needs pruning?—Undoubtedly.

42353. I remember as Collector I had to sign a single paper three times; is that still a necessity?—I think it is in many cases. There are far too many signatures which must be given by the Collector himself; it is very often a great burden.

42354. I remember a case of the purchase of stamps; the Head of a Department has to buy service stamps; he gets Rs. 200 or Rs. 300 worth at a time and he has to pay for them in cash from his permanent advance; he gets that recouped from the treasury. Why should that not be done by a mere debit and credit entry?—I should think it might well be done.

42355. Is it not likely that an enormous amount of cash is unproductively spent in various provinces in matters of that kind?—I suppose there must be; I know there are very many formalities which are very burdensome and which I think might well be dispensed with without any risk of embezzlement or irregularities.

42356. (*Sir Steyning Edgerley.*) Do you think it would be worth while to bring out somebody who is acquainted with the other systems to take part in this overhauling of the audit?—I think we have quite enough experts in India itself.

42357. All trained in one school?—True; I should be prepared to trust the Indian expert who knows the country.

42358. You open your evidence by saying that you agree in the main with Sir Denzil Ibbetson and Sir Thomas Gordon Walker. Do you agree with the evidence with regard to the effect of specialization and centralization as summed up in that paragraph of the evidence of Sir Gordon Walker which I read to the last witness?—I think that is putting it rather too strongly. There has been great specialization, and it is the tendency of all special departments to try to get authority, influence, and power. Some of them have been more successful than others in obtaining that power, but on the whole I do not think the departments of the Government of India (I believe that was what Sir Gordon Walker was referring to) have on the whole gained any very strong share of authority as regards matters which are administered by the Local Governments. Those that I have had to do with, especially in the Revenue and Agriculture Department, as a rule confine themselves to advice, and it is well understood that they have no power to issue orders.

42359. You say you think that this committee which is suggested should endeavour to get the Finance Department to trust other people with the spending of the tax-payer's money; it has been suggested that the attitude of the Government of India towards a Local Government in matters of that sort is rather that of a father to a boy of 14 years old; would you think that there is anything in a parallel of that sort?—I think the attitude of the Government of India and the Secretary of State, in fact the whole tendency of the Civil Account Code and the Civil Service Regulations, is not to trust anybody below, but to make them get sanction in all kinds of things which they might well be trusted to decide themselves, and although, perhaps, Local Governments and officers below Local Governments might in some cases make mistakes and be too liberal, the total amount that would be lost to Government in that way would be very small, and the amount of centralization and unnecessary discussion and correspondence would be vastly reduced.

42360. As to this delegation Act, did you hear Mr. Hailey's evidence?—I heard most of it.

42361. A suggestion has been made that an Act of that sort, not necessarily to be used in every case, but to have it for use on suitable occasions, would be very advantageous if properly safeguarded, and if utilized for delegations as between the Government of India and Local Governments, and as between the Local Government and its own Heads of Departments. How far are you inclined to agree with that view?—I am strongly in favour of it. I would like to suggest that this might be done; I think there ought to be a general Act drawn up giving the Government of India power, in all cases in which under existing Acts the orders of a Local Government require its sanction, to delegate those powers by executive order to the Local Government in every case where it thinks proper so to do, and at the time it thinks proper so to do. But a list might be added to the Act of powers which the Government of India shall not have power to delegate; a certain number of exceptions might be put in a schedule to the Act; it might be said, "This Act does not apply to the powers mentioned in the schedule," and before those powers could be delegated to the Local Government, a separate Act of the Legislature would be necessary. One reason for having an Act of that sort is that Local Governments are by no means equally well equipped or well developed, and it would often be a mistake to delegate the same powers to all Local Governments at the same time, and it would mean an enormous amount of labour to have a separate special Act for every instance of delegation.

42362. You think that the proper sphere of Directors-General should be giving advice?—Yes, only that. They should have no power to issue any orders to a Local Government or its subordinates.

42363. It has been suggested that the Government of India might use them for getting information necessary for exercising their powers of control and reporting to the Secretary of State, and that that might go the length of the Inspector-General writing to the provincial Head of a Department and getting a report direct from him. What do you think of a suggestion of that sort?—It would require to be very carefully safeguarded, otherwise it would mean a great deal of paper work for the Local Department, and also it would mean by degrees, perhaps, the Inspector-General interfering too much in the details of local administration. As a general rule, I should say he should not call for information from the Local Director unless with the consent of the Local Government, but he should be quite free to tour about in the province and find out things for himself, and consult the local Director.

42364. Under any possible safeguards would it be proper to entirely leave out the Local Government in that way?—Yes, if the Local Government had itself consented to being thus safeguarded.

42365. Then they would not have been left out?

42366. You are in favour of some system by which Local Governments might be able to get rid of men who are either worn out or have proved incompetent?—Yes, I think we certainly want greater power in that matter.

42367. Even to the extent of giving proportionate pensions?—Yes.

42368. You say that if each proposal for delegation is noted on in the Secretariat, you think it is quite possible that the nett result may be very small. I suppose you might even be told that your proposal affects other Local Governments than your own, and that nobody else has asked for it, and that the Government of India will not take it up unless other Local Governments also ask for it?—That is quite possible.

42369. Would that be possible in the Revenue and Agricultural Department?—Yes.

42370. And in the Finance Department?—Certainly, it often happens so.

42371. You also are in favour of strengthening the Commissioner?—Yes, I think he should have much more power and authority and influence than he has now.

42372. Would you give him a much stronger office?—I should give him as personal assistant, either an Assistant Commissioner or an Extra-Assistant Commissioner of experience, who might be trusted to do a great deal of his routine work, checking bills and that sort of thing, and he might do a certain amount of inspection for him.

42373. Do you think that the offices of the Commissioner and Deputy Commissioner are strong enough?—I think they both require to be strengthened

now. The province has developed very much in many ways, and the staffs of neither the Commissioner nor the Deputy Commissioner have kept pace with it.

42374. Do you think the Subordinate Service is sufficiently paid?—They were until lately; but now that prices are going up it is possible that it may be necessary to give them increases of pay.

42375. We have had evidence in the province that the rise of prices has been such that men like patwaris, and so on, cannot possibly live on their pay, and that a belief is abroad that Government tacitly admit the fact and therefore tacitly consent to their acceptance of perquisites and so forth; have you come across any impression of that sort?—I would not put it in that way, but I think the lowest paid grades of all, the patwaris, *chaprasis* and *muharrirs* and so on are now undoubtedly underpaid because of the great rise of prices and wages of late years.

42376. Would you be prepared to make the Commissioner a sort of financial sanctioning authority for outside departments?—In certain cases I should make the Commissioner the sanctioning authority where he is not now, instead of the Head of the Department; in other cases I should require the Commissioner's concurrence; I would leave the responsibility with the Head of the Department, only he must get the concurrence of the Commissioner, and if the Commissioner does not agree with him it must go to the Financial Commissioner or to the Local Government.

42377. You are of opinion that the rules for language examinations in the Punjab require considerable reconsideration?—Not only in the Punjab; I know much more about the Punjab than the rest of India, but, speaking generally, I do not think our officers know the language sufficiently well, especially the local dialects. I think that they should be required to have a fuller and more accurate knowledge of them.

42378. (*Mr. Meyer.*) As regards the intricacies of the audit system, the countersignatures and vouchers, and so forth, those rules are not laid down by the Government of India?—I understand they come from the Civil Account Code and the Civil Service Regulations.

42379. Is it not specially laid down, for instance, in the matter of travelling allowance bills, that the Local Government may declare who the Controlling Officer shall be?—I am not certain how it goes, but there has been a delegation of powers lately which will help to reduce work in that respect.

42380. Are not half these matters things which the Local Government could settle direct with the Accountant-General; they themselves, by approving the orders as to vouchers and countersignatures and so forth, have put the fetters round their District Officers. For instance, who countersigns the Deputy Commissioner's travelling allowance bills here?—The Commissioner.

42381. Would you be surprised to hear that in Madras, as Collector, I was my own Countersigning Officer?—I did not know that that was possible in the Punjab; that is one of the small things we want done, that the Collector's own countersignature should be taken as sufficient for his own travelling allowance bills; I thought that was forbidden by the rules.

42382. There is no rule of the Government of India on the subject. The Local Government is now going through all these points and delegating powers where it can, and sending up to the Government of India where it cannot.

42383. As regards the sub-divisional system where you have it—which is not over very large areas—even there, I understand, the Sub-Divisional Officer cannot issue definite orders himself, but must send them up to the Deputy Commissioner for approval?—That depends very much on the Deputy Commissioner; some Deputy Commissioners give their Sub-Divisional Officers all the powers they can; others like to keep the whole thing in their own hands. It also depends on the Sub-Divisional Officer; if a youngster comes in, of course the Deputy Commissioner keeps a larger control over him; if he is a senior officer in whom he has some confidence, he will give him more freedom.

42384. So that the Sub-Divisional Officer only has what the Deputy Commissioner chooses to give him?—That is so, he is entirely under the Control of the Deputy Commissioner.

42385. If you have a real sub-divisional system you must surely give the Sub-Divisional Officer some standing apart from the wishes of the Deputy Commissioner for the time being?—He has certain powers under the Criminal Procedure Code, and he is also the Assistant Collector and the Sub-Divisional Magistrate for his sub-division. The Deputy Commissioner, of course, has the power to withdraw cases from him or to send particular cases to him, but he has an assured position unless the Deputy Commissioner chooses to issue special executive orders.

42386. To take a higher analogy, would you, for instance, think it would be satisfactory if the Government of India could, and did, at any time withdraw all powers from any Local Government which happened to be on bad terms with it, or whom it distrusted?—I think it would not. I certainly think, however, that a Deputy Commissioner, if he finds a youngster sent to take charge of a sub-division has not had much experience, or if he does not know what sort of man he will turn out, might very properly, and in fact ought to, keep more control over him than over a more experienced man.

42387. You spoke of the Criminal Procedure Code; can any Sub-Divisional Officer hear appeals?—I am not certain about that; the Sub-Divisional Officer usually is empowered to hear criminal appeals from third class Magistrates, I think.

42388. Might it not be a good thing if you were to send an officer to some province, perhaps more advanced in matters of decentralization, where the Sub-Divisional Officer is largely the District Officer, and the Collector or Deputy Commissioner is more of a controlling or supervising authority?—You mean to send somebody to learn how things should be done?

42389. Yes?—I think it would be.

42390. Would you be in favour of giving Commissioners budgets of their own; take Public Works, for instance?—Yes, I should.

42391. And budgets relating to other matters in their division, forests and so on?—Yes; I should like to hand over to the Commissioner as large a portion as possible of the available money, and allow him to spend it freely within his division.

42392. Do you appoint tahsildars now?—Yes.

42393. Would you be prepared to place them in divisional lists, with Commissioners appointing the tahsildars?—We have recently given the Commissioners power to appoint, dismiss, and control naib-tahsildars; until recently they had not that power. Now the arrangement is that the Local Government looks after the Extra Assistant Commissioners, and the Financial Commissioner looks after the tahsildars, and the Commissioners look after the naib-tahsildars. That is, I think, the best division of control as regards those officers.

42394. You think the tahsildars should be in your own charge; does that not lead to their being shifted a good deal from division to division?—No; we place them under the orders of the Commissioner who can transfer them within his division, and a tahsildar is rarely transferred from one division to another unless for very special reasons, and then with the Financial Commissioner's sanction.

42395. We were told that although the Commissioner had theoretically the posting of Assistant Commissioners and Extra-Assistant Commissioners within his division, it was not as a matter of fact done, the Secretariat posting them to particular districts. Would you be in favour of posting a man to a division and letting a Commissioner post him in that division?—That was tried some years ago; the difficulty was that we were so short of staff. It was found that a man who had been placed at the disposal of one Commissioner had to be withdrawn and sent to another division; if we had sufficient staff it would be better to leave to the Commissioner the matter of posting.

42396. Then, it has been suggested to us that the function of investing with ordinary magisterial powers—and in such matters as taking down evidence in English, or committing to Sessions, and so on—might be given to the Commissioner, subject to the concurrence of the Divisional Judge?—That would be quite safe as regards the smaller powers.

42397. You would not go as far as first-class powers?—No.

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42398. It has also been suggested that, in so far as outside control is necessary for District Boards and municipalities, it might be exercised entirely by the Commissioner, except perhaps in big cities, and except of course in such a fundamental matter as the creation or abolition of a municipality; would you accede to that principle?—Yes; for all but the very largest municipalities.

42399. Take Lahore for example; that you might put under the Government?—I think so.

42400. But the ordinary municipality with a population of less than (say) 50,000 might be left entirely to the control of the Commissioner?—I think so.

42401. It has also been suggested that Commissioners might have some powers under the Land Acquisition Act within certain limits—taking up land for public purposes and so forth; would you agree with that?—Yes.

42402. When the Commissioner's powers have been increased in those ways, where would the Financial Commissioner come in?—Most of those matters are matters with which at present the Financial Commissioner is not concerned—I mean about municipalities and Public Works and things of that sort, in the different districts; the Financial Commissioner's powers would remain much as they are now.

42403. Would you give the Commissioners considerable power, subject to budget allotment, in making temporary appointments for their own offices?—Yes; we have already given them some powers in the matter of office work.

42404. Would you go further, and give them the power to create permanent appointments up to a limit, say, of Rs. 25?—No, I hardly think that would be safe.

42405. We have been told by one witness that the Director of Land Records might be done away with; do you agree with that?—Yes; provided that each Commissioner is given an experienced personal assistant to help him to inspect the revenue records in the different districts.

42406. Take the Commissioner of Revenue Settlement; in the United Provinces they do not have such a Commissioner unless there are a lot of settlements on at one time; do you think a separate Settlement Commissioner is necessary here?—For many years we have arranged in the Punjab that there shall be a continuous number of settlements going on; there are about five or six districts always under settlement, and there always will be. We tried for some time to do without a Settlement Commissioner, and found it was quite impossible for the ordinary Divisional Commissioner to perform efficiently the duties of a Settlement Commissioner.

42407. If it were possible to decentralize and give to the Commissioner a good deal of the work now done by the Financial Commissioner, might not the Financial Commissioner double up his own post with that of Settlement Commissioner?—You would have to go very far indeed in relieving the Financial Commissioner of his present work. He is the only man of that standing for the province, and has certainly as much work as he can do; and, if he were the only supervising authority for settlements, that very important work would not be properly supervised.

42408. Is it the fact here, as in some other provinces, that the Settlement Officer sends up his report straight to the Commissioner, and ignores the Deputy Commissioner?—He usually consults the Deputy Commissioner, but he is not required to do so.

42409. Surely the Deputy Commissioner ought to have his say in such an important matter affecting his district as a re-settlement?—The Settlement Officer is very often a man of nearly equal experience with the Deputy Commissioner, and he usually knows the district very much better than the Deputy Commissioner does, from the revenue point of view; he has seen much more of it; he has more experience of settlement work and assessment work; and he is not always, but often, more competent to give an opinion on what should be the assessment of the district than the Deputy Commissioner at the time will be.

42410. What is the harm in the report going through the Deputy Commissioner? If he agreed with the Settlement Officer, that would strengthen the case; if he disagreed, it might be worth while to consider his views?—Yes, there would be no harm, except the delay.

42411. Take the Court of Awards case you have mentioned. Are you aware that the decision of the Government of India that the Financial Commissioner should be the Court of Wards was come to on the advice of two eminent Punjab officers, Sir Denzil Ibbetson and Sir Charles Rivaz?—I was not aware that it came from them. I do not want to object to it. I think it is better as it is, if we delegate powers as we can under the Act.

42412. All the Government of India said was that the Financial Commissioner had better be the Court of Wards; there was nothing to prevent the full delegation of local powers to Deputy Commissioners, and so forth; but, as I understand, as soon as the Financial Commissioner had been constituted the Court of Wards, he proceeded to extend his power and to seize everything for himself?—He did not extend his power, but the Act conferred all the powers on him, and till he took action by delegation he necessarily had all the powers.

42413. Did he take action by delegation?—Certainly.

42414. Much?—Yes.

42415. You have told us that some further delegation is on the *tapis*; but we have been told by other witnesses that hitherto every little establishment matter has had to go up?—Not everything; there were considerable powers conferred on Commissioners and Deputy Commissioners; I think they can be extended with advantage now.

42416. You do not think that it is, if I may say so, the "cussedness" of the Financial Commissioner rather than the "cussedness" of the Government of India that is responsible for the existing situation in practice?—No, neither the one nor the other. The Act was passed making the Financial Commissioner the Court of Wards, and until action was taken by delegating under that section everything necessarily went to him; it is not very long since the Act was passed; we are by degrees delegating more and more.

42417. Then you had not your delegation schedules ready before the Act came into force?—I do not know about that.

42418. In other matters it has been put to us that, between the departments and the Financial Commissioner, the Commissioner in the Punjab has not nearly as much power as in other provinces. Would you accept that—that the Financial Commissioner is a centralizer, and that he is taking powers from the Commissioners?—No; I think the tendency has been to decentralize even before this recent enquiry.

42419. Would you be in favour of making the Financial Commissioner at the same time Secretary for revenue matters to the Local Government, as has been proposed in the case of the Central Provinces?—I have thought of that at times; I have thought that it might be of advantage, for instance, when the Financial Commissioner writes a review on an assessment report that it should go straight from him to the Lieutenant-Governor, without being criticized by the Secretary. On the whole, I think it is better that things should remain as they are; that the Lieutenant-Governor should not only have the advantage of the Financial Commissioner's opinion, but of that of his Secretary.

42420. With the result, at present, that the Secretary, who is a junior and less experienced officer, has the last word before the matter goes to the Lieutenant-Governor?—Yes; but I should think that the Lieutenant-Governor remembers that the Financial Commissioner is the senior and more responsible man.

42421. Do you know the system which Sir Andrew Fraser has introduced into Bengal; it is practically to make the Revenue Board's office and the Government office one office for the purpose of noting; the superior officers' noting begins with the Board's Secretary, then the case goes to the Revenue Secretary to Government; then to the Board member. If they agree, that settles matters in a variety of cases; if they do not agree, or in important matters, the case goes to the Lieutenant-Governor, with the result that the Board's member (that would be the Financial Commissioner in this

province) has noted last, and has been able to reply to any argument raised by the Revenue Secretary. Would you think that there is anything in that system as bringing you more into touch with the Lieutenant-Governor?—In the Punjab I think the practice has been that the Lieutenant-Governor in important matters when he differs from the Financial Commissioner contrives to talk to him about the case before he passes final orders; that is I think usually sufficient. The other system might perhaps be tried; I do not think there is any great necessity for it in the Punjab; the present system seems to work well enough.

42422. Looking at the matter from the opposite point of view, would it be desirable that the Financial Commissioner, instead of going to Simla with the Lieutenant-Governor, should remain in the province in closer touch with the district administration?—No; it would not.

42423. You spoke about the present corruption of patwaris; does not the fluctuating assessment system put large powers in their hands?—Yes.

42424. Is that an advantage?—No; by itself it is a disadvantage.

42425. You are against the fluctuating system?—No; I am very strongly in favour of the system.

42426. You think that, in spite of putting money into the hands of the patwari, it is a good system?—The advantages overweigh the disadvantages in the tracts in which it is in force.

42427. One eminent authority has told us that in his opinion the focus of control with regard to all departments should commence not with the Local Government, or even with the Commissioner, but should begin with the Deputy Commissioner—that the Deputy Commissioner should really represent Government in his district, having a certain general control over outside departments. Do you agree with that?—Yes; the Deputy Commissioner should have much more power than he has now.

42428. Are you satisfied now with the present relations with the Public Works; do you want more specific control there?—You mean the Roads and Buildings Branch?

42429. I mean Irrigation mainly?—As regards Irrigation, I am strongly of opinion that the assessment of canal rates should be left to the revenue authorities, the Deputy Commissioner and his staff; the distribution of the water should be entirely made under the responsibility of the Irrigation Officers, but they should consult the Deputy Commissioner before making any serious changes.

42430. You mean in the matter of distributaries?—Yes; altering the distribution of water within the villages.

42431. We have got that divided system in Madras. The Collector is responsible for assessments, and the Public Works Department is responsible for the distribution of water, and in Madras that has given rise to a certain amount of friction.—With the Canal Officers that I have known there would not be much danger of friction; if they did anything wrong they would very soon hear of it from the people if they had no good reason for their action.

42432. But if you divorce them from the work of assessment, would they not tend to become pure "water" people, who would open and close the channels just according to their scientific notions?—As I say, they ought to consult the Deputy Commissioner before making any change in the distribution.

42433. You speak of the reluctance of the Finance Department to trust other people with the spending of the tax-payers' money; as a rule, no Government has full control over the spending of tax-payers' money. In England and most of our colonies, and in most European States, there is Parliamentary control?—There is, and the control here ought to be maintained, but each grade of officer ought to have certain powers; the spending depends on the rules as to who is to have the spending and sanctioning power. It is a question of degree; it is a question of how far the Government could go in giving sanctioning power. I think at present it is much too centralized, and it might well be entrusted to lower officials than it is by the present rules.

42434. But, speaking generally, I suppose you would admit the necessity for some outside control such as in England is exercised by the House of Commons?—Certainly, on broad questions.

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42435. We have had a certain amount of evidence about the grievances of the Local Governments, that their schemes are blocked and have to be modified, and that sometimes they have to wait until some other province comes up to support them. Is that a tithe, do you think, of what they would suffer if they were responsible to a Parliament?—Probably not.

42436. In fact it might happen that they would occasionally be ejected from office altogether?—Quite possibly, but we might improve the present state of things, although we are better off than some people are.

42437. Do you not think that a Local Government here in India has really very large powers in spite of its having to go up (possibly unnecessarily) in many cases to an outside authority?—Quite so, its powers are very large, but they might safely be enlarged still further.

42438. (*Mr. Hichens.*) Are you a member of the Legislative Council of the Punjab?—Yes.

42439. Has that body no power at all with regard to budget matters?—It has no power at all.

42440. Does it in practice exercise any influence on Government as regards budget matters?—No, none at all; the budget is not brought before them.

42441. They do not discuss it at all?—Not in this province.

42442. I understand, broadly speaking, you are content with the present financial relations with the Government of India, but you say you would give the provincial Government the same financial powers with regard to divided heads; apart from that, do you think the general position is satisfactory?—There is a suggestion I should like to put forward. We find that there is a very great difference in the amount of money available from year to year for expenditure; in a good year every thing goes right, but in a bad year, like the present, we cut down all round, and that means a sudden rush of expenditure and then a sudden retrenchment; it would be very much more satisfactory and economical if we could attain something like an even amount of spending power in good and bad years alike, and one means of attaining that might be by encouraging Local Governments to build up a much larger reserve in good years, the Government of India giving them 3½ per cent. interest on their balances. I understand if a Local Government saves a crore of rupees it saves the Government of India 3½ per cent. on that amount for the time being, then why should not the Local Government be credited with that, and why, in a bad year, should not the Local Government be allowed to overdraw and make repayment in a good year, so that there would be a more equable standard of expenditure in good and bad years? More especially is it important in a year of drought and want of employment that the Government should not cut down its ordinary expenditure. In a year like this we ought to be spending more than in a good year in the way of giving employment to the people, and it would be more economical and more satisfactory in every way.

42443. It appears to you somewhat inequitable that a thrifty and frugal Government which manages to put by a large balance against a rainy day should get nothing for it?—I think it is.

42444. And it would be fairer all round if interest was given on the balances, whatever they were?—I think so.

42445. In what respect have the provincial Governments not the same powers with regard to shared heads of expenditure?—I understand they have not the same powers to sanction expenditure under shared heads as they have under provincial heads.

42446. Would you be perfectly satisfied in regard to your financial relations with the Government of India if you had the same powers in that respect?—Yes.

42447. Apart from the question of financial control, you are of opinion that the Government of India exercises too great a control in matters of detail whether financial or otherwise?—It is very often the case that they are compelled to do so by the codes and rules and Acts, and I daresay they might be very glad to be relieved of the duty.

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42448. I understand you would like to substitute the "control" of the Government of India for the "sanction" of the Government of India?—I should in very many cases.

42449. Do you think it would work if, as a general principle, it were laid down that the acts of the provincial Governments were to be subject to the control of the Government of India rather than subject to the previous sanction of the Government of India?—That would be an advantage. Might I explain, from my experience of the Government of India, that there are three degrees of control exercised by them over the Local Governments. In the first place, there is a form of control which is hardly used at all. We send up copies of the proceedings of the Local Governments, and the Secretaries and Under-Secretaries are supposed to look over them and see if there is anything to which attention should be called, but it is very seldom indeed that any interference with the Local Government takes place in consequence of this scrutiny. Then the second degree is where a Local Government is required to submit, for the information of the Government of India, its orders on some particular point, the sanction of the Government of India not being required. The department of the Government of India is supposed to go through it carefully and see that the orders of the Local Government are in accordance with the principles laid down, but they are not required to approve of everything that is done. Then there is the third form of control when a thing comes up for the sanction of the Government of India; the Government of India are supposed to make themselves responsible for what is done by the Local Government, and it has to be gone into very carefully, and the Government of India may require the Local Government to reconsider it. If an Act which at present requires the sanction of the Government of India before a notification is issued is turned into "subject to the control of the Government of India," then the Government of India will probably require any such notification to be sent up for its information only, and will not interfere unless it sees something very wrong.

42450. Even if it does, it will not probably interfere with each individual detail, but will be content with calling attention to general principles and insisting that they should be carried out?—Quite so.

42451. Some people think, if you give Local Governments power to carry out the principles laid down that they may make them of no effect by their detailed action, and that that would be an insuperable objection to giving them the responsibility; do you think that is an insuperable objection?—No; because the Government of India would still watch the action of the Local Government, and be prepared to interfere if it found the principle was being infringed.

42452. To take a specific example, some people hold the view, I gather, that in regard to local self-government the spirit of Lord Ripon's policy has been broken from start to finish by the Punjab Government; whether that were actually so or not, would it necessarily follow, even if it had been so broken, that the principle of leaving the policy to be carried out by the provincial Government was wrong?—The Government of India were in a position to see what the Punjab Government was doing, and if they thought the Punjab Government were not carrying out what was intended, they could pull them up and insist on their carrying out the principles laid down.

42453. It would be open to the Government of India, if they thought the principles were not being carried out, to say wherein they thought the Government of the Punjab might amend its policy?—Yes.

42454. That is one alternative; is another that they should have sent up each individual item in connection with that policy for the previous sanction of the Government of India; would that be practicable?—It was done at the time.

42455. Did it break down?—No. In a great many details the Punjab Government got the approval of the Government of India before it issued its orders under that Act to carry out the policy.

42456. Do you mean that the detailed Acts which the Punjab Government did, such as the retention of the 20 per cent. to District Board Funds, was done after consultation with the Government of India?—Certainly.

42457. I understand you are in favour of a Commissioner's budget?—Yes.

42458. What is the particular advantage to be reaped from that?—At present the Local Government, with the consent of the Government of India, have delegated powers to Commissioners to make temporary appointments, but a Commissioner has no money at his disposal if he wants to create a temporary appointment.

42459. It is one thing to give Commissioners a certain sum in order that they may entertain a temporary establishment, or provide for certain contingencies of a specified nature, but it is quite another thing to give them a budget including Public Works and education, and it was that kind of budget I understand you were in favour of?—I have not thought out the details, but instead of the Commissioner having to go to Government or the Financial Commissioner for any money he wants, he should be given as large a sum as can be made available under certain heads with power to transfer from one head to another subject to ordinary rules within his division. We have arranged now that Commissioners shall be given a sum of money to spend upon small repairs to revenue buildings, &c., where formerly he had to go to the Financial Commissioner, and we propose to give him a certain amount every year, to be at his disposal for petty repairs.

42460. Are you prepared to go as far as to say that he should have a specified sum allotted to him to spend on minor Public Works which have not been foreseen at the time the budget was prepared?—Yes: and even those which have been foreseen if they are of a petty nature.

42461. Are you prepared to go any further?—I would mention a suggestion which the Punjab Government put forward that they should be given a considerable sum to be spent, apart altogether from rules and audit, on rewards and entertainments for instance.

42462. You would not make up the provincial budget by divisions, making each Commissioner responsible for the total allocation in his division?—Not for everything.

42463. In regard to Public Works, ought the Commissioner to be able to control the Superintending Engineers and Executive Engineers of a district?—No; he ought not to be able to control them; my suggestion is, in the case of any large Public Work affecting his division the Superintending Engineer should be required to get the Commissioner's countersignature, and if the Commissioner did not agree with him it should be referred to a higher authority; the initial responsibility for the work would rest with the Public Works Department.

42464. Would you agree that unless you give a man, such as a Superintending Engineer, a substantial amount of responsibility you will not be able to get good men?—Quite so; he ought to have the responsibility in the matter.

42465. In the same way, supposing an Executive Engineer and Deputy Commissioner disagreed about a certain point, the matter might go to the Commissioner for settlement in conjunction with the Superintending Engineer, and if they agreed, the matter might be settled then and there?—Yes.

42466. So that you would not give them the power of overruling the Public Works Department?—No; the power of requiring it to be referred to a higher authority is as far as I should be prepared to go.

42467. In practice, if that were done, is it likely that there would be very much friction?—Very little I should think.

42468. Given two reasonable men should there be none at all?—Very little indeed I should think.

42469. I suppose full attention would be paid to anything the Commissioner might say?—Yes; but the present system is that he is not responsible, and therefore he is more or less ignored, or not consulted.

42470. Some people say that a Commissioner knows a great deal more about requirements as to roads and irrigation works than experts of the Government do; would you endorse that view?—It depends on the individual man and how long he has been in a particular district. I think the Deputy Commissioner and Commissioner look at things from a broader point of view than the departmental officer does; the Superintending Engineer would take a different point of view

owing to his position in a department and his greater interest in one particular subject, and the Deputy Commissioner and Commissioner having a very much broader sphere of interest are likely to take a broader view of the advantages and disadvantages of a particular project than any departmental officer would.

42471. Have you ever in actual practice had to discuss whether road A or road B should be metalled first?—Yes.

42472. In that case is it open to the Public Works Department to make the first recommendation?—It is usually discussed demi-officially first.

42473. Suppose the Executive Engineer says that the traffic is so and so over road A, and over road B it is so much less, and he is in favour of road A, does he give his reasons?—Yes.

42474. And, I suppose, he is likely, from the nature of the work and the people under him, to have a very shrewd idea as to what is best?—Yes: his opinion is very valuable.

42475. So that one could not make a broad statement to the effect that a Deputy Commissioner is more likely to know which road is wanted than an Executive Engineer?—No; both points of view should be represented.

42476. (*Mr. Dutt.*) You have told us that in your opinion the Government of India should not insist on its views being carried out against the opinion of the Local Government unless in matters of real importance, but is that not exactly what is done now, and does not the Government of India leave matters to Local Government, and only interfere in matters of importance?—It is usually so, but I have known cases where the Government of India insisted on its views being carried out in matters of no real importance.

42477. In the same way you say that you would allow provincial Governments to develop their administration on their own lines, adopting or not, at their discretion, suggestions of reform brought to their notice from other provinces; I suppose in really important matters you would allow the Government of India to interfere, but in all other matters you would allow the provincial Government to act on their own discretion?—That is my position.

42478. With regard to the general act of delegation, you have said that when the Government of India delegates its powers by a general Act, a list should be appended of the powers which *should not* be delegated?—That is my suggestion.

42479. Would it not be more satisfactory to the people at large if a list were appended showing the powers which *were* delegated. If the public knew exactly from a list appended to the Act the powers which were delegated, would it not be more satisfactory, specially to laymen?—Yes, I think it would, but it would mean more trouble.

42480. Of course the Government would have to take more trouble in giving the information to the people, but you would not have any objection to it?—No.

42481. With regard to appeals you have said that every officer of Government ought to have one appeal?—Yes, I should like to modify that if I may. I think there are two principles with regard to appeals, one is that an officer should have a single appeal; another is that both at the top and at the bottom the authority which has power to appoint a man should have power to dismiss him, and although, as a general rule, I would lay down that every servant dismissed should have an appeal to one officer above the officer dismissing him, it should not apply to an officer appointed and dismissed by the Local Government, and it should not also apply to petty subordinates who should have no appeal from the order of the Deputy Commissioner.

42482. So that in a case of an officer appointed by the Local Government you would allow him no appeal from an order of dismissal passed by the Local Government?—I would not.

42483. And the result would be that a highly paid Extra Assistant Commissioner would not have the right which all humbler officers possess?—That is to say, he would have no right to go beyond the Local Government, because I think the Local Government ought to be trusted to do what is right and just, and it would not dismiss a high official like that without extremely careful inquiry and consultation. The enquiry which would be made by a Local Government would be quite sufficient to make all honest and respectable servants, however high they may be, who have been appointed by the Local Government feel secure in their positions.

42484. In the Punjab, and in Bengal and several other provinces the Local Government means one man?—Yes.

42485. Although the advice of officers is taken, the final order is passed on the authority of one man who may or may not agree with his advisers, and it is possible to conceive that one man may blunder?—Yes.

42486. In that case would you not allow a man to appeal from the blunder?—I would not allow him a right of appeal; if a man is given a right of appeal, I think it is the duty of the Government of India to go thoroughly into the question.

42487. You are aware that the right of appeal is very much cherished, and probably too much cherished, in this country, and that any restriction would be unpopular?—It would be with certain classes no doubt.

42488. Do you not think, if there is a strong popular feeling, the Government should respect it even at the cost of some administrative inconvenience?—There again it is a question of degree. I think the authority of the Local Government and the security it gives is so great that I would disregard the unpopularity and give the Local Government more power.

42489. Do you think the Government of India is always likely to help dishonest subordinates by reinstating them when the Local Government has dismissed them?—It has happened in cases I know.

42490. At any rate your opinion is that you would brush aside the public feeling on this matter if it exists?—Yes; I think the great majority of the Provincial Service men would not feel strongly affected by the change.

42491. What is the liability of District Boards with regard to famine relief measures; is it a liability imposed by the Act, or by rules framed under the Act?—I am afraid I cannot answer that question, as I have no recent knowledge of the subject.

42492. Probably the whole income of a Board might be spent, and it would not be sufficient for famine relief operations; to what extent are they bound to spend money, and who decides what proportion is to be spent?—It is the whole.

42493. Surely they would not close their schools and dispensaries if they had any?—I mean the whole available surplus.

42494. Who makes the list of *darbaris* in this province?—The Lieutenant-Governor.

42495. Who makes the lists of the *kursi nashins*?—The Commissioner.

42496. *Kursi nashin* means a man who sits on a chair?—Yes. It is considered an honour to be given a chair to sit on instead of having to stand.

42497. But does that mean that any other gentleman who comes to see the Deputy Commissioner is not allowed a chair, if he is not on the list?—It is a question of a matter of favour, not of right.

42498. Is this rule peculiar to the Punjab?—I should have thought it prevailed to a certain extent in the United Provinces.

42499. Because in Bengal any man of position who calls to see the Collector is allowed a chair as a matter of course, and no one enquires whether he is a *kursi nashin* or not?—In the Punjab district the distinction is carefully kept up, and it is considered an honour to have a right to a chair, and it is much cherished.

42500. But, as a matter of practice, when other people go to see the Deputy Commissioner, are enquiries made as to whether they have a right to sit on a chair, or are chairs provided, as a matter of course, if they are men of position?—Very often if you offer a man a chair he will say: "Thank you, I am not entitled to it; I will sit on the ground."

42501. Do you not think the operation of that rule creates unpopularity?—Of course everybody would like to have a chair.

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42502. If a man of position and ability came to see an official would it not be a want of courtesy not to offer him a chair?—I think not, because it is an understood rule. I think many people in the province would prefer to have the rule done away with, but the majority of them understand it and appreciate it.

42503. Do you think the rule should be insisted upon?—Yes.

42504. And it does not take away from the popularity of the European officer, or the administration?—It does with some people.

42505. You have suggested an Advisory Council as an experiment in some divisions and districts, and you would have them meet once a year. Do you not think they ought to meet more often?—I should begin with once a year, and see if there was work for them.

42506. And if there was work to do, and they could give valuable advice, would you have them meet more frequently?—Yes.

42507. Supposing the members wanted to bring some matter to the notice of the Deputy Commissioner or the Commissioner, would you allow them to do so?—Yes; unless the Commissioner thought it was inadvisable to discuss it openly. I would allow the members of the Council to bring matters to his notice for debate, after giving previous notice.

42508. And you would not, for the present, think they were fit for any administrative duties or for enquiring into and reporting upon local matters?—I would give them no power at all except as an advisory consultative body.

42509. And if that succeeded you think it might lead to good results?—I think it would be useful in order to enable the Commissioner to sound the feelings of the people and communicate to the people the views of Government.

42510. (*Sir Frederic Lely.*) I should like to state a case, and ask you if it is a fair one to draw an inference from. Supposing a Government institution wanted to buy, say, for instance, for a jail, five maunds of grain; the Superintendent supplies the abstract contingent bill, and after that gives a detailed contingent bill, and a receipt from the vendor is attached; then it is sent up to the Inspector-General of Jails, who is 300 or 400 miles away; he countersigns it and on his countersignature the central audit office passes it—is that correct?—Yes.

42511. Of what value is the Inspector-General's signature, and of what value is the central audit acceptance under such circumstances?—The countersignature of the Inspector-General, even though he may not himself go through the bill carefully, ought to show that it has been thoroughly checked in his office, and that everything is in accordance with the rules.

42512. But any comparison with the actual facts is absolutely out of the question?—Yes; that is so.

42513. It is merely a test of arithmetical accuracy and budget accuracy?—Yes, and compliance with the rules.

42514. Would not Government money be saved by an occasional scrutiny on the spot, instead of having all this signing and countersigning?—Yes; we have extended in the Punjab the system of local audit which I believe to be a very great improvement.

42515. The Collector is the only man who has at his command an officer able to make an expert scrutiny, both from an administrative and a financial point of view. Supposing the Collector suggested that his Treasury Officer, for instance, should pay a surprise visit and make an examination as to how things were going on, would it be rejected with contempt?—No; we do have local inspections. Of course the Collector and Commissioner check the sub-treasury accounts.

42516. I am speaking of the jail or any other outside department; do they not consider themselves absolutely aloof from the Collector, as much so as if they were in German territory?—The Deputy Commissioner has to inspect the jail once a week, and I suppose if the Inspector-General wrote and said, "I think there is something wrong with the accounts of the jail," he would look into it.

42517. But a Collector has absolutely no power to take notice of any suspected frauds in another department?—No; I suppose he has not; that is left to the Controlling Officer of that department.

42518. Although it may be suspected in a district that systematic frauds are being carried on?—If the Collector come to hear of it and believed it, he would call the attention of the responsible officer to it.

42519. He would absolutely have no power to initiate any scrutiny himself?—I should think not.

(*The witness withdrew.*)

Adjourned.

APPENDICES.

I.—Memorandum showing the organization of the Local Administration in Baluchistan, filed by Mr. A. Williams, Financial Commissioner.

II.—Suggestions of the Honourable the Agent to the Governor-General and Chief Commissioner in Baluchistan on the subject of decentralization.

III.—Suggestions of the Local Administration in the North-West Frontier Province on the subject of decentralization.

IV.—Brief summary of the organization of Government in the Punjab, filed by the Hon. Mr. Maclagan, Chief Secretary.

V.—Letter No. 1072½ Revenue—General, dated the 26th November 1907, from the Chief Secretary to the Government of the Punjab containing the views of the Local Government on the subject of decentralization.

VI.—Letter No. 695, Financial, dated the 19th March 1908, from the Chief Secretary to the Government of the Punjab containing certain detailed proposals of the Local Government on the subject of decentralization.

BALUCHISTAN.

APPENDIX I.

Summary of the organization of Government in Baluchistan.

The province of Baluchistan, with an area of 132,315 square miles, comprises (1) British Baluchistan, (2) the Agency territories, and (3) the Native States and the Tribal area. British Baluchistan includes the *tahsils* of Sharig, Sibi, Duki Pishin with Shorarud and the Chaman sub-division. The Agency territories include the Quetta and Nasirabad *tahsils* and the Bolan Pass, all of which have been leased from the Khan of Kalat, with certain portions of the railway line, the Zhob Agency and the Loralai Agency, excluding the Duki *tahsil*. To these may be added Nushki, Chagai and the Western Sinjerani country which are treated as Agency territories for administrative purposes.

The Head of the Administration in the Agent to the Governor-General and Chief Commissioner. He exercises judicial powers under the Frontier Crimes Regulation and also the powers of a High Court with regard to references under * Chapter XXVII of the Code of Criminal Procedure. In financial and other matters he is, so far as provincial funds are concerned, vested with powers of a Local Government. He is, moreover, Inspector-General of Police. His Secretariat staff consists of three (in practice ordinarily two) Assistants belonging to the Political Department, and a native Assistant of the rank of an Extra-Assistant Commissioner. The other members of his staff are the Secretary in the Public Works Department, who is the Officer Commanding Royal Engineers, Quetta Division, and the Agency Surgeon, who is also the Administrative Medical Officer.

Besides controlling the civil works, which are mostly carried out by the Military Works Services as contribution works, the Secretary in the Public Works Department also superintends the mining operations, and the irrigation works which are directly in charge of an Irrigation Officer.

The Agency Surgeon and Administrative Medical Officer is the Head of the provincial Medical Department. There is a Civil Surgeon of the Indian Medical Department at Quetta, while military Medical Officers perform the duties of Civil Surgeons at garrison stations elsewhere.

As Inspector-General of Police, the Agent to the Governor-General has under him a Superintendent of Police for the Quetta-Pishin and Sibi districts; the police force elsewhere is relatively small, and is divided according to districts under the charge of an Assistant or Deputy Superintendent.

The Settlement Department is directly managed by an Extra-Assistant Commissioner, a settlement tahsildar and two settlement naib-tahsildars.

The Civil Surgeon, Quetta, is *ex-officio* Superintendent of the jail. At other jails and subsidiary jails the Extra-Assistant Commissioners and tahsildars generally perform the duties of Superintendents.

The Veterinary Department is under a Superintendent who holds the combined charge of Sind, Baluchistan and Rajputana.

The Political Agency or district is the unit of administration. Each district is divided into *tahsils* of which one or more constitute a sub-division. There are six such units, *i.e.*, the districts or agencies, as the case may be, of Quetta-Pishin, Sibi, Loralai, Kalat, Zhob and Chagai. Each district or agency is under a Political Agent who is also Deputy Commissioner for such portions of it as form part of British India. He is the Collector, District and Sessions Judge and the administrative Head of his charge. He is also Registrar of Births, Deaths and Marriages and for the purpose of the Registration Act, and the Controlling Officer of the local funds in his district; in Quetta he is the *ex-officio* Chairman of the municipality. Assistant Political Agents and Extra-Assistant Commissioners or native Assistants are in charge of sub-divisions, supervise the collection of revenue, exercise civil and criminal powers, and are generally the administrators of local funds under the Political Agents. Each *tahsil* is in charge of a tahsildar who has a naib-tahsildar (occasionally two naib-tahsildars) under him. There are also *sub-tahsils* in charge of naib-tahsildars. These officials are primarily responsible for the collection of the revenue and also exercise judicial powers. A *tahsil* or *sub-tahsil* is divided into patwari's circles. The patwari is charged with the maintenance of settlement, crop and other records, supervises the maintenance of sources of irrigation, and the collection and punctual payment of the revenue demand.

In Quetta there is a Cantonment Magistrate with an Assistant Cantonment Magistrate; a Staff Officer performs the same duties in Loralai. There are Munsifs at Quetta and Sibi.

District Officers are *ex-officio* Registrars of Births, Deaths and Marriages within their respective charges. Besides these there are five Ministers of religion who are also Registrars of Births, Deaths and Marriages throughout the province in respect of the communities to which they respectively minister. The number of Christian population (European and native) of all denominations was 4,026, according to the last census.

District Officers are *ex-officio* Registrars. The number of sub-registrars is 19, and of joint sub-registrars three.

There are seven main Excluded Local Funds. Their income is of a municipal nature and is devoted to objects of public utility, such as education, conservancy and local works. The average income and expenditure of these funds for the three years ending with the 31st March 1907 were Rs. 1,22,936 and Rs. 1,13,458 respectively. The accounts are governed by rule issued by the Government of India and are audited by the Comptroller, India Treasuries. The sources of income and purposes of expenditure are laid down. Within the object of the funds the Revenue Commissioner, who exercises the powers of a Local Government, is competent to sanction all expenditure. District Officers are Controlling Officers, and as such are empowered to sanction re-appropriations within the budget allotments. The Administrators of the Funds, generally the Sub-Divisional Officers, can incur charges within the limits of the annual budget sanctioned by the Local Government or as modified by re-appropriations sanctioned by the Controlling Officer.

The Revenue Commissioner is in charge of the general control of forest administration, which is directly managed by an officer of the Provincial Forest Service, deputed from the Punjab, throughout the province except in the Zhob Agency, where the Political Agent looks after forest affairs with the advice of the forest officer noted above. There are 35 reserved tracts, including two plantations comprising an area of 280 square miles. Twenty-two trees of various kinds have been declared as reserved trees outside the reserved areas on Government waste lands. The average yearly revenue and expenditure for the three years ending 30th June 1907 were Rs. 21,791 and Rs. 25,776 respectively.

*Confirmation of sentences of death.

The Education Department is in charge of an Inspector-General appointed jointly for the Frontier Province and Baluchistan under the general control of the Revenue Commissioner. The Inspector-General has a personal assistant whose headquarters are at Quetta. He also performs the functions of a district inspector. Secondary education is represented by one entrance and one Anglo-Vernacular middle school. The number of primary schools was 27 on the 31st March 1907, and the number of scholars 1,544. This number includes two European schools and six female schools. The expenditure for the last official year amounted to Rs. 34,441. The number of *Mullahs* giving religious instruction was 38.

APPENDIX II.

Suggestions of the Honourable the Agent to the Governor-General and Chief Commissioner in Baluchistan on the subject of Decentralization.

I do not think that generally speaking larger financial powers can be given to the Local Government of Baluchistan owing to the important fact that the revenues of the province are quite insufficient for the administration, and have, consequently, to be supplemented largely from imperial revenues. As a matter of fact, the revenues of the province for the last year amounted to only Rs. 13 *lakhs*, while the expenditure came to about Rs. 32½ *lakhs*. In such circumstances, the Local Government fully realise that they cannot fairly ask for any material enlargement in their financial powers, and it would equally be absurd to ask that they should be given borrowing powers.

At the same time there are certain details in the financial relations between the Imperial and Local Governments which might very conveniently be altered, and I attach a list (Statement I.) which indicates in detail the amendments which are considered necessary. It is, perhaps, unnecessary to justify them in detail here, but the greatest importance is attached to the suggestion that the Local Government should be allowed to frame its own budget without having it revised in all its details by the Comptroller, India Treasuries, provided that at the same time precautions are taken to prevent the Local Government from taking an unfair advantage of the liberty thus accorded it. The matter would be less acute if the Comptroller, India Treasuries, observed the provisions of Article 153, Civil Account Code, but I am unable to trace a single instance in which he has ever consulted the Local Government before effecting changes in our budget. To give a single instance of the sort of things complained of in the budget for 1905–06, he reduced our estimate of travelling allowance by Rs. 6,100, professedly basing his estimates on actuals, and meaning, no doubt, the actuals of the previous three years. Within those three years, however, the figure at which travelling allowance expenditure should be pitched had been affected by the institution of settlement operations in Nasirabad, the constitution of Loralai into a separate district, and the creation of two sub-divisions, all of which tended to raise the expenditure on travelling allowance. Of course the money had to be found, and had to be found by more or less inconvenient re-appropriations. In the next year (1906–07) he eliminated from our budget items of absolutely indispensable expenditure to the amount of about Rs. 30,000, and if we had acted in strict accordance with financial rules we should have been compelled to drop the settlement proceedings in Nasirabad when they were only half completed. Less inconvenient, but not perhaps less harassing, are the petty alterations made by the Comptroller, India Treasuries, some instances of which are given below :—

Rs.	20	cut down	out of Rs.	29,390
„	50	do.	„	19,600
„	50	do.	„	2,920
„	40	do.	„	110
„	50	do.	„	70
„	250	do.	„	500
„	200	do.	„	350

The terms of our *quasi*-provincial settlement have recently been altered, and instead of having to meet all increased expenditure from increased revenues, we are now liable to meet one half. Even this, however, is not really satisfactory. The Government of India do not sufficiently realise that the total population in British Baluchistan and the administered territories is less than half a million, and that almost entirely practically made up of the poorer and cultivating classes. There are practically no industries capable of development; our mineral resources are small; and we have no large rivers by means of which irrigation can be extended. Thus, as our prospects of increased revenues are practically *nil*, it is immaterial whether we have to look to them to find the whole or the half of increased expenditure. It should be understood in these circumstances that any new expenditure incurred under the orders of the Government of India and not reasonably in contemplation at the time of the provincial settlement should be met by special assignments. An instance from the past is the case of the Gazetteer, the preparation of which was imposed upon us by the Government of India as a provincial charge. The expenditure came to about Rs. 3 *lakhs*, and until the Government of India came to the rescue it completely disordered our finances.

A few instances of cases in which restrictions as to details imposed upon Local Government by law might be relaxed, and also of restrictions as to details imposed by executive orders, have been included in the annexed statement. The number of them is so small that a general Act of delegation seems unnecessary.

The influence of the departments of the Government of India appears to be distinctly in the direction of excessive rigidity or uniformity, as appears from the following instances :—

(1) The excise revenue of the province (of which the general population are total abstainers) is a trifle over a *lakh* of rupees, of which between 80 and 90 thousand rupees come from Quetta-Pishin and practically the whole of that from the Quetta city and cantonment, the revenue of the rest of the province being 20 thousand rupees. Yet a complex system of excise administration, suitable no doubt to advanced provinces in British India, is being thrust upon this province.

(2) The population of a large portion of Baluchistan are extremely fond of local earth salt obtainable at Mamal in the Nasirabad *tahsil*, and, on the other hand, they object to the Maurypur salt extracted from sea brine as bitter and unwholesome. On the application of the Sind authorities the Government of India have condemned the Mamal salt as unwholesome without any enquiry, and closed the works there, forcing the local population to have recourse to foreign salt.

(3) Similarly without enquiry the Government of India, acting on the principle that a separate Railway Police force is unnecessary in the case of provinces which contain only short lines running in from outside, directed the transfer of the whole or a part of the Baluchistan lines to the jurisdiction of the Bombay Government. This order was subsequently cancelled.

(4) There is in Baluchistan a considerable manufacture of briquettes from coal dust, and a recommendation was made that in order to prevent unthrifty mining a royalty of one anna a ton should be placed upon coal dust. This was negatived by the Government of India as contrary to principle, with the consequence that honest mining in coal is discouraged.

(5) We have addressed the Government of India asking that the Treasury Officer of Quetta

might be empowered under the rules issued under the Stamp Act to affix and impress labels on documents. The request was refused by the Government of India apparently on grounds of uniformity.

I do not think it can be said that the Government of India is too much dominated by considerations of revenue. Indeed, as regards the development of the salt industry and the royalty on coal and the orders about the Treasury Officer, the tendency has been to prevent an enhancement of revenue. It is, however, the case that any enhancement of revenue that might have accrued would have gone to benefit the provincial finances and not imperial.

The proper sphere of work of Directors and Inspectors-General under the Government of India dealing with departments which are primarily administered by Local Governments should, I consider, be one of advice, assistance, encouragement, and when necessary of criticism, in matters relating to those departments. Under no circumstances whatever should they take action of an administrative or executive nature within the limits of the jurisdiction of a Local Government without the concurrence and knowledge of that Local Government. This remark applies equally to Directors and Inspectors-General under the Government of India who, while not actually dealing with departments primarily administered by Local Governments, yet deal with branches of work which fall within the recognized duties of Local Governments. I recently had cause of serious complaint in regard to the manner in which the Director of Criminal Intelligence was taking independent action in this province without my knowledge, and was thereby seriously hampering the work of the police and other Criminal Investigation agencies of the province, for which I alone am responsible.

Generally speaking, administrative reforms affected in recent years have been due to the initiative of the provincial Government, particularly those which have relation to the remodelling of administrative charges and to the appointment of officers in charge of specialised Departments such as Education, Irrigation and Arboriculture. The only reform initiated by the Government of India lately in this province is that effected in regard to police in consequence of the Police Commission. As regards suggestions relating to development of this Administration on its own lines, it is probable that this Administration will generally be found following the lines of administration in force in the Punjab and the North-West Frontier Province as we recruit our Native Officers largely from there, while those Political Officers who are recruited from the Army generally go through a probationary course in one or the other of those provinces.

I do not think that the right of appeal to the Government of India in respect of administrative action should be curtailed, nor that a certificate from the authority passing the order appealed against should be required.

Neither would I curtail the right of appeal to Government now granted to officers of Government against orders affecting them personally.

I am of opinion that the demand for returns and information from this Local Government has increased of recent years. As regards demand for information it is perhaps a little difficult to prove this statistically. But it not infrequently occurs that information is called for from this Local Government in circumstances which a little consideration on the part of the Government of India would have shown them had no relation to this province. Thus in 1905 I was asked to report the procedure actually followed here in dealing with Treasure Trove coins, the Treasure Trove Act not being in force at the time. In 1907 I was consulted as to the improvement of the existing methods of collecting wage statistics, while in fact there is practically no wage-earning population in the province. I am also asked to express an opinion as to the advisability of amending Acts which are not in force in this province.

As regards returns, however, it is I think easy to demonstrate that they have increased. In consequence of the instructions issued by Lord Curzon's Government in 1901, six returns due from the Local Government to the Government of India were abolished, but since then I have been called upon to submit 15 others which are either wholly or in part new. Several of the new returns are due to the institution of the Statistical Bureau and the appointment of the Director-General of Commercial Intelligence, and I shall be surprised if the returns required by this officer do not show considerable tendency to increase as time goes on. It is difficult for a Local Government to say exactly how far the increase is due to the requirements by the Government of India and the Secretary of State respectively.

My proposals relating to the extended powers regarding matters relating to revenue and general administration which might be given to officers subordinate to the Local Government are included in the enclosed Statement II., and as they are mostly matters of detail, I do not propose to refer further to them here. It will be observed that all these proposals require the intervention of the Government of India to give effect to them. I may, however, mention here that, with reference to the coming of this Commission, I have considered the question of delegating further powers to subordinate officers in the province as regards matters which are within the competence of the Local Government to deal with, and the relaxations of previous orders to which I have found it possible to agree, are set forth in a further Statement III. Their issue will not only increase the powers entrusted to subordinate officers but will also obviate the necessity of a very considerable amount of correspondence. As these orders has been issued in consequence of the appointment of this Commission, I have thought it well to include them in this statement as being one result of its appointment.

As regards the control of Collectors over civil works under Civil Officers, up to quite recently they had only control over works costing not more than Rs. 200. I have recently raised this figure to Rs. 500 and do not propose to raise it further, at any rate for the present.

I submit a further Statement IV. indicating in detail the delegation of powers which I recommend should be permitted to the Revenue Commissioner and other subordinate authorities under the Civil Service Regulations and the Civil Account Code. They appear to be mostly matters of detail and do not call for justification here.

I would not curtail the right of appeal to the Local Government now granted in respect of administrative action, nor do I think it desirable to lay down that such appeals should be accompanied by certificates from the authorities passing the order appealed against. Nor would I curtail the right of appeal to the Local Government now granted to officers of Government against orders affecting them personally.

Some Political Agents no doubt are of opinion that there is too much rigidity and uniformity in the administration. The only definite instances, however, which have been brought forward are firstly, in connection with the powers of Civil Officers of districts as regards civil works; and secondly, as to their powers regarding the purchase of furniture. As regards both these instances, relaxations have been either proposed or carried out before these suggestions were received. It may be added that the most strenuous protest comes from a district as regards which it has been necessary to comment on heavy expenditure being incurred at the end of the financial year; and the tendency of officers to resort to somewhat extravagant expenditure at that stage of the year in order to prevent funds lapsing is a well-known form of human frailty.

Generally speaking, District Officers have sufficient opportunities for personal contact with the people, with the exception of the case of Quetta-Pishin, where officers are a good deal detained at headquarters with municipal and judicial work, and it is desirable that, if possible, the Political Agent of Quetta-Pishin, at any rate, should be relieved of his judicial work. District Officers in Baluchistan have, I consider, on the whole, much more personal contact with the people than is the case in most parts of India.

As a rule, Executive Officers possess sufficient knowledge of vernaculars, although Baluchistan is somewhat exceptional in possessing a great variety of languages distributed among an extremely small population. For instance, in Sibi *cum* Nasirabad, the population including the Marri-Bugti and other tribal country only amounts to about 1,32,354 persons, which probably means that there are about 33,000 heads of families. In this area, however, there are seven different languages spoken, *viz.*, Pashtu, Urdu, Baluchi, Brahui, Jatki, Sindi and a little Punjabi.

It would be a great advance on present arrangements if we could always rely upon the sanctioned administrative staff being always given to the province; but as a matter of fact it is scarcely ever the case that all the districts in the province have their proper complement of British Officers, some district or other being practically always deprived of its Assistant Political Agent, while the post of the much-needed third Assistant to the Agent to the Governor-General is nearly always left vacant. It is desirable that steps should be taken by which a full staff should be constantly secured to the districts, and besides the above, it is desirable that additional Assistant Political Agents should be stationed at Pishin, Hindubagh, and Barkhan. Perhaps one of the most striking instances of inconvenience within recent years of the province being left shorthanded is the case when Major Macdonald, Political Agent, Sibi, in 1906–07, had to spend about three months continuously in the Marri-Bugti tribal area under his control, and actually outside his district, without a single British District Officer being present in the district proper.

No general reduction in the area of district charges is necessary as the districts have only recently been rearranged, and although the areas are large the population is, as already indicated, comparatively very small.

The powers which the Revenue Commissioner and Collectors already exercise are sufficiently important to justify great care being taken in their selection. As regards the further powers with which it is proposed to entrust them, they are sufficiently on the lines of those already possessed by them to render it hardly necessary for any further precautions to be observed.

As regards Political Agents and Assistant Political Agents transfers are exceptionally frequent, the most noteworthy instance perhaps being the case of the Political Agent and Assistant Political Agent, Quetta, as regards which there were no less than twenty-seven changes of the Political Agent in the seven years 1901 to 1907, and twenty-six changes in the Assistant Political Agent. In the year 1904–05 there were no less than ten changes in the Political Agent in this district. These appointments are made by the Government of India in the Foreign Department. The present frequency of such changes would be greatly reduced if (1) the full administrative staff of British Officers sanctioned for this province were always supplied by the Government of India, together with the three additional Assistant Political Agents, and if (2) the distribution and posting of this staff within the province were left more entirely in the hands of the Local Government. Occasional changes must occur, but their bad effect on local administration would be minimized by the exercise of that personal knowledge of officers, their work and local requirements, which the Local Government naturally possesses in a greater degree than the Supreme Government.

To effect (1) would necessitate a re-organization of the Political Department, of which the present *cadre* is not strong enough to fill vacancies caused by officers being on leave, special duty and deputation. Such re-organization both on this and other grounds seems called for.

As regards Extra-Assistant Commissioners there have been very few changes. Transfers of tahsildars are more numerous, this being partly due to the fact that owing to the extremes of climate in the province there is a good deal of unhealthiness, and also because most of the officers being natives of the Punjab, leave is more frequently taken in Baluchistan than elsewhere. As regards these latter changes I have no suggestions to offer.

The only local body in Baluchistan is the municipality of Quetta. I do not consider that larger powers could be granted to it or that its present functions can be suitably extended. The question of introducing legislation for smaller areas such as Sibi is now under consideration.

I am not in favour of the creation of Advisory or Administrative Councils to assist Divisional or District Officers. There is already a somewhat elaborate *jirga* system in force in this province, which in the districts, however, is mostly utilised for the disposal of judicial work, although the advice of any members of the *jirgas* and of the Sardars is always at the disposal of the Political Agent. Also twice in the year a provincial *jirga* is held under my supervision, in the winter at Sibi and in summer at Quetta, whose duties are mainly concerned with important judicial cases, but whose advice on other matters is always available for the Local Government, if required, as it not unfrequently is.

There are at present no District Boards in the province and also as already indicated there are no municipalities other than Quetta. It would, I think, be premature to institute District Boards in Baluchistan.

I think it is not desirable or possible to give village communities greater powers in the disposal of local affairs. Their assistance is already invoked to a very large extent by means of the *jirga* system in disposing of civil and criminal cases, and also through the enlistment of levies they assist materially in the policing of the province. As regards sanitary and educational matters, these do not at present excite any interest among the population generally; and as regards revenue, they have hardly developed a sufficient sense of responsibility to be entrusted with the spending of Government money.

It would be a great convenience to Local Administrations if the Government of India could be persuaded to codify the different orders which they from time to time issue by notifications or by Resolutions, and which now have to be sought for through the pages of the Gazette of India, arranging them under the different heads to which they relate. An example of such codification may be found in the Revenue Circulars issued by the Financial Commissioner in the Punjab, and when once expressed in this codified form they could easily be kept up to date by the issue of *corrigenda*, as is done in the case of the Civil Service Regulations and Civil Account Code.

A second suggestion that I would offer is with reference to the practice at present in force by which, whenever any change in establishment is mooted, the existing scale of establishment has to be sent for verification to the Comptroller of Indian Treasuries, a proceeding which usually necessitates considerable delay. This procedure is probably introduced in Baluchistan because it is in force in the regular provinces in each of which there is an Accountant-General located in the same station as the Local Government, and it is consequently an obvious expedient to refer such matters to him. There seems no reason, however, why in Baluchistan the verification of the existing scale should not be made by the authority which has power to sanction the revision under consideration, and which has full information in its office for carrying out this duty.

A. H. McMAHON,
Agent to the Governor-General,
and Chief Commissioner.

Statement I. of certain delegations of powers proposed by the Honourable the Agent to the Governor-General and Chief Commissioner in Baluchistan mainly to the Local Government in financial matters.

Nature of the power.	Rule or authority governing exercise of power.	By whom exercised.	Delegation proposed.	Remarks.
Power to sanction budget of revenue and expenditure partly provincial and partly imperial.	Article 153, Civil Account Code	Government of India ...	Local Government should have the power to sanction such budgets, supplying copies to the Government of India and the Comptroller, India Treasuries, for information, subject to the conditions that the total actual expenditure at the end of the term of the financial settlement should not exceed the standard totals of expenditure, except excess of which the moiety can be met from growing revenues under the terms of our settlement, and that the other terms of the settlement are observed. Any expenditure necessitated by the orders of the Government of India, and not asked for by the Local Government and not contemplated at the time of making our *quasi*-provincial settlement should be borne by the Government of India.	Budget relating to purely imperial revenues and expenditure should be submitted to Government of India as heretofore.
Power to create or abolish a class or grade of officers and to raise or reduce the pay of any class or grade of officers whose salary does not exceed Rs. 250 *per mensem*.	Article 76 (iii), Civil Service Regulations, and Article 283–4 (5), Civil Account Code.	Ditto ...	Local Government might have this power with respect to services which form a provincial charge.	
Power to sanction temporary appointments and deputations for not more than six months if the salary or salary and deputation allowance exceed Rs. 250 a month.	Article 78, Civil Service Regulations, and Article 283–4 (3) (b), Civil Account Code.	Local Government ...	The period might be raised to 12 months.	
Power to give an outsider appointed to officiate in an appointment carrying pay of Rs. 100 or over acting allowance in excess of half the pay.	Article 144, Civil Service Regulations.	Government of India ...	Local Government should have this power.	
Fresh grants of *muafis* at times other than revenue settlement.	Rule 1 (*b*) of the rules received with the Government of India, Foreign Department, letter No. 1072 E.A., dated the 28th May 1902.	Ditto ...	Local Government might have the power to sanction *muafis* up to Rs. 100 in value for life time or for the remaining term of a current settlement.	
Power to sanction continuance of *muafis* in full when the sum exceed Rs. 50.	Exception (ii) (*a*) of rule 2 of ditto.	Ditto ...	Local Government should have power to sanction continuance of *muafis* up to Rs. 100.	
Classification of the expenditure on account of *takavi* loans ...	Terms of the Provincial Settlement.	Ditto ...	At present expenditure on this account is imperial. It is proposed that the provincial loan system should be introduced in this province.	
Power to sanction the grant of special loans to notabilities ...	Articles 119 and 120, Civil Account Code.	Ditto ...	Local Government should have power to sanction such loans within budget provision.	
Power to assess, reduce or remit the rent of a Government building.	Article 1068 (VI), Public Works Department Code, Vol. I.	Ditto ...	Local Government should have this power.	
Power to exercise a general control over the Cantonment Fund	Sections 23, Cantonment Act XIII of 1889, and 18, Cantonment Code, 1899.	Local Government ...	General Officer Commanding should have this power subject to the control of the Quartermaster-General.	
Power to apply section 23 (1) and (2), Cantonment Code, 1899, regarding notice of discharge and resignation to Cantonment servants other than sweepers.	Section 23 (3), Cantonment Code, 1899.	Ditto ...	Ditto ditto.	
Power to sanction annual budget estimates of the Cantonment Fund.	Section 32 (5), Cantonment Code, 1899.	Ditto ...	Ditto ditto.	

Power to control re-appropriations in major heads in certain cases.	Provisos to section 33 (*a*) and (*b*), Cantonment Code, 1899.	Ditto ...	Ditto	ditto.
Power to sanction expenditure not provided for in the sanctioned estimate.	Section 30 (*b*), Cantonment Code, 1899.	Local Government after consultation with the General Officer Commanding.	Ditto	ditto.
Power to sanction the alienation of land other than waste, the property of the State by sale on favourable terms for a public purpose subject to payment of at least half the full market value and whenever such value does not exceed Rs. 1,000.	Resolution of the Government of India in the Department of Agriculture, Revenue and Commerce, No. 1–141–151, dated 6th February 1872.	Local Government ...	The value limit might be raised to Rs. 5,000.	
Power to sanction the alienation of Government land other than waste land, by gift or grant when the value does not exceed Rs. 3,000, for sites for schools, hospitals, etc., to be constructed at the cost of recognized local funds.	Ditto ...	Ditto ...	Ditto	ditto.
Power to sanction the alienation of Government lands other than waste lands, when the value does not exceed Rs. 500, for grants for any other public purpose or to a private individual for services to be performed to the State.	Ditto ...	Ditto ...	Ditto	ditto.
Power to sanction the alienation of Government lands other than waste lands, when the value exceeds Rs. 100, for grants made for services to be performed to the community.	Ditto ...	Ditto ...	Ditto	ditto.
First appointment of an officer as an Extra-Assistant Commissioner in a grade above the lowest.	Government of India, Foreign Department, letter No. 921–G., dated the 6th June 1899.	Agent Governor-General with the concurrence of Government of India.	The concurrence of the Government of India should not be necessary.	
Power to fix and vary the local limits of the jurisdiction of courts lower than that of the Judicial Commissioner.	Section 5 (ii) of the Baluchistan Civil Justice Regulation and Law, 1896.	Chief Commissioner and Agent to the Governor-General with the previous sanction of Governor - General in Council.	Previous sanction should not be necessary.	
Power to establish Courts of Small Causes	Section 5 (i) of the Provincial Small Causes Courts Act IX of 1887.	Local Government with the previous sanction of the Governor-General in Council.	Previous sanction should not be necessary, but the concurrence of the General Officer Commanding should be obtained in case of Cantonment area.	
Power to appoint Additional Judge of a Court of Small Causes	Section 8 (i) of the Provincial Small Causes Courts Act IX of 1887.	Ditto ...	Ditto	ditto.
Power to convene special boards of examinations	Government of India, Foreign Department, letter No. 1458–G., dated the 8th September 1899.	Government of India ...	Local Government should have power to convene whatever special boards it considers necessary.	
The selection and posting of officers on the graded list of Political Department to posts in the province.	Practice	Ditto ...	Local Government should have power of posting and it should also be consulted as far as possible when officers are posted to a province.	
Deforestation of State forests	Section 10 of the Baluchistan Forest Regulation and Law, 1890.	Ditto ...	Local Government should have this power.	

Statement II. of certain delegations proposed by the Honourable the Agent to the Governor-General and Chief Commissioner in Baluchistan to the Revenue and Judicial Commissioner and Political Agents.

Nature of the power.	Rule or authority governing exercise of power.	By whom exercised.	Delegation proposed.	Remarks.
Alienation by sale of lands the property of the State other than waste lands, at full market value where the full market value does not exceed Rs. 10,000.	Resolution No. 1-141-151, dated the 6th February 1872 by the Government of India in the Department of Agriculture, Revenue and Commerce.	The Honourable the Agent to the Governor-General in Baluchistan.	The Revenue Commissioner may be empowered to sanction sale where the full market value does not exceed Rs. 1,000.	
Alienation by gift or grant of lands the property of the State other than waste lands.	Ditto ...	Ditto ...	.....	
(*a*) Where the value does not exceed Rs. 3,000 when given as a site for the construction of Government schools, hospitals, dispensaries or other public works at the cost of recognised local funds.	Ditto ...	Ditto ...	(*a*) The Revenue Commissioner may be empowered to sanction alienation where the value does not exceed Rs. 500.	
(*b*) Where the value does not exceed Rs. 500, when given for any other public purpose or to a private individual for services to be performed to the State.	Ditto ...	Ditto ...	(*b*) The Revenue Commissioner may be empowered to sanction alienation where the value does not exceed Rs. 500.	
(*c*) Where the value does not exceed Rs. 100 when the services are to be performed to the community.	Ditto ...	Ditto ...	(*c*) The Revenue Commissioner may be empowered to sanction alienation where the value does not exceed Rs. 500.	
Disposal of lands which have been under competent authority constituted the property of local body.	Ditto ...	Ditto ...	The Revenue Commissioner may be empowered to sanction alienation where the value does not exceed Rs. 500.	
Power to open and close roads and pathways in a State Forest	Section 6 of the Baluchistan Forest Regulation and Law, 1890.	The Honourable the Chief Commissioner and Agent to the Governor-General.	This power may be delegated to the Revenue Commissioner.	
Power to establish distilleries for country spirit	Section 6 of the Excise Act XII of 1896 as amended by the Excise (amendment) Act VII of 1906.	Ditto as Chief Revenue Authority.	The Revenue Commissioner may be appointed as Chief Revenue Authority under the Act.	
Power to make rules as to distilleries and breweries established and licensed under sections 5 and 6 of the Excise Act.	Sections 9 and 10 of the Excise Act XII of 1896 as amended by the Excise (amendment) Act VII of 1906.	Ditto ...		
Power to fix rates of warehouse dues	Section 15 of the Excise Act XII of 1896 as amended by the Excise (amendment) Act VII of 1906.	Ditto ...		
Power to make rules with the previous sanction of the Local Government to regulate the grant of licenses or passes to persons desirous of possessing or transporting intoxicating drugs.	Section 20 of the Excise Act XII of 1896 as amended by the Excise (amendment) Act VII of 1906.	Ditto ...		
Power to authorise any officer to grant to travelling merchants a general license for the sale of foreign spirit and foreign fermented liquor wholesale in any district which they may visit in the course of their travels without taking out a fresh license.	Section 21 (*b*) of the Excise Act XII of 1896 as amended by the Excise (amendment) Act VII of 1906.	The Honourable the Chief Commissioner and Agent to the Governor-General as Chief Revenue Authority.	The Revenue Commissioner may be appointed as Chief Revenue Authority.	

Power to direct what compensation shall be paid for default of notice of Collector's intention to cancel a license of a vendor of country spirit, country fermented liquor or intoxicating drugs.	Section 23 (1) of the Excise Act XII of 1896 as amended by the Excise (amendment) Act VII of 1906.	Ditto ...	The Revenue Commissioner may be appointed as Chief Revenue Authority.	
Sanction to farm fees and for farmer to grant licenses ...	Section 25 of the Excise Act XII of 1896 as amended by the Excise (amendment) Act VII of 1906.	Ditto ...		
Sanction to cancel any farm granted under the Act	Section 26 of the Excise Act XII of 1896 as amended by the Excise (amendment) Act VII of 1906.	Ditto ...		
Power to determine compensation to farmer for loss on account of any cause other than a breach of the conditions of the farm.	Section 27 of the Excise Act XII of 1896 as amended by the Excise (amendment) Act VII of 1906.	Ditto ...		
Power to make rules to regulate supply of *tari* to licensed vendors.	Section 29 of the Excise Act XII of 1896 as amended by the Excise (amendment) Act VII of 1906.	Ditto ...		
Power to revise any order passed by a Collector or Commissioner.	Section 64 (2) of the Excise Act XII of 1896 as amended by the Excise (amendment) Act VII of 1906.	Ditto ...		
Power to make rules relating to the nature of padlocks to be used in treasuries and sub-treasuries, the precautions necessary in respect of them and the custody of their duplicate keys.	Government of India in the Finance and Commerce Department, Resolution No. 4623-A., dated 13th September 1900.	The Honourable the Agent to the Governor-General.	This power may be delegated to the Revenue Commissioner.	
Countersignature of indents for stationery	Paragraph 7, page 2 of the Stationery Manual, Volume I.	Ditto ...	The Revenue and Judicial Commissioner may be empowered to countersign indents of his own office and of the offices* subordinate to his office. Political Agents may be given similar power as regards their own offices and the offices subordinate to them, provided they adhere to the limits laid down in the Stationery Manual as to the supply of certain specified articles and the three years' average is not exceeded. Otherwise the indents must be submitted through the Revenue Commissioner.	(1) *Superintendent, Jail at Quetta. (2) E. A. C., Forests. (3) E. A. C., Settlement. (4) Personal Assistant to Inspector-General, Education. (5) Superintendent of Arboriculture. (6) Revenue Assistant.
Countersignature of indents for rubber stamps and stamping ink.	Paragraph 5, page 8 of the Stationery Manual, Volume I.	Ditto ...	The Revenue and Judicial Commissioner and Political Agents may be authorised to countersign indents of their own offices, and of the offices subordinate to them.	
Sanction to supply by the Stationery Department of instruments for punching stamps.	Revenue Commissioner's order No. 982, dated 31st March 1902, based on paragraph 8, page 9 of Stationery Manual, Volume I.	The Revenue Commissioner.	Political Agents may be authorised to sanction supply of these instruments to their own offices and to offices subordinate to them.	
Grant of gratuity or subscription for pension in the case of municipal servants whose monthly pay exceeds Rs. 10.	Section 18 (1) (*c*) of the Quetta Municipal Law, 1896.	The Honourable the Agent to the Governor-General.	These powers may be delegated to the Revenue Commissioner.	
Fixing proportion of charges to be borne by the Municipal Fund in the case of Government servants devoting a part of their service to municipal duty.	Section 18 (2) (*b*) of the Quetta Municipal Law, 1896.	Ditto ...		

Statement II. of certain delegations of powers proposed by the Honourable the Agent to the Governor-General and Chief Commissioner in Baluchistan mainly to the Revenue and Judicial Commissioner and Political Agents—concluded.

Nature of the Power.	Rule or authority governing exercise of power.	By whom exercised.	Delegation proposed.	Remarks.
Fixing dates and instalments for payment of taxes payable periodically.	Section 27 of the Quetta Municipal Law 1896.	The Revenue Commissioner	These powers may be delegated to the P. A. Quetta.	
Fixing conditions for temporary occupation	Section 45 of the Quetta Municipal Law 1896.	Ditto ...		
Approval of places fixed by the Committee beyond limits of municipality for deposit of refuse, offensive matter, etc. ...	Section 51 of the Quetta Municipal Law 1896.	Ditto ...		
Approval of places fixed by the Committee beyond municipal limits for slaughter of animals of any specified description of animals.	Section 52 of the Quetta Municipal Law 1896.	Ditto ...		
Fixing fees and conditions for grant of licenses for regulation of offensive and dangerous trades.	Section 76 (4) of the Quetta Municipal Law 1896.	Ditto ...		
Sanction to recurring charges debitable to Excluded Local Funds, not being charges on account of pay and allowances, pension, house rent or office rent (*e.g.*, lighting contracts).	Rule 8 of Account Rules for Excluded Local Funds.	Ditto ...	Politicel Agents as controlling officers of Excluded Local Funds may be given this power as regards payment up to 12 months provided the charge has been passed in the budget sanctioned by the Revenue Commissioner as Local Government of the Funds.	

Statement III. of delegations of powers to officers subordinate to the Honourable the Agent to the Governor-General and Chief Commissioner in Baluchistan, which are within the competence of that officer to make and to which he has agreed.

Nature of the Power.	Rule or authority governing exercise of power.	By whom exercised.	Delegation proposed.	Remarks.
Power to direct what compensation shall be paid for default of notice of Collector's intention to cancel the license of a vendor of country spirit, country fermented liquor or intoxicating drugs.	Section 23 (1), Excise Act XII of 1896 as amended by Excise (Amendment) Act VII of 1906.			
Controls proceedings of Collectors under the Act and hears appeals against their orders in manner provided by rules.	Section 64 (1) Ditto ...			
Powers to appoint an officer to be in charge of bonded warehouse.	*Paragraph 10 of Rules issued by the Local Government under Section 19, Excise Act XII of 1896.			**Vide* Chief Commissioner's notification No. 1606, dated 21st February 1902.

Determination of duties of officer in charge of bonded warehouse and of its establishment other than duties required by rules.	Paragraph 11 of Ditto ...	Commissioner of Revenue	The Revenue Commissioner exercises these powers in practice although there is no power appointing him as Commissioner of Revenue under Section 3 (1) (*o*) of the Excise Act. The Revenue Commissioner may be appointed as Commissioner of Revenue under the Act.
Power to order maintenance in the bonded warehouse of registers, accounts, statements and records.	Paragraph 12 of Ditto ...		
Power to issue orders as to restrictions on depositors entering, or remaining or doing any act within precincts of bonded warehouse.	Paragraph 25 of Ditto ...		
Sanction to contracts for right to sell *charas*, *bhang* and *ganja* and preparations and admixtures thereof.	†Paragraph 3 of Rules issued by the Chief Revenue Authority under section 65 of Excise Act XII of 1896.		† *Vide* Honourable Agent to the Governor-General and Chief Commissioner's notifications Nos. 2533 and 2534, dated 20th March 1903.
Sanction to forfeiture of money deposited by contractor consequent on failure to carry out conditions of contract and to resale of contract.	Paragraph 4 of Ditto ...		
Power to direct contractor to furnish returns of sale of intoxicating drugs.	Paragraph 10 of Ditto ...		
Remission of land revenue, grazing tax and tax on water mills on account of failure of crops and calamities, when the amount exceeds Rs. 250 in each case.	Paragraph 6 of Honourable Agent to the Governor-General's order No. 10821, dated 17th December 1901.	Local Government ...	The Revenue Commissioner has power to sanction remission of revenue up to Rs. 250. This limit might be raised to Rs. 500.
Disposal of revenue grain and straw	Instructions issued by Revenue Commissioner at various times.	Revenue Commissioner ...	Political Agents may be authorised to sanction sale up to one hundred *maunds* of any sort of grain or straw. Sanction of the Revenue Commissioner to sales of quantity exceeding 100 *maunds* must be obtained.
Ijaras of land revenue, grazing tax and tax on water mills ...	Practice	Revenue Commissioner and Political Agents.	Political Agents sanction *ijaras* of grazing tax for one year. They have no power to sanction *ijaras* of land revenue or of tax on water mills. They may be authorised to sanction *ijaras* up to three years on the condition that the amount agreed upon does not fall short of the average of three years, excluding any which may be regarded as abnormal.
Power to deal with claims to relief when too high a court fee has been paid.	Section 19 A, Court Fees Act VII of 1870.	Honourable Agent to Governor-General and Chief Commissioner as Chief Controlling Revenue authority.	The Revenue Commissioner may be appointed as Chief Controlling Revenue Authority under the Act for the province.
Power to deal with claims to relief when debts due from a deceased person have been paid out of his estate.	Section 19 B, Court Fees Act VII of 1870.		
Power to deal with cases in which too low a court fee has been paid.	Sections 19 E, 19 F, 19 G and 19 J Court Fees Act VII of 1870.		
Receives notice of applications for probates and letters of administration made to a High Court.	Section 19 H (2) Court Fees Act VII of 1870.		
Frames rules for the approval of the Local Government and Governor-General in Council subject to which Collectors may regulate the number of peons necessary for the service and execution of processes.	Section 23 of H (2) Court Fees Act VII of 1870.		
Approval to candidates for employment in ministerial appointments.	The Honourable the Agent to the Governor-General's Order No. 5973, dated 1st June 1901.	The Honourable the Agent to the Governor-General.	The Revenue Commissioner may be empowered to accept candidates so far as his office is concerned.

Statement III. of delegations of powers to officers subordinate to the Honourable the Agent to the Governor-General and Chief Commissioner in Baluchistan, which are within the competence of that officer to make and to which he has agreed—cont.

Nature of the power.	Rule or authority governing exercise of power.	By whom exercised.	Delegation proposed.	Remarks.
Delegation of power of granting leave to subordinate district establishments.	Article 84 (*c*) Civil Service Regulations and Honourable Agent to the Governor-General's order No. 6747, dated 24th October 1891.	Political Agents and Deputy Commissioners.	Sub-Divisional Officers may be empowered to grant leave permissible under the rules to their office establishment provided that local arrangements can be made to carry on the work.	
Sanction to printing urgent work locally at private presses ...	Paragraph 2 of Honourable Agent to the Governor-General's order No. 5209, dated 5th June 1900.	Honourable Agent to the Governor-General.	The Revenue Commissioner may be empowered to sanction this.	
Power to sanction within budget provision purchase of any article the cost of which exceeds :—	Paragraph 1 of Honourable the Agent Governor - General's order No. 5209, dated 5th June 1900.	Revenue Commissioner ...	.....	
(*a*) Rs. 40 in the case of articles required for the use of offices of Political Agents, Agency Surgeon, Cantonment Magistrate, Chaplain Church of England and for the offices subordinate to them.	.....	.....	(*a*) Limit may be raised to Rs. 100 except in the case of the Administrative Medical Officer who should have power to sanction any charge within budget provision.	
(*b*) Rs. 20 in the case of articles required for the use of the offices other than those mentioned above and who have their separate contingent grants.	.....	.....	(*b*) Ditto. ditto. Rs. 50	
Classification of contingent charges	Articles 73 and 74, Civil Account Code.	Honourable the Agent to the Governor-General.	The system known as "contract contingent system" may be introduced in lieu of that known as "countersigned contingent system." The Revenue and Judicial Commissioner, the Administrative Medical Officer, Political Agents, Extra Assistant Conservator of Forests, Treasury Officer, Quetta, and the Personal Assistant to the Inspector-General, Education should be given lump sum allotments under each major head. The grants should be based on three years' average and the arrangement should be tentative for three years, at the end of which the officers concerned should be required to report as to the working of the proposed system.	
Notifications of appointments of Assistant Surgeons and Civil Surgeons holding collateral Civil Charges.	Practice	Ditto ...	These notifications may be published above the signature of the Administrative Medical Officer.	
Arrangements for the examination in Brahui of tahsildars, munsifs, naib-tahsildars, inspectors and deputy inspectors of police.	The Honourable Agent to the Governor-General's order No. 4753, dated 20th October 1906.	Ditto ...	The Revenue Commissioner may be authorised to make these arrangements in the same way as he has been authorised as regards examination in Pashtu and Baluchi.	

Statement IV. of delegations under the Civil Service Regulations and Civil Account Code proposed by the Honourable the Agent to the Governor-General and Chief Commissioner in Baluchistan.

Serial No.	Nature of the power.	Rule or authority governing exercise of power.	By whom exercised.	Delegation proposed.	Remarks.
	I.—Civil Service Regulations.		The Hon. the Agent to the Governor-General and Chief Commissioner in Baluchistan.		
1	Power (*a*) to dispense with the production of health certificate, (*b*) to make rules for prescribing the Medical Officer whose certificates may be accepted, (*c*) to accept certificate from an officer other than a medical man and in form other than the prescribed one.	Article 50.		This power may be delegated to the Revenue Commissioner in respect of ministerial officers.	
2	Power to admit persons whose age exceeds 25 years into the service of the State.	Article 51 and paragraph 14 of the Honourable the Agent to the Governor-General's order No. 6747, dated the 24th October 1891.		Ditto ditto.	
3	Power to sanction honoraria up to Rs. 500*	Article 72.		The power may be delegated as follows :— The Revenue Commissioner up to Rs. 200 within budget provision. To Political Agents up to Rs. 50 within budget provision. Subject to the condition laid down in note under articles 72, Civil Service Regulations.	* Up to Rs. 100 as Head of the Department.
4	Power to sanction the undertaking of work for a private person or private body or a public body whose funds are not administered by Government.	„ 74 (*a*)		The Revenue Commissioner may be empowered to sanction honoraria, etc., up to the limit of Rs. 500 to ministerial officers and to officers not higher in rank than a tahsildar.	.....
	Power to disburse fees realized for services rendered by a Government servant to a private body.	„ 74 (*c*)		.....	.....
5	New appointments and enhancement of salaries and deputation—	„ 76 (*i*)		The Revenue Commissioner may be empowered to sanction :—	.....
	Permanent.				
	(*a*) New appointments on salary not exceeding Rs. 250 a month. (*b*) Additions to existing appointments up to total amount of Rs. 250 a month.			(i) Revisions of ministerial *tahsili* and menial establishments provided that any additional expense involved is met by an equivalent reduction of expenditure charged to the major head under which the increase is proposed; provided also that this power shall only be exercised in respect of re-arrangements which do not involve posts the pay of which is Rs. 50 a month or upwards. (ii) Grant of allowances to menial establishments and new appointments among menial establishments, provided the cost does not exceed Rs. 13 a month and is within budget provision.	

Statement IV. of delegations under the Civil Service Regulations and Civil Account Code proposed by the Honourable the Agent to the Governor-General and Chief Commissioner in Baluchistan—cont.

Serial No.	Nature of the power.	Rule or authority governing exercise of power.	By whom exercised.	Delegation proposed.	Remarks.
	Temporary appointments and deputations.		The Honourable the Agent to the Governor General and Chief Commissioner in Baluchistan.		
	(*a*) for any specified period up to an aggregate salary (including deputation allowance) of Rs. 250 a month. (*b*) for not more than six months above Rs. 250 a month.	Article 78		The Revenue Commissioner may be empowered to sanction :— (i) Temporary appointments among ministerial, *tahsili* and menial establishments up to Rs. 150 *per mensem* for not more than six months provided there is budget provision. (ii) Deputation of ditto ditto.	
6	Power to suspend lien on appointment	„ 89		The Administrative Medical Officer may be empowered to sanction temporary appointments of the classes of compounder, vaccinator and menial servants for a period not exceeding six months provided there is budget provision.	
7	Power to allow maximum salary to an officer transferred as a penalty from a higher to a lower appointment on a progressive pay.	„ 157 B [*b*]		The Revenue Commissioner may be authorised to exercise this power in respect of ministerial appointments and of appointments not higher than a tahsildar's.	
8	Power to allow retention of old pay when pay of appointment is changed.	„ 158		The Revenue Commissioner may be authorised to exercise this power in the case of all ministerial and menial officers.	
9	Power to permit the calculation of travelling allowance by a route other than that habitually used by travellers.	„ 178		The Revenue Commissioner may be authorised to exercise this power in the case of all ministerial and menial officers.	
10	Power to extend joining time within the maximum of 30 days ...	„ 180 (*a*)		This power may be delegated to officers who have power to appoint and to the Commissioner in respect of tahsildars, munsiffs and naib-tahsildars.	
11	Discretion to refuse to grant leave or the full amount of leave applied for in any case.	„ 197		Ditto ditto.	
12	Power to allow the transfer of charge before or after Sundays or gazetted holidays when it involves the taking over of money.	„ 220 (iii)		This power may be delegated to officers who have power to grant leave and to the Commissioner in respect of tahsildars, munsiffs and naib-tahsildars.	
13	Power to exempt from forfeiture of subsidiary leave an officer taking furlough or special leave who remains in India after the end of his subsidiary leave.	„ 221		The Revenue Commissioner may be empowered to exercise this power in respect of officers lower than an Extra-Assistant Commissioner.	
14	Power to allow joining time to an officer on long leave in India who for want of sufficient notice fails to join his new appointment within the period of his leave.	„ 227		Ditto ditto.	
15	Power to exempt an officer from loss of appointment for overstaying leave.	„ 230		Ditto ditto.	
16	Power to commute retrospectively periods of absence without leave into leave without allowance.	Articles 232 and 421		This power may be delegated to the officers who have the power to appoint and to the Revenue Commissioner in respect of tahsildars, munsiffs and naib-tahsildars provided overstayal does not exceed seven days.	
17	Power to deal with preferential claims to furlough	Article 237 (*d*)		Ditto ditto.	
				This power may be delegated to the officers who have power to appoint and to the Revenue Commissioner in respect of tahsildars, munsiffs and naib-tahsildars.	

The Honourable the Agent to the Governor-General and Chief Commissioner in Baluchistan.

18	Power to remit penalty (as regards interruption of duty) for overstaying privilege leave, examination leave and joining time.	Articles 253 and 254	This power may be delegated to the officers who have power to appoint and to the Revenue Commissioner in respect of tahsildars, munsiffs and naib-tahsildars provided overstayal does not exceed seven days.
19	Power to declare whether or not suspensions from office shall interrupt duty and whether the period of suspension shall qualify for privilege leave.	Article 258	This power may be delegated to officers who have power to suspend.
20	Power to grant extraordinary leave up to two months when leave of other kind is admissible.	,, 339, Note I	This power may be delegated to the officers who have power to grant leave.
21	Power to sanction the pension admissible under rule	,, 918	This power may be delegated to the Revenue Commissioner in respect of ministerial officers when pension does not exceed Rs. 50 *per mensem*.
22	Power to declare shortest route between any two stations in case of doubt.	,, 996 (*a*)	This power may be delegated to the officers who have power to countersign travelling allowance bills.
23	Power to permit travelling allowance by other than the shortest or cheapest route.	,, 997	Ditto ditto.
24	Power to decide point of commencement and end of journey ...	,, 998	Ditto ditto.
25	Power to decide class of accommodation by sea or river steamer in doubtful cases.	,, 1020	Ditto ditto.
26	Power to fix limits of ordinary jurisdiction and impose restrictions upon journeys.	,, 1041	This power may be delegated to the officers who have power to appoint and to the Revenue Commissioner as regards tahsildars and naib-tahsildars.
27	Power to determine headquarters in case of doubt	,, 1060	This power may be delegated to the officers who have power to countersign travelling allowance bills.
28	Power to grant travelling allowances to re-employed pensioners	,, 1084	This power may be delegated to the officers who have power to appoint.
29	Power to grant free passage to join an appointment by sea ...	,, 1085	Ditto ditto.
30	Power to grant travelling allowance in case of transfer for misconduct.	,, 1100	The authority which has power to order transfer might exercise this power.
31	Power to sancion travelling allowance to inferior servants on transfer.	,, 1107	Ditto ditto.
32	Powers to disallow travelling allowance for attending departmental or other examination under certain circumstances.	Articles 1117 and 1118	This power may be delegated to the Revenue Commissioner as regards officers lower than the rank of Extra-Assistant Commissioner.
33	Power to grant travelling allowance for journeys to procure medical certificate in case of invalid pension.	Article 1138	Ditto ditto.
34	Power to delegate duties of a countersigning officer in respect of travelling allowance bills.	,, 1162	This article should be modified so at to permit the Revenue Commissioner and Political Agents to delegate this power to a qualified gazetted subordinate.
	II.—Civil Account Code.		
1	Power to order investigation of claims to pay, allowances or increments which have been allowed to remain in abeyance for more than two years.	Article 5 (*c*)	The officers who have power to appoint, and the Revenue Commissioner in respect of tahsildars, munsiffs and naib-tahsildars might be given this power.

Statement IV, of delegations under the Civil Service Regulations and Civil Account Code proposed by the Honourable the Agent to the Governor-General and Chief Commissioner in Baluchistan—concluded.

Serial No.	Nature of the power.	Rule or authority governing exercise of power.	By whom exercised.	Delegation proposed.	Remarks.
2	Power to sanction the grant of compensation for dearness of food	Article 72	The Honourable the Agent to the Governor-General and Chief Commissioner in Baluchistan.	The Head of an office not below a District Officer might be given this power.	
3	Power to fix amount of permanent advances	„ 77 (*i*)		This power might be delegated to the Revenue Commissioner as regards offices of the Civil Department.	
4	Power to delegate duties of countersigning officer in respect of contingent Bills.	Note 2 to Article 91		This note should be modified so as to permit the Revenue Commissioner and Political Agents to delegate this power to qualified gazetted subordinates.	
5	Power to engage section writers	Article 98 (*c*)		This power might be delegated to the Head of an office not below a District Officer subject to budget provision and rules which may be made by the Local Government as to the rate of charges, counting of words, etc	
6	Power to sanction the supply of official publications, books and newspapers, etc.	Article 98 (*e*) and Foreign Department letter No. 1600 E. A., dated 16th September 1901.		The Revenue Commissioner sanctions, in the name of the Local Government, the purchase of books other than those supplied by the Legislative Department of the Government of India within the sanctioned budget grant. The Administrative Medical Officer may be authorised to sanction purchase of books (medical or otherwise), required for his office and for the offices under him within budget provision.	
7	Power to sanction the local purchase of articles of stationery and rubber stamps.	Article 98 (*f*)		In case of urgency Heads of offices may be empowered to sanction purchases up to Rs. 10 at a time within budget provision. Such charges to be supported by a certificate as to the urgency.	
8	Power to sanction the local purchase of articles of European manufacture costing more than Rs. 50.	„ 98 (*k*)		The Revenue Commissioner might have power to sanction purchases up to Rs. 100 within budget provision.	
9	Power to sanction a recurring charge (*e.g.*, rent of buildings) ...	„ 98 (*m*)		The Revenue Commissioner has power to sanction up to Rs. 100 *per annum*, on account of rent of buildings, and he might now be authorised to sanction recurring* charges of any kind, except allowances to Government servants, not exceeding Rs. 10 a month subject to budget provision.	*e.g.*, scholarships, cost of sweeping and watering offices.
10	Power to sanction the supply of type-writers	„ 98 (*v*)		The Revenue Commissioner might be authorised to exercise this power.	
11	Power to regulate refunds of revenue	„ 100		Hitherto the Revenue Commissioner has been exercising this power. The following powers may be given in future :— Sub-Divisional Officers up to Rs. 10. District Officers up to Rs. 100. The Revenue Commissioner without limit.	

12	Power to authorise any land acquisition officer to make his payments by cheques on the treasury.	„ 103	The Honourable the Agent to the Governor-General and Chief Commissioner in Baluchistan.	The Revenue Commissioner might exercise this power.
13	Power to sanction house building advances	„ 136 (*a*) I		The Revenue Commissioner might exercise this power as regards all officers whose salary does not exceed Rs. 250 *per mensem*, and District Officers as regards officers whose salary does not exceed Rs. 50 *per mensem*.
14	Power to sanction miscellaneous advances	„ 137 (*a*)		The Revenue Commissioner might have power to sanction such advances up to Rs. 500 in each individual case.
15	Confirmation of sanction to advances given by the principal District Officer to certain officers proceeding for treatment to the Pasteur Institute.	„ 137 (*h*), Note 3		The confirmation of Local Government may be dispensed with.
16	Power to sanction expenditure on miscellaneous objects customarily recognized as fit objects for expenditure of public money. Rs. Limits—Provincial ... ... 1,000 „ Imperial 500	„ 278 A (*a*)		The Revenue Commissioner might have power to sanction such expenditure up to Rs. 100 if charged to provincial and Rs. 50 if charged to imperial.
17	Power to remit disallowance clallenged after six months from date of payment.	„ 279 A		The Revenue Commissioner might have this power as regards ministerial and menial establishment, and officers not higher than a tahsildar.
18	Power to dispose of escheated estates or property valued at not more than Rs. 1,000.	„ 280		The Revenue Commissioner might have this power up to Rs. 200.

NORTH-WEST FRONTIER PROVINCE.

APPENDIX III.

Note embodying the suggestions of the Local Administration of the North-West Frontier Province on the subject of Decentralization.

The North-West Frontier Province holds a somewhat unique position among the Local Governments and Administrations of the Indian Empire. In accordance with the proposals of Lord Curzon, this province was separated from the Punjab and constituted into a separate Administration on the 9th November 1901. The Chief Commissioner has, on the one hand, to control and advise the Government of India in regard to the relations with the tribes who occupy the country between the administrative border of the British Indian districts and the Durand Line, and, on the other, to administer these settled districts in accordance with the ordinary law. His work is thus (1) political and (2) administrative. The former not only involves all questions of diplomatic relations with the tribes, but also the control of large establishments of Border Military Police and Frontier Militia, for which purpose the Chief Commissioner is given a special Inspecting Officer as his Assistant. It will be convenient to deal with each of these functions separately.

It is obvious that in all matters relating to the frontier, to the conduct of the tribes, their allowances, rewards and punishments and all kindred subjects the Government of India must keep themselves fully informed. Such matters are of more than local or provincial importance. At any moment they may become of imperial interest. This Administration is therefore under the necessity of observing an attitude of greater subordination in these matters than in matters of ordinary administration. The Chief Commissioner is the expert adviser of the Government of India on frontier policy, and the Supreme Government cannot divest themselves of final responsibility for the initiation and conduct of frontier policy. In this, therefore, a considerable degree of centralization is inevitable, and no one would wish it otherwise. There is, however, at times a danger of this centralization being carried to extremes and of the Foreign Department of the Government of India attempting to administer the frontier too much in detail and from a departmental point of view. This is particularly noticeable in a tendency to obtain minute reports of every petty raid and dacoity that occurs. On an exposed frontier inhabited by turbulent peoples there is bound to be a good deal of lawlessness. But this lawlessness is very often nothing more than ordinary local crime. It is generally easy for the Local Administration or for the local officers to decide whether an offence is ordinary crime, or whether it involves further political considerations affecting our relations with a neighbouring tribe or tribes. In the first case the offence is a police affair with which the local authorities are perfectly competent to deal : in the second the offence may lead to further complications, and as much should certainly be reported to the Government of India. This is invariably done, but there has been a tendency on the part of the Government of India to limit our discretion in this matter and to call for reports of more or less petty matters in which no useful purpose is served by reporting them. This demand for constant reports trammels the Political Officer and takes him away from his real business of settling and preventing tribal offences. This tendency is exemplified by some recent orders issued by the Government of India directing the repetition of all telegrams, &c., regarding raids, tribal disturbances—even when such are not likely to lead to the use of troops—to (1) the Chief of the Staff, Simla ; (2) the Chief of Staff, Calcutta ; (3) the Army Department, as well as to the Foreign Department both at headquarters and with the Viceroy. This leads obviously to a great increase in clerical work both here, in the telegraph offices, and in the offices addressed. A wider discretion might well be allowed in the matter. Another matter in which our officers are subjected to a good deal of unnecessary writing, and still more to unnecessary amount of reading, is in connection with the weekly political diaries. Our Political Agents send diaries from Kurram, Khyber, Tochi, Wana, Malakand and Chitral every week : and we send a Peshawar fortnightly diary reporting on the districts of the province. These diaries serve a most useful purpose, and we should be very sorry to see them abolished. But they very often contain a great deal of trivial and utterly unimportant matter. We have hesitated to point this out because the Foreign Department have complained on the few occasions when these diaries have shrunk that our officers are not supplying news fully. Our view is that these diaries should contain a brief summary of the important events of the week or fortnight—in narrative form—and should avoid the inclusion of petty matters. The number of persons, too, to whom these diaries have to be sent is a serious tax on our clerical establishments.

Generally speaking, however, our relations with the Government of India as regards political matters are satisfactory and do not admit of much further decentralization. At the same time there is nothing in the relations between the Local Administration and the officers serving under it which in the sphere of political work calls for serious alteration. Nor can we offer any suggestions regarding the grant of fuller powers in the matter of political expenditure, in which sufficient latitude is already admissible under the rules.

Under present arrangements the finances of the province are entirely imperial, all receipts going to imperial revenues and all expenditure being budgeted for and paid from the same source. The province should be given a provincial settlement or *quasi*-settlement on somewhat the same lines as Baluchistan. It is unnecessary to enforce this point, as the Government of India in paragraph 5 of their letter constituting the North-West Frontier Province (No. 2926-F., dated 30th October 1901) stated that a "*quasi* provincial agreement similar to that for Baluchistan will be made as soon as possible for the new province." Things are now ripe for such an agreement the need of which is felt more acutely every day, and it may be assumed that our finances will soon be provincialised.

We shall then be on the same financial footing as other Local Governments, and the question then arises how far the present financial powers of Local Governments should be extended. It is perhaps unnecessary to discuss this question here in detail.

The following suggestions, however, are here put forward for consideration :—Paragraph 4 of Article 283 defines the financial matters in regard to which the Local Governments cannot take action without the previous sanction of the Government of India. Of the 14 heads therein enumerated Nos. 2 to 6 and Nos. 8 and 9 might well be omitted or largely modified.

Instances of the petty references which those provisions necessitate can readily be quoted, *e.g.*, we have recently had to apply for the sanction of the Government of India to a much needed increase in the pay of peons at headquarters by Re. 1 per mensem, and last year we had to apply for sanction to transfer to the bankrupt District Board of Dera Ismail Khan the income of certain ferries. The Local Governments should also have power to create for a period of over six months and to abolish appointments the pay of which exceeds Rs. 250 per mensem, when the cost is a provincial charge. The limit might be raised to Rs. 500 per mensem and the period to a year. Where the charge is imperial (Article 278, Civil Account Code) some limit is certainly required, but for the present all-round annual limit of Rs. 3,000 per annum allowed to meet increases in non-gazetted establishment a differential limit varying according to the importance and revenues of each Local Government might well be substituted. For this province the limit might be Rs. 5,000 per annum, and the pay of Rs. 50 per mensem in individual cases raised to Rs. 100. Even when a provincial settlement is made the most important head of expenditure, viz., 25—political, will probably remain imperial, and under this head the necessity for revising and increasing establishment to meet the growth of our political responsibilities—*e.g.*, the Kabul River Railway—is constantly arising. The Local Government should be allowed a reasonable margin to meet such cases without reference to the Government of India.

Whatever may be the case for large provinces such as Madras, Bombay, the United Provinces, &c., there is no need to grant borrowing powers to small provinces and administrations.

The rules under the head of contingent charges contained in Chapter 6 of the Civil Account Code might be considerably abbreviated and simplified. The charges are now divided into—

Class A.—Contract Contingencies.
„ B.—Countersigned Contingencies.
„ C.—Audited Contingencies.

Under A a lump sum fixed by the Local Government from time to time is allotted for *certain* charges under heads—

3—Land Revenue.
19 A.—Law and Justice.

This system might with advantage be extended to the remaining charges under those heads and also to other heads which are now dealt with under Class B, thereby saving much correspondence and delay on petty matters.

It seems quite unnecessary that the sanction of the Local Government should be obtained for such charges as—

(1) local purchase of stationery ;
(2) printing at private presses ;
(3) payment of rent or other recurring charge beyond a single payment ;
(4) purchase of articles of European make.

The authority might be delegated to the Head of the Department.

Similarly the authority of the Head of the Department, which is now necessary for—

(1) purchase of Railway Guides ;
(2) purchase of books of reference published in India,

might be dispensed with altogether, the authority being retained for "purchase of tents." There are a great number of petty transactions in which the previous sanction of the "Countersigning Officer" is now necessary, *e.g.*—

Purchase of clocks, treasury weights and scales, iron safes, blank books of telegraph forms, of furniture exceeding Rs. 200 in a year, &c., &c.,

which might reasonably be left to the discretion of the officer incurring the expenditure, *i.e.*, the disbursing officer.

In the case of C—audited contingencies a similar delegation of authority will much simplify matters ; *e.g.*, at present the previous sanction of the Local Government is required for the payment of municipal taxes and rent of buildings.

The extension of the contract system, the delegation of the sanctioning authority to Heads of Departments and Controlling Officers, the grant of power to the disbursing officer to meet deficiencies under one head by savings under another, and to Controlling Officers to sanction transfers from one head to another and from one district to another without reference to the Local Government will save an enormous amount of work and correspondence without any serious loss to Government.

The same principle as above described for contingent expenditure might be extended to other heads of expenditure. At present the allotments under each major head are distributed over several sub-heads ; *e.g.*—

Salaries,
Establishment,
Allowances—Travelling and other,
Supplies and Services,
Contingencies,

and no transfer from one sub-head to another is allowed except under the sanction of the Local Government, while even the Local Government cannot utilize savings in the "Salaries of Gazetted Officers" for transfer to other sub-heads, and "Savings in *establishment*" can only be utilized to meet the cost of new establishment under Article 278 (2), and cannot be appropriated to meet contingent or other charges under the same major head.

Without going into details it is obviously desirable that Local Governments should have freer powers of transfer from one major head to another, and that Controlling Officers should have authority to sanction transfers from one sub-head to another at least up to a reasonable limit.

The powers of Local Governments to condone interruptions and deficiencies of service (Articles 422 and 423, Civil Service Regulations) might be further extended. A case is now pending in which the service of a treasury clerk falls short of 30 years by one month and seven days. As the charge is imperial and the deficiency exceeds one month, the case must be referred to the Government of India.

Article 918 of the Civil Service Regulations limits the Local Government's power to sanction pensions to "cases falling clearly and strictly within *the letter* of the Regulations." With watchful Audit Officers this provision in practice means that many cases are referred to the Government of India which might well be left to the discretion of the Local Government.

In the case of pensions, rewards and gratuities to Government servants the sanction of the Local Government is required in even the most petty cases. The powers granted to the Board of Revenue, Madras ; to Commissioners of divisions in the United Provinces, Bombay, and in Sind ; to Managers of State Railways, and to Inspectors-General of Police in certain cases (Articles 919–921, Civil Service Regulations) should be extended to other Officers and Heads of Departments of similar status, and enlarged so as to cover sanction to gratuities and rewards as well as pensions subject to the claims being duly certified by the Audit Officer. A considerable delegation of powers in finance matters to Commissioners of divisions and Heads of Departments might thus be effected to the advantage of all parties.

For increase in permanent establishment the sanction of the Local Government should be maintained as at present, but Commissioners and Heads of Departments might be authorized to employ temporary establishment up to a certain limit—say a total of Rs. 1,000 per annum on pay not exceeding Rs. 30 per mensem, provided that budget provision exists or that the cost can be met from the grants under their control.

It may here be noted that this Administration is in correspondence with the Accountant-General as to the delegation of financial powers to Heads of Departments on the same lines as in the Punjab.

In matters relating to the land revenue administration Local Governments have a free enough hand, and in recent years at all events such action as the Supreme Government has taken in laying down the lines of policy and calling on Local Governments to explain how they propose to give effect to that policy has been in the direction of liberality and improvement. There are some needless restrictions in matters of detail, especially in regard to assignments of land revenue, which might be removed : *e.g*, in the case of certain perpetual *jagir* grants the condition is that the successor should be selected by *Government* and *Government* at least in this province has been interpreted to

mean the Government of India. The powers of Local Government as to the grant and continuance of assignments and the alteration of conditions as defined in Government of India letter No. 24—405–2, dated 6th January, 1897, might be increased. In excise matters the control exercised by the Government of India appears to be unnecessarily minute, though perhaps this is considered essential till the principles of policy enunciated as a result of the recent Excise Committee's Report are given effect to. A serious problem in this province is to prevent the smuggling of Afghan grown opium. To combat this it was thought expedient by the Local Administration to increase the facilities for the *licit* importation of such opium by responsible contractors who had bought up the whole Afghan stock of opium in Kabul. The Government of India were recently asked to sanction under Section 7 of the Opium Act the opening of an opium warehouse in Peshawar, but refused sanction on the ground that it was not advisable to encourage such import. This may be correct in theory, but a knowledge of local conditions would have made it clear that the opium will in any case be grown in Afghanistan, and will find its way into India licitly or illicitly. In this and other matters the influence of the departments of the Government of India, owing to excessive caution due to ignorance of local conditions, is apt to be too rigid and uniform.

The Local Government may be sure of its ground and able and willing to push forward in a particular line of policy, but the Government of India Departments are inclined to look with doubt or suspicion on a step forward being taken in our province unless all other provinces are ready to advance in the same direction. Hence the pace in matters of administrative progress is usually that of the slowest province. This policy may be the safest, but it tends to paralyse local initiative and to encourage routine. The Revenue and Agricultural Department is perhaps more closely in touch with local conditions, and therefore more disposed to take broad views than any other, but instances could be quoted in which even that department hesitated to sanction proposals allowing the Collector to take the initiative in proposing remission for agricultural deterioration because other provinces might not be disposed to go so far.

The departmental standpoint is most marked in the case of departments the Heads and Secretaries of which having had to specialise early in their careers are out of touch with general administrative conditions. The tendency is strong in the Finance and Public Works and Railway Departments, especially in the latter, where revenue and departmental considerations are allowed to stand in the way of salutary reforms when suggested from outside, and where the officials in their zeal for departmental interests are apt to overlook the interests of the public and the fact that they are *public servants*, not servants of a department. The correspondence regarding the Nowshera-Dargai Railway and the opening of the Nowshera Railway bridge to the public may be cited as instances.

The same remarks apply to the Telegraph Department. It took 15 years' intermittent correspondence to bring about the opening of a telegraph office at Swabi, the headquarters of a *tahsil* in the Peshawar district, because the department was unwilling to run the remote risk of financial loss and would not entertain the recommendations of the Local Administration unless backed by a financial guarantee. When application was made to the Government of India to sanction such a guarantee—which the Local Government could not itself grant—the Telegraph Department was directed to open the office without a guarantee. A similar correspondence is now taking place in regard to the opening of a much needed telegraph office at Sarai Naurang in Bannu and at Paharpur in Dera Ismail Khan. The cases illustrate the powerlessness of Local Governments and the extent to which administrative improvements may be blocked by narrow departmental views.

The same excessive rigidity is found in dealing with the Public Works Department (Roads and Buildings). The provisions of the Public Works Code bar many a salutary improvement involving no loss to Government, *e.g.* the provision of necessary furniture for official residences in out-of-the-way places, though the officers concerned agreed that the charge for interest and depreciation should be added to the rent of the building, and the Local Administration recommended that this should be sanctioned.

The Finance and Public Works Codes, instead of being regarded as general rules for guidance, are applied in a meticulous and inelastic spirit, and Local Governments and local officers finding their efforts to promote some salutary reform blocked by a rigid literal application of the rules become discouraged, lose initiative, and meekly bow down to red-tape and routine. The interpretation given to Article 1112, Civil Service Regulations, by the Accountant-General in a recent case in Dera Ismail Khan, may be quoted as a typical instance.

The present practice as regards appeals to the Government of India in respect of administrative action, and also by officers against orders affecting them personally, appears to be unduly liberal in many cases. Where the right has been granted by law or by rules having the force of law it should not be interfered with. Where it has grown up as the result of executive practice it should be examined and limited as far as possible, both in order to relieve the Government of India of the work involved and to enhance the responsibility and dignity of the Local Government. The tendency to question every official act is becoming more and more rampant in India, and unless checked must seriously paralyse executive action and weaken the prestige and authority both of local officers and of the Local Government.

Many instances could be cited, but one or two will suffice. In pursuance of the general policy of the Government of India, the monopoly of the vend of judicial stamps by the District Treasurer of Peshawar was abolished a few years ago by the Revenue Commissioner. The Treasurer appealed to the Chief Commissioner, but without success. He then appealed to the Government of India.

In the recent settlement of the Bannu District certain assignments of land revenue held for the term of settlement were maintained as before for the term of settlement ; others were enhanced, the holders of which had done good service to Government. Several of those whose assignments were maintained, but not enhanced, have now appealed against the orders of the Local Administration, while others who have not received such assignments have appealed on the ground that they should also be included ! Even more flagrant instances of frivolous and impudent appeals could be cited : *e.g.*, the construction of a mill in Naryab, which has been the subject of executive appeals and revisions for the last 16 years.

The case is even worse as regards appeals to the Government of India and Local Governments by officers against orders affecting them personally, and in the executive rules governing such appeals the cardinal fact appears to be lost sight of that the authority which has power to appoint has also power to punish, degrade or dismiss an official, and that no appeal as of right should be allowed against the order of dismissal, though a memorial may be addressed to the controlling authority. Thus members of the Imperial Services who are appointed by the Secretary of State should be allowed the right of appeal to that authority ; officers appointed by the Government of India should have the right of appeal to that Government and no further ; officers of the Provincial Service appointed by provincial Governments should have no power of appeal beyond that Government ; and officials of the Subordinate Services appointed by High Courts or Chief Courts, Judicial Commissioners, Boards of Revenue, Financial or Revenue Commissioners, Collectors, etc., should have no right of appeal except to the authority which appointed them. The Punjab Land Revenue Act and Punjab Courts Act clearly define what authority has the power to appoint and dismiss all subordinate officials from tahsildars and munsiffs down to the lowest ministerial officers, and the almost unlimited power of appeal which has grown up by executive practice is an abnormal and unwarranted excrescence, which is rapidly becoming a serious weakness to the Administration, as it saps the prestige and responsibility of the local authorities.

Something has already been said with reference to the departmental tendencies of the Imperial Secretariat. The same remarks apply *mutatis mutandis* to the larger provincial Secretariats. The feeling of the various Services, and especially of the Civil Service, that the surest road to fame, honours and advancement is

through the Secretariat is one of the most serious dangers to the Administration. The feeling has been strengthened by the tendency of Government—Imperial and Local—to get the best men into the Secretariat, and having got them, to keep them there. However great their ability, the longer they remain on Secretariat work, the more likely they are, at least in large provinces, to lose touch with local conditions, and local opinion. Executive Officers lose confidence in them and feel a not unnatural jealousy of the persistance with which they stick to their posts, rising from Under-Secretary to Secretary of a Local Government, and then being often translated into the Imperial Secretariat. The Secretaries, on the other hand, are apt to adopt a lofty *de haut en bas* attitude in dealing with the proposals of local officers, and to be critical and condemnatory rather than advisory and helpful. The tendency of such a Secretariat is to judge a man not by his work, but by the manner in which he writes about it ; but it is notorious that many of our best Executive Officers and ablest administrators are weak with the pen. The obvious reform, which though often mooted and accepted in principle, is rarely carried out in practice, is (1) that no officer should be appointed to the Secretariat till he has had considerable experience of, and shown his capacity for, executive work ; (2) that no officer should be retained in the Secretariat beyond a certain term ; (3) that the Imperial Secretariat should be recruited more largely from men actually employed on executive and administrative work.

One of the evil results of growth of strong and highly centralized Secretariats is the corresponding reduction in the authority and influence of the Commissioner, who from his ripe experience and local knowledge should be the right hand of the Local Government and the adviser as well as the chief of the local officer. The multiplication of departments, both imperial and provincial, with expert Heads, further tends to lessen the authority of Divisional Commissioners. Knowing that every proposal of any importance must be referred to superior authority—the Local Government or the Financial Commissioner—and will be examined and criticised minutely by the Secretaries of one or the other authority, the Commissioner has of late years effaced himself more and more, has hesitated to use even the authority delegated to him, and in many cases confined himself to passing on references with brief expressions of opinion, knowing that the ultimate responsibility does not rest with him. This is the case even in the Land Revenue Department, which is primarily under his local control.

In other departments his effacement has been even more complete. The development of these Departments—Educational, Public Works, Medical, Agricultural, Veterinary and Police—under their own Departmental Heads has in recent years been very rapid. The Commissioner has largely lost touch with them, and lost any powers of check or control he ever exercised. There has been a corresponding growth of departmental feeling, so strong in certain cases—this province is not referred to—that the *personnel* of those departments even resent and refuse to pay the ordinary official courtesies to the local Heads of the Civil Administration—the Collector and Commissioner—whose influence and authority with the people are accordingly reduced.

The Heads of those Departments are in direct communication with the Local Government and in a position to push forward their views, while the Commissioner is a distant authority and apt to be lost sight of. To this and other similar causes may be attributed the alarming growth of *departmentalism* in recent years. The remarks in this and the preceding paragraph are of general application and have no special reference to this province.

As a rule Executive Officers have not, unless they are very rapid workers, sufficient opportunities for personal contact with the people.

The causes are :—

(1) The increase in periodical reports and returns required both by the Government of India and the Secretary of State.

(2) The centralisation that follows from strong Secretariats and the desire of Government—Imperial and Local—to be informed of all matters regarded as important.

(3) The frequent references to higher authority necessitated by the growth of Codes, rules and circulars.

(4) The excessive freedom of appeal allowed against the orders of Executive Officers.

(5) The enormous increase in the number of legal practitioners, which interferes with the speedy disposal of judicial and executive cases in which they are allowed to appeal.

(6) The increasing perplexity of the Administration in nearly every branch and the growth of new departments.

(7) The great activity of the Government of India in recent years in initiating reform and reorganization in various Departments—Land Revenue, Excise, Police, Education, Agriculture and Irrigation.

These reforms and the various Committees and Commissions appointed from time to time to investigate and report on them throw an enormous burden of office work on Executive Officers and contract their opportunities of moving about among the people, and of ascertaining their views and learning their wants at first hand. The same causes reduce an officer's opportunity of learning the vernaculars. To discuss the remedies for the present state of things would involve an examination of the whole system of government in India. The most obvious and practical suggestions are :—

(1) Split up unwieldy districts. The only very heavy charge in this province is the Peshawar district, and arrangements are in progress for its partition into two districts.

(1*a*) Reduce transfers of officers as far as possible, so that they may have time and opportunity to get a knowledge of local conditions.

(2) Delegate as much authority—financial and administrative—as possible, thereby giving more responsibility to local officers, and encouraging them to use their own judgment instead of referring every difficult or doubtful case for the orders of higher authority.

(3) Confine legal practitioners to their legitimate sphere, viz., judicial cases, and bar them from appearing in executive matters, also limit their numbers as has been done with excellent results in this province.

(4) Extend the system of substituting triennial or quinquennial for annual reports.

(5) Make it clear that the work of a good Executive Officer will meet with the same recognition from Government as that of an able Secretary or of a man deputed for some special duty or service—*e.g.*, political. This will increase the prestige of Executive Officers in their districts, and encourage them to stick to a line which ambitious men are now eager to abandon for the Secretariat, &c.

The above suggestions also supply an answer—at least in part—to the questions how the unnecessary transfer of officers can be reduced.

Once it is made clear to Executive Officers that the surest road to recognition is good steady work in the district and among the people, the large proportion of transfers which now occur owing to the desire of officers to bring themselves to notice by getting away on Secretariat and special duties will disappear.

Personal considerations are given far too much weight by Local Governments in the matter of transfers, and the interests of the district or charge are taken too little into account. This is partly a result of the Secretariat stand-point above referred to. Nearly all transfers are arranged direct by the Secretariat, and the local officers and the Commissioners are consulted far too little in the transfers of officers serving under them, though they are in the best position to know whether the transfer can be made without injury to the public interest.

In this province we have an arrangement whereby 42 officers are made over to this Administration for the purpose of officering the province, *i.e.*, of filling the 34 posts reserved for officers of the Political Department, and to allow for leave and deputation. This arrangement is quite satisfactory, if only we were given our full complement of officers, which hitherto has never been the case. There are, however, three points in which might be decreased—

(1) The Government of India reserve the right to appoint the Political Agents, (1) Khyber and

(2) Dir, Swat and Chitral. These appointments should and would certainly be made on the recommendation of Chief Commissioner, who alone can judge of the qualifications of the officers available. A good deal of avoidable correspondence would be obviated if these appointments were put on the same footing as the rest of the appointments in the province (save the revenue and Judicial Commissionerships, which must by law remain as at present for nomination by the Government of India).

(2) We should have the power to put officers on deputation for special work without reference to the Government of India. The financial considerations are not serious, and we could be trusted to use a proper discretion.

(3) Our appointments should be gazetted by ourselves in a local Gazette instead of being sent to the Government of India for publication over the signature of the Secretary to the Government of India, which is purely formal and means an extra link in the chain and adds to routine correspondence.

The present system of calling for confidential reports on officers already in the Political Department involves a great deal of unnecessary clerical work and serves no useful purpose. If such periodical reports are necessary, they could be framed on much simpler lines. A few remarks would as a rule be ample.

There is another matter in which the powers of both Local Governments and Local Administrations might be increased with great advantage, and that is in the grant of rewards for good service. As matters stand at present the Local Administration has almost unlimited powers of punishment. It can degrade and dismiss their servants and subordinates. It can remove the name of Darbaris and *Kursi Nashins* from the list. It can resume under the Frontier Crimes Regulation *jagirs* and *inams*. But when it comes to a question of reward there are very few paths open. Of course, recommendations for the grant of a title, of a special pension, of a *jagir*, &c., can be made to the Supreme Government. But this involves delay and the edge of the reward is apt to become blunted in the process. What is wanted is some power to reward promptly and finally good service for all to see. It would be well if Local Governments and Administrations were empowered to grant small life *jagirs* or *muafis* and small life pensions without reference to the Supreme Government.

PUNJAB.

APPENDIX IV.

Brief Summary of the organization of Government in the Punjab.

The province of the Punjab extends over 49,000 square miles, with 20 millions of inhabitants. Its dependencies consist of 34 Native States, with an area of 36,000 square miles and a population of 4½ millions.

The province is divided, for purposes of general administration, into five divisions (each under a Commissioner), 29 districts (each under a Deputy Commissioner) and 114 *tahsils* (each under a tahsildar).

There is a District Board for each district except Simla, and there are 137 municipalities. The Deputy Commissioner is President of the District Boards and is Chairman of the principal municipalities.

The judicial staff proper consists of a Chief Court (of five Judges), 12 Divisional and Sessions Judges, 29 District Judges and 81 munsiffs. The appointment and posting of munsiffs is entirely under the control of the Chief Court.

The Deputy Commissioner is District Magistrate, and, except where a very junior officer is given powers under section 30, Criminal Procedure Code, to dispose of all cases not punishable with death. In some of the more heavily worked districts there is an Additional District Magistrate with appellate powers ; in others some other officer is empowered under section 30, Criminal Procedure Code, and disposes of the heavy criminal original work, the Deputy Commissioner hearing appeals from subordinate Magistrates. The Deputy Commissioner is also Collector.

The general administration is in the hands chiefly of the Punjab Commission and the Statutory and Provincial Civil Services. The Punjab Commission consist of (*i*) officers of the Indian Civil Service, (*ii*) officers of the Indian Army, and at present consists of 151 persons (excluding individuals serving outside the province).

The Provincial Civil Service consists of 159 officers (including four who are holding superior listed posts), and there are four members of the Provincial Statutory Civil Service. Eight superior listed posts are held by members of these two Services.

The Secretariat of the Lieutenant-Governor consists of one Chief Secretary, three Secretaries to Government (Revenue and two in the Public Works Department), two Under-Secretaries (Political and Revenue), two *ex-officio* Under-Secretaries (Police and Education), three Public Works Department Under-Secretaries, one Assistant Secretary for Finance, and one Mir Munshi.

The Lieutenant-Governor has direct communication with the Inspector-General of Police, the Inspector-General of Civil Hospitals, the Director of Public Instruction, the Chief Engineer, Public Works Department, Buildings and Roads Branch, the Chief Engineer, Public Works Department, Irrigation Branch, and the Chief Secretary and Secretary to Government.

Cases involving political or important administrative or personal question or questions of finance, through originating with the other officers mentioned, are sent to the Lieutenant-Governor through the Chief Secretary to Government.

The Inspector-General of Police is an *ex-officio* Under-Secretary to Government and, as such, issues the orders of Government to his subordinates. He does not, however, correspond as such with the Government of India.

The Inspector-General of Civil Hospitals has an assistant in the person of a Chief Medical Officer for Plague. The Sanitary and Jail Departments are manned by Medical Officers, but, except for purposes of recruitment and appointments (regarding which they correspond with the Inspector-General of Civil Hospitals) they communicate direct with the Secretary to Government. The Inspector - General of Civil Hospitals does not correspond direct with the Government of India.

The Director of Public Instruction is in this province an *ex-officio* Under-Secretary to Government, and as such corresponds under the Lieutenant-Governor's orders with the Government of India.

The Chief Engineers hold the double position of Chief Engineer and Secretary to Government. In

matters which by law or custom require the order of the Lieutenant-Governor, they act in the latter capacity, and, as such, issue orders under the Lieutenant-Governor's authority to subordinates and correspond with the Government of India.

Matters not dealt with by the above are referred to the Lieutenant-Governor through the Civil Secretariat. In revenue matters the Commissioners communicate through the Financial Commissioner and in others direct. The Financial Commissioner in all cases receives the Lieutenant-Governor's instructions through the Secretariat.

The revenue staff of the province is controlled by the Financial Commissioner. The Financial Commissioner has a Senior, a junior and an Assistant Secretary. He also controls the following Departments and their Heads are under his orders :—Settlement and Colonization (Settlement Commissioner), Excise (Excise Commissioner), Agriculture and Civil Veterinary (Director of Agriculture), Land Records (Director of Land Records), and Co-operative Credit Societies (Registrar). The Inspector-General of Forests corresponds with Government direct, but on certain subjects has to approach Government through the Financial Commissioner.

APPENDIX V.

No. 1072½ (Rev. & Agri.—Genl.), dated Lahore, 26th November 1907.

From the Hon. Mr. E. D. Maclagan, C.S., Chief Secretary to Government, Punjab, to H. Wheeler, Esquire, Secretary of the Decentralization Commission.

I am desired to furnish your Commission with a general exhibition of the ideas of this Government regarding the practical measures of devolution which it is prepared to recommend in the direction of—

(*a*) giving larger power to the Local Government itself ;

(*b*) similarly enlarging the powers of the Financial Commissioner, Heads of Departments and Commissioners and Collectors ; and

(*c*) giving larger powers to District Boards and municipalities.

The Heads of Departments, Deputy Commissioners and others in this province have been asked for an expression of their opinions and suggestions on the above points. It is evidently impossible for the Lieutenant-Governor, in the time available, to deal with the mass of detailed suggestions which have been received ; and he does not propose to give his views in detail, nor is it understood that this is desired by your Commission. I am accordingly to notice below briefly the chief points to which he desires to invite the attention of the Commission and to convey his general views, as at present advised, upon the more important of these points :—

(A) As regards the *devolution of powers to Local Governments*, he thinks that attention may suitably be drawn to the following points :—

(1) In view of the various special departments which have been organised by the Government of India within the last few years and of which the latest example is the new Department of Excise, it appears advisable that steps should be taken to distinguish the specialising of the administration, which in itself is harmless and indeed necessary, from anything in the shape of centralization ; that is to say, the expert departments thus organised should be allowed to place their opinion and advice at the disposal of Local Governments without being in any way placed in a position to issue orders on the subjects with which they deal. The Lieutenant-Governor cordially acknowledges that as a rule this principle has been observed, but it is one regarding which it is necessary to be always on the watch.

(2) It should also be recognised that the orders of the Government of India should as far as possible be restricted to matters of policy, and that the details of administration pursuant on the policy should be left to the Local Government to carry out. There has been a tendency in some departments of the Government of India to issue resolutions on matters of policy and to follow up those resolutions by orders requiring the submission to the Government of India of the detailed instructions which the Local Government proposed to issue in pursuance of the policy laid down in the resolutions. The Lieutenant-Governor thinks that in matters of this kind it would be advisable to leave more latitude and place more reliance on the Local Governments.

(3) In the same way the present Statutory Law appears to him to require a reference to the Government of India for sanction to the issue of rules under Acts in many cases in which such references are unnecessary. The provisions have, the Lieutenant-Governor believes, often been inserted as a concession to those who object to the exercise of wide, and perhaps somewhat arbitrary, powers by Local Governments without any superior control. But it might be well to go through, as perhaps your Commission are already doing, the provisions of various Acts in the Statute Book on this point and to relax as far as possible the requirements which call on Local Governments to submit their rules for the approval of the Government of India before issue.

(4) As regards financial matters, the recent arrangements regarding provincial settlements make it possible for the Government of India to leave to the provincial Governments more power than they have at present in dealing with their own budget, and the Lieutenant-Governor thinks it worth considering whether the Local Governments should not be given power to pass their own budget and to draw on their own reserve, subject possibly to certain conditions which may suggest themselves to your Commission.

(5) In matters of detail in connection with financial arrangements the Lieutenant-Governor considers that a good deal more scope might be given to Local Governments both in the Civil Account Code and in the Civil Service Regulations. The powers of Local Governments under Articles 277, 278 (A), 279 (A) and 283 of the Civil Account Code and under Article 2155 of the Public Works Code might, he thinks, be in some directions considerably increased, and I am directed to enclose in advance a copy of the opinion received by this Government from the Accountant-General on this and other matters connected with financial delegation, as many of the suggestions of the Accountant-General appear to the Lieutenant-Governor to be worthy of serious consideration. Under the Civil Service Regulations the increased powers appear to be more specially desirable in connection with matters, such as temporary appointments and in dealing with the passing of pensions and various classes of allowances.

(6) In matters other than purely financial, suggestions have been made for increasing the powers of Local Governments as regards the length of settlements and the amount of assessment which can be determined without the sanction of the Government of India, also in respect of the alienation of Government lands. The Lieutenant-Governor thinks that

something might suitably be done in this direction in order to avoid unnecessary and troublesome correspondence.

3. (B) As regards the devolution of powers to *officers subordinate to the Local Government*, it would be observed that in many minor matters opportunity has been taken during the last year or two to delegate a certain amount of power to the Heads of Departments and Commissioners, but from the replies which have been received in connection with the present reference, it would appear that a good deal more might be done in the same direction. As regards Departmental Officers, the changes in this direction would be mainly of a financial character, that is to say, in the direction of increasing powers of sanction exercised by the Heads of Departments and in some cases by their subordinates, but in the case of the general administration the power of devolution can be suitably extended into a variety of matters other than of purely financial character, and the Lieutenant-Governor thinks that it would be convenient for him to mention below a few points in this connection according as they deal with—

(*a*) the saving of time to District and other Officers ;
(*b*) the solidarity of the administration in the districts ;
(*c*) the finality of orders by subordinate officers ;
(*d*) the power to spend and give money possessed by officers subordinate to Local Government ; and
(*e*) the maintenance of the outward appearance and dignity of some of the officers concerned.

4. Taking first (*a*), those proposals which deal with the *saving of the time of subordinate officers*, it is true that a great many of the petty references which are made from districts do not occupy much of the time of the Deputy Commissioner, but some of them do unnecessarily occupy his time, and the collective effect of a number of such petty references is considerable and is a drag on the district administration, and the Lieutenant-Governor thinks that a good deal might probably be done to lighten the load now imposed by petty work, though it is impossible to say more than this until the matter has been examined in detail. The proposals as regards District Officers are mainly under two heads—

(*i*) They suggest the shortening or lessening the number of returns, reviews and reports required from District Officers (as, for instance, by reducing the number of reports by altering annual into triennial or quinquennial reports in certain cases) and the shortening or doing away with proposition statements for changes of establishment and statement showing proposed suspensions and remissions of revenue. Something might probably be done to reduce the waste of time caused by the mechanical drudgery imposed on Deputy Commissioners in consequence of the requirements of superior officers, chiefly in the Accounts Department, which prescribe that certain papers and returns should always bear the signature of the Deputy Commissioner.

(*ii*) It is suggested that a saving of time might also be afforded by granting more help to Deputy Commissioners by providing them with a larger number of assistants to whom they could hand over more of their work. This is already done as far as possible in this province, but it is worth while considering a suggestion which has sometimes been made that Extra-Assistant Commissioners should be utilised by being posted to *tahsils*, where they could be trusted more than tahsildars can at present be, to carry out a number of orders on their own responsibility. The Lieutenant-Governor has not much confidence in anything resulting from this suggestion, though he thinks the extension of the sub-divisional system is worthy of consideration. Similarly suggestions have been made that in districts where there are suitable banks at headquarters the treasury work might be entrusted to them instead of taking up the greater part of the time of one of the officers of the district. It is further suggested that the clerical labour imposed on Deputy Commissioners might also be reduced by improving the character and position of their head clerks, and in the same way that the clerical work of Commissioners might be lessened by strengthening the staffs of those officers and possibly by providing them with Personal Assistants.

The Lieutenant-Governor is in favour of relaxing the restrictions upon the direct purchase of products of European manufacture, which must at present be procured, in almost all cases, by indent upon the Secretary of State. Especially he would recommend that appliances and materials required for purposes of experiment or research should be procurable by the Head of the Department concerned, direct from the European manufacturers, or their agents in India.

5. Next as regards (*b*) *the solidarity of the administrations in the districts*, the Lieutenant-Governor is not surprised to find from the replies received the very strong feeling among Deputy Commissioners in this province against the interference of some of the main spending departments of Government, such as the Medical, Veterinary, Education and Public Works, and he is strongly impressed with the belief that something should be done in this province to modify the existing relations between the specialised departments and the District Officers so that these latter may receive all the expert assistance which they require, but without the local executive and financial authority being taken out of their hands. The matter is already under the Lieutenant-Governor's consideration, and steps will gradually be taken to meet as far as possble the object proposed, but the present state of affairs will no doubt receive the careful consideration of your Commission. In reference to certain other departments, such as the Agricultural Department, the Department of Land Records and the Department of Excise, there is less cause for complaint, but even as regards these departments there is an inevitable tendency for their communications to take the form of orders, rather than of advice ; and everything should be done to prevent the growth of such a state of affairs. The Lieutenant-Governor finds that there is a strong feeling among District Officers in districts irrigated by canals that the duties of the Canal Department should be confined to the construction of canals and the distribution of the water, leaving the whole of the subsequent assessment and collection of canal revenue in the hands of the District Officers. He doubts whether such an extreme measure is either necessary or advisable, and believes that the admitted defects of the present systems might be removed in other ways. As, however, the questions will form one of the points into which the Canal Colonies Committee, which is now sitting in this province, will make its enquiries, the Lieutenant-Governor does not think it advisable to indicate at present any final opinion upon it.

In one specialised department, namely, that of the Accountant-General, the Head of the Department, which is an imperial one, is under the present rules allowed practically no discretion in carrying out the requirements of the various financial codes, and the Lieutenant-Governor thinks that the amount of correspondence and of resulting friction between this department and the District Officers might be much alleviated if the Head of the Department were allowed more discretion in working the rigid requirements of the code.

6. As regards (*c*), *the finality of the orders of subordinate officers*, the Lieutenant-Governor understands that your Commission is not concerned with questions of judicial jurisdiction, and he accordingly confines his remarks to the amount of finality in the orders of subordinate officers in executive and administrative matters. It is probable that a certain amount of control is at present exercised by the Financial Commissioner over Commissioners and by Commissioners over Deputy Commissioners, which might be ordinarily dispensed with, the power of interference when necessary being reserved. For instance, measures which now require previous sanction might in some cases be simply reported for the information of the Controlling Officer, who would thus be able to exercise general supervision. Another remedy appears to lie in limiting the scope of appeals in executive and revenue matters. The want of finality in the orders of the District Officers is at present felt perhaps most markedly in questions of the appointment, dismissal, &c., of subordinate officers, including officers of the

Deputy Commissioners' own office establishment, and there is a good deal of complaint regarding the amount of interference exercised under the Court of Wards Act. The present Court of Wards Act which was passed a few years ago has made the Financial Commissioner the Court of Wards for the whole province instead of leaving the Deputy Commissioners, as they were before, each the Court of Wards of his own district under the general control of the Commissioner and Financial Commissioner. The change was adopted at the instance of the Government of India, but from the complaints which have been made regarding its working the Lieutenant-Governor is inclined to think that some alteration in the present arrangements may be found advisable.

It has been pointed out by several officers that if greater powers are given to Deputy Commissioners and their subordinates, it is necessary at the same time to confer on the Local Government or the officers to whom it may delegate its powers a greater authority to get rid of incompetent officers, so that the extra powers now being conferred may be granted only to such officers as can safely be entrusted with them. This introduces one of the much difficult problems of Indian administration, which could not be profitably discussed in the present letter.

7. As regards (*d*), the increase of *power to spend and give money*, the first point for consideration appears to be whether arrangements could not be made for providing Commissioners with something in the shape of a divisional budget from which they could make the necessary allotments for not only district contingencies and other minor matters, but also for the ordinary Public Works, educational and other similar expenditure of their divisions. It is at present difficult to delegate to Commissioners the power to sanction, even in minor matters, increases of establishment or other expenditure, inasmuch as no Commissioner has at the present time at his disposal anything more than a very small amount of money, and it appears necessary that if further powers are, as seems advisable, to be given to Commissioners, they should also be placed in a position to provide the money for their exercise. As regards both the Deputy Commissioners and Commissioners, it has been suggested that small reserves should be placed at their disposal for general use, the expenditure of which would be controlled by the Commissioner and the Financial Commissioner respectively, instead of by the Accountant-General, and that such funds could suitably be used on objects similar to those for which the political funds enjoyed by officers on the frontier are available, such as rewards for specially good work done for the administration, the entertainment of native gentlemen who have been summoned to headquarters, and the like ; and of this suggestion the Lieutenant-Governor strongly approves.

A second class of improvements in the direction of increasing the financial powers of subordinate officers lies in the provision of greater authority to Commissioners, Heads of Departments and Deputy Commissioners in respect of matters dealt with by the Civil Service Regulations and the Civil Account Code. There seems, for instance, scope for granting permission to such officers to sanction a number of small relaxations which are already recognised by the code in matters, such as joining time, pension, travelling allowance, and so forth, and to pass small exceptional payments, such as charge allowance, honorarium and the like, and the dispensing with certain requirements as regards countersignature on bills and power to entertain minor establishments subject to fixed minimum rates, or in certain cases to sanction certain classes of non-recurring expenditure. His Honour also thinks that something should be done in extending the present contract system under which the contingencies are dealt with and carrying forward balances from one year to another in the manner suggested by the Accountant-General in his enclosed letter.

8. Turning lastly to (*e*), the measures suggested for *maintaining the dignity of important positions under Government*, the Lieutenant-Governor thinks that there is a good deal to be said from the point of view that of late years the position of Commissioners and Deputy Commissioners has in this matter somewhat deteriorated and there is room for something in the way of improving the position of these officers in the eyes of the public by restoring to them the use of such outward signs of office, as (for instance) the police guard at their houses and the use of mounted orderlies.

9. (C) The third head under which suggestions are asked relates to the *grant of larger powers to District Boards and municipalities*. In this connection I am to note that the whole of the financial relations between the local bodies and the provincial Government are at present under the consideration of the Local Government, and I am directed to enclose a copy of a report * which was prepared on this subject last year under the orders of the Lieutenant-Governor, and which is at present under consideration.

I am also to note that the Municipal Act of this province has recently been recast, and that a Bill containing the proposals of the Local Government is now before the Government of India. The Lieutenant-Governor therefore would confine his attention to the following few points :—

(1) He thinks that in time it may become possible to give greater powers to the District Boards in the matter of fixing their own rate of local cess and in imposing taxes in approved forms, but that any immediate action in this direction is out of the question.

(2) He would also recommend to the consideration of your Commission a suggestion by the Commissioner of Rawalpindi that District Boards should be constituted as 'Excluded' Local Funds and not 'Included.'

(3) There appears also to be a considerable feeling among local officers that less power should be given to Commissioners and to Government to interfere between the local bodies and their employés.

(4) A good deal can doubtless be done to prevent local bodies from suffering as they are said to have suffered in the past in this province from excessive interference on the part of expert departments. This forms the subject of considerable complaint in the report to which allusion has been made above, and although the Lieutenant-Governor is not prepared to go to the same length as the author of that report, he recognises that something should be done in the direction of limiting such interference, and the matter is at present receiving his consideration in connection with the above report.

* Not printed in present Volume.

APPENDIX VI.

No. 696 (Finl.), dated Lahore, 19th March 1908.
From the Hon. Mr. E. D. Maclagan, C.S., Chief Secretary to Government, Punjab, to H. Wheeler, Esq., Secretary of the Decentralization Commission.

I am directed to forward herewith three statements showing the recommendation of Sir Thomas Gordon Walker regarding—

(*a*) devolution of powers to the Local Government ;
(*b*) devolution of powers by the Local Government ;
(*c*) amendment of the statutory law.

[NOTE.—In the following statements charges requiring the sanction of the Government of India are printed in heavy type. The letters S, R, C and P indicate, respectively, proposals necessitating alterations in Law, Rules having the force of Law, Code and Practice.]

(a) Abstract of the proposals made by the Punjab Government for the devolution of powers to the Local Government.

Serial No.	Subject.	Authority who can now sanction, with reference.	Authority proposed, with limit.	Remarks.
	Under the Civil Account Code.			
1	Increases of Salaries and grant of special allowances.	Government of India ... Article 277, Civil Account Code.	Local Government in case of appointments up to Rs. 6,000 per annum; and in case of additional expenditure on establishment up to Rs. 50,000 per annum. The powers of the Local Government in regard to the exceptions to the article should be unlimited.	C.
2	Sanctions to charges over limits or outside conditions laid down.	Government of India ... Article 278-A, Civil Account Code.	Local Government limited in the case of imperial charges only to the amount of Rs. 10,000.	C.
3	Writing off powers	Government of India ... Article 279-A, Civil Account Code.	Local Government ...	C.
4	Ditto	Audit Officer ... ... Article 989, Civil Account Code.	Deputy Commissioner up to Rs. 10. Accountant-General and Heads of Departments, up to Rs. 100.	C.
5	Power to undertake a new general service or duty, chargeable to provincial funds.	Government of India ... Article 283-4 (2), Civil Account Code.	Local Government ...	C.
6	Power to create a permanent appointment carrying over Rs. 250 per mensem.	Government of India ... Article 283-4, (3) (a), Civil Account Code.	Local Government (up to Rs. 500 per mensem).	C.
7	Power to create temporary appointments or deputations carrying over Rs. 250 per mensem.	Government of India ... Article 283-4 (3) (b), Civil Account Code; articles 78-9, Civil Service Regulations.	Local Government (up to Rs. 500 per mensem), and subject in the case of deputation allowances, house rents, and allowances to Civil Surgeons for collateral railway charges, to any general rules made by Government of India.	C.
8	Power to abolish or reduce the emoluments of a permanent appointment carrying over s. 250 per mensem.	Government of India ... Article 283-4 (4), Civil Account Code.	Local Government (in cases where the pay does not exceed Rs. 500 per mensem).	C.
9	Power to create or abolish a class or grade of officers or to change its pay.	Government of India ... Article 283-4 (5), Civil Account Code.	Local Government ...	C.
10	Power to add to pay of officer or class of officers, though other increases are involved.	Government of India ... Article 283-4 (8), Civil Account Code.	Local Government (provided the emoluments are not charged under a transferred head).	C.
11	Power to continue, after the expiry of settlement, grants, &c., to local bodies.	Government of India ... Article 283-4 (10), Civil Account Code.	Local Government ...	C.
12	Power to frame Hill Allowance Code for Punjab hill stations.	Government of India ...	Ditto ...	P.
13	Power to sanction a new or to extend an existing settlement up 30 years; to sanction deviations from settlement forecast over 15 per cent. to sanction appointments of Assistant Settlement Officers.	Ditto ...	Ditto ...	P.

(*a*) *Abstract of the proposals made by the Punjab Government for the devolution of powers to the Local Government*—concluded.

Serial No.	Subject.	Authority who can now sanction, with reference.	Authority proposed, with limit.	Remarks.
	Under the Civil Service Regulations.			
14	Sanction to grant of honoraria—over— Rs. 200 (Imperial funds). Rs. 5,000 (provincial funds).	Government of India ... Article 72-4, Civil Service Regulations.	Local Government (up to Rs. 1,500).	C.
15	Revision of non-gazetted establishment over Rs. 3,000.	Government of India ... Article 76 (1), Civil Service Regulations, and 277 (4), Civil Account Code.	Local Government (up to Rs. 6,000).	C.
16	Power to make temporary service qualify for pension.	Government of India ... Article 363, Civil Service Regulations.	Local Government, if pension does not exceed Rs. 10 per mensem.	C.
17	Condonations of interruptions in service over three months.	Government of India ... Article 422, Civil Service Regulations.	Local Government up to 12 months in case of interruptions, and in other cases without limit.	C.
18	Condonations of deficiencies in service.	Government of India ... Article 423 (2), Civil Service Regulations.	Local Government ...	C.
19	Sanction to re-employment of pensioners.	Government of India ... Article 524, Civil Service Regulations.	Ditto ...	C.
20	Sanction to wound gratuities and pensions.	Government of India ... Article 739-40, Civil Service Regulations.	Local Government (up to extent of powers of Government of India at present).	C.
21	Transfers to foreign service of non-gazetted officers of less than 10 years' service.	Government of India ... Article 753, Civil Service Regulations.	Local Government ...	C.
22	Sanction to permanent travelling and conveyance allowances.	Government of India ... Articles 1048 and 1075, Civil Service Regulations.	Local Government, subject to any general rules made by Government of India.	C.
23	Power to abandon through lines of Communication.	Government of India ... Article 283-4 (14), Civil Account Code.	Local Government ...	C.

Abstract of the proposals of the Punjab Government for the devolution of powers to officers subordinate to it.

Serial No.	Subject.	Authority who can now sanction, with reference.	Authority proposed.	Remarks.
		FINANCIAL.		
1	Grant of pensions to all non-gazetted establishment.	Local Government (in case of persons drawing over Rs. 20 per mensem). Commissioners and Heads of Departments (in other cases). Article 918, Civil Service Regulations. Punjab Government No. 892, dated 27th March 1907.	Up to Rs. 50. { Commissioners. Heads of Departments. Up to Rs. 20...Deputy Commissioners.	C.
2	Power to exempt from personal appearance when drawing pension.	Commissioners and Heads of Departments. Punjab Government No. 892, dated 27th March 1907.	Deputy Commissioners.	C.
3	Grant of travelling allowance to officers in inferior service.	Commissioners and Heads of Departments. Punjab Government No. 892, dated 27th March 1907.	Ditto ...	C.
4	Sanction to writing off irrecoverable stores.	Heads of Departments ... Article 279, Civil Account Code. Punjab Government No. 892, dated 27th March 1907.	Authorised Medical Officers.	C.

Abstract of the proposals of the Punjab Government for the devolution of powers to officers subordinate to it—cont.

Serial No.	Subject.	Authority who can now sanction, with reference.	Authority proposed.	Remarks.
5	Sanction to payment of rents on Government buildings, &c.	Local Government and Commissioners and Heads of Departments. Article 98 (*m*) and (*n*), Civil Account Code.	Heads of Departments.	C.
6	Grant of travelling allowances beyond jurisdiction.	Commissioners within Punjab, Heads of Departments within their jurisdiction and Local Government beyond Punjab. Articles 57-8 Civil Service Regulations. Punjab Government No. 892, dated 27th March 1907.	The countersigning authority.	C.
7	Sanction to purchase of books, newspapers, &c.	Heads of Departments ... Article 98 (*e*), Civil Account Code. Punjab Government No. 892, dated 27th March 1907.	The officers for whom they are wanted (up to budget provision).	C.
8	Sanction to temporary excise establishment.	Financial Commissioner ... Article 98 (*e*), Civil Account Code. Punjab Government No. 892, dated 27th March 1907.	Commissioner ...	C.
9	Sanction to temporary establishment for Court of Wards estates.	Commissioners... ... ... Article 98 (*e*), Civil Account Code. Punjab Government No. 892, dated 27th March 1907.	Deputy Commissioners.	C.
10	Sanction to payment of municipal taxes on Government buildings.	Commissioners and Heads of Departments. Punjab Government No. 892, dated 27th March 1907. Article 98 (*o*), Civil Account Code.	Deputy Commissioners and authorised medical officers.	C.
11	Employment of temporary process-serving (income-tax) establishment.	Commissioners... ... ... Punjab Government No. 892, dated 27th March 1907.	Deputy Commissioners (up to budget provision).	C.
12	Sanction to alteration of date of birth in service book.	Commissioners and Heads of Departments. Article 55 (*b*), Civil Account Code.	Deputy Commissioners.	C.
13	Santion to purchase of typewriters.	Commissioners... ... ... Punjab Government No. 892, dated 27th March 1907.	Ditto ...	C.
14	Sanction to local purchases of stationery.	Commissioners and Heads of Departments up to Rs. 20. Punjab Government No. 2264, dated 31st October 1905. Article 98 (*g*), Civil Account Code. Public Works Department Code, article 721.	Deputy Commissioners and officers subordinate to Heads of Departments, up to Rs. 20. Commissioners and Heads of Departments, up to Rs. 500.	C.
15	Sanction to local purchases of European stores.	Commissioners and Heads of Departments, up to Rs. 15. Punjab Government No. 892, dated 27th March 1907. Public Works Department Code, appendix 30, article 3.	Ditto ...	C
16	Sanction to transfers of charge not at headquarters.	Local Government ... ... Article 53, Civil Service Regulations, and Consolidated Circular No. 11, paragraph 3.	Commissioners and Heads of Departments.	C.

Abstract of the proposals of the Punjab Government for the devolution of powers to officers subordinate to it—cont.

Serial No.	Subject.	Authority who can now sanction, with reference.	Authority proposed.	Remarks.
17	Sanction to acceptance of honoraria.	Up to Rs. 100, Heads of Departments. Up to Rs. 500, Local Government. Up to Rs. 1,000, Government of India. Over Rs. 1,000, Secretary of State. Article 72, Civil Service Regulations.	Commissioners and Heads of Departments, up to Rs. 300.	C.
18	Sanction to temporary appointments and deputations of non-gazetted officers within the province.	Local Government ... ... Article 78, Civil Service Regulations.	Commissioners and Heads of Departments.	C.
19	Fixing emoluments of officers reduced as a punishment.	Local Government ... ... Articles 154 and 157-B (*b*), Civil Service Regulations.	Ditto ...	C.
20	Grant of permission to retain old rates of pay when pay of an appointment is changed.	Local Government ... ... Article 158 Civil Service Regulations.	Ditto ...	C.
21	Grant of a charge allowance	Local Government ... ... Article 161, Civil Service Regulations.	Commissioners and Heads of Departments (in case of all non-gazetted officers).	C.
22	Extension of joining time ...	Local Government ... ... Article 180, Civil Service Regulations.	Commissioners and Heads of Departments.	C.
23	Grant of transit pay and travelling allowance.	Local Government ... ... Article 188, Civil Service Regulations.	Ditto ...	C.
24	Exemption from loss of appointment for overstaya of leave.	Local Government ... ... Article 230, Civil Service Regulations.	Commissioners and Heads of Departments (in cases when the officer is not in fault).	C.
25	Exemption from loss of allowances.	Local Government ... ... Article 230, Civil Service Regulations.	Ditto ...	C.
26	Condonations of interruptions and deficiences in service.	Government of India or Local Government. Articles 422-23, Civil Service Regulations.	Local Government without limit, and to Commissioners and Heads of Departments, up to six months or in the case of officers drawing up to Rs. 50 per mensem.	C.
27	Continuance in service of Provincial Service officers over 60 years of age.	Local Government ... ... Article 459, Civil Service Regulations.	Ditto ...	C.
27(*a*)	Power of compulsory retirement at 55.	Various ... ... Article 459, Civil Service Regulations.	Heads of Departments and Deputy Commissioners in case of their non-gazetted subordinates.	P.
28	Re-employment of pensioners.	Local Government (up to one year or in the case of employment under local funds). Articles 520 and 524, Civil Service Regulations.	Commissioners and Heads of Departments.	C.
29	Grant of privilege leave to Gazetted Officers.	Local Government ... ... Article 841, Civil Service Regulations.	Ditto ...	C.
30	Calculation of travelling allowance by route other than the shortest.	Local Government ... ... Articles 996-97, Civil Service Regulations.	Ditto ...	C.
31	Reimbursement to non-officials of travelling expenses for educational conferences.	Local Government ... ... Article 1004, Civil Service Regulations.	Director of Public Instruction.	C.
32	Special travelling allowances.	Local Government ... ... Article 1045, Civil Service Regulations.	Local Government, up to Rs. 100 per mensem.	C.
33	Grant of halting allowance for over ten days.	Local Government ... ... Article 1056, Civil Service Regulations.	Commissioners and Heads of Departments.	C.
34	Grant of actual expenses during halt.	Local Government ... ... Article 1059, Civil Service Regulations.	Ditto ...	C.
35	Grant of travelling allowance to go before a medical board.	Local Government ... ... Article 1138, Civil Service Regulations.	Ditto ...	C.

Abstract of the proposals of the Punjab Government for the devolution of powers to officers subordinate to it—cont.

Serial No.	Subject.	Authority who can now sanction, with reference.	Authority proposed.	Remarks.
36	Location of headquarters ...	Local Government ... ... Article 1060, Civil Service Regulations.	Commissioners and Heads of Departments.	C.
37	Grant of special cumulative allowance.	Local Government ... ... Article 1061, Civil Service Regulations.	Ditto ...	C.
38	Grant of examination travelling allowance.	Director of Land Records, Article 1116, Civil Service Regulations.	Deputy Commissioners (and a clerk might be allowed to countersign).	C.
39	Delegation of power of countersignature.	Government of India... ... Articles 1159 and 1162, Civil Service Regulations.	Authorised Extra Assistant Commissioners.	
40	Investigation of arrear claims.	Local Government ... ... Article 5 (*a*), Civil Account Code.	Commissioners and Heads of Departments.	C.
41	Revision of establishment ...	Local Government ... ... Article 57, Civil Account Code.	Commissioners and Heads of Departments, subject to rates of pay fixed by Government.	C.
42	Dispensing with the need of submitting vouchers over Rs. 10.	Government of India... ... Article 88 (*a*), Civil Account Code.	Government of India The limit to be raised to Rs. 100.	C.
43	Countersignature of contingent bills.	Commissioners... ... ... Article 90, Civil Account Code.	Deputy Commissioners.	C.
44	Authorization of land acquisition officer to issue cheques.	Local Government ... ... Article 103, Civil Account Code.	Commissioners ...	C.
45	Re-appropriation between major heads.	Local Government ... ... Articles 158 and 295 (*a*) (*i*), Civil Account Code.	Commissioners and Heads of Departments.	C.
46	Sanction to non-recurring expenditure.	Local Government ... ... Article 278-A (*b*), Civil Account Code.	Ditto ...	C.
47	Writing-off of payments disallowed within six months.	Government of India... ... Article 279-A, Civil Account Code.	Commissioners, Accountant-General and Heads of Departments, up to Rs. 100, Deputy Commissioners, up to Rs. 10.	C.
48	Temporary appointments and deputations.	Local Government ... ... Article 283-4 (*b*), Civil Account Code.	Commissioners and Heads of Departments, up to Rs. 50 and six months.	C.
49	Renewal of lapsed sanctions	Local Government ... ... Article 293, Civil Account Code.	Commissioners and Heads of Departments.	C.
50	Sanction to telephones ...	Local Government ... ... Article 98, Civil Account Code.	Ditto ...	C.
51	Supply of hand-made paper	Local Government ... ... Stationery Manual, volume I, section 1, rule 16.	Heads of Departments.	C.
52	Power to indent direct on India Office for stores.	Local Government ... ... Finance Department resolution No. 185, dated 10th January 1883.	Heads of Departments and Principals of Colleges.	P.
53	Sanction to Class C Contingencies.	Local Government and Financial Commissioner. Various rules.	Ditto ...	P.
54	Sanction to printing at private presses instead of by the Government Contractors.	Local Government (except in small cases). Punjab Government No. 236, dated 15th February 1907.	Commissioners and Heads of Departments, up to Rs. 100 in each case.	This proposal involves an alteration in the contract.
55	Sanction to supply of liveries and warm clothing.	Various ... ... Revenue Circular No. 16, paragraph 29. Punjab Government No. 1395, dated 25th April 1906.	Deputy Commissioners or Heads of offices concerned and Heads of Departments.	P.
56	Compensation for dearness of provisions.	Local Government ... ... Article 72, Civil Account Code.	Commissioners to fix the staple.	P.
57	Sanction to cutcherry fund budget and establishment and countersignature of bills of the fund.	Commissioners ... ... Accountant-General's Standing Order No. 39 (*b*), and Punjab Government Nos. 918 and 690, dated 16th May 1893 and 10th April 1893.	Deputy Commissioners	P.

Abstract of the proposals of the Punjab Government for the devolution of powers to officers subordinate to it—cont.

Serial No.	Subject.	Authority who can now sanction, with reference.	Authority proposed.	Remarks.
58	Sanction to advances to sub-postmasters for sale of stamps.	Collector ... ... Punjab Government notifications Nos. 1498, 1500 dated 5th June 1900, rule VII (*a*).	Treasury Officer ...	R.
59	Registration charges (establishment and contingencies) and refunds of revenue.	Inspector-General ... ... Registration Manual— Standing Order No. II, paragraphs 3, 5, 13, pages 80, &c. Standing order No. IV, paragraphs 17 and 23, pages 73 and 111. Rules 11 and 58, pages 51 and 56.	Registrar	Salaries of Sub-Registrars must be approved by Government of India.
60	Pensions—(*a*) payments to heirs, (*b*) payment of arrears.	Financial Commissioner, Accountant-General and Commissioners. Rule 7 under Act XXIII of 1871. Rule 6 under Act XXIII of 1871. Revenue Circular No. 38, paragraph 2. Punjab Government No. 2265, dated 18th November 1907.	Deputy Commissioners	R.
61	Purchase of tentage	Financial Commissioner and Committee of inspection, and Local Government in excess of scale. Paragraph 7, Revenue Circular No. 24.	Commissioners and Heads of Departments.	P.
62	Sanction of allowances to Hospital Assistants for collateral charges.	Local Government ... ... Consolidated Circular No. 11, paragraph 42.	Inspector-General of Civil Hospitals.	P.
63	Purchase of furniture for *dâk* bungalows.	Commissioners ... ... Consolidated Circular No. 28, paragraph 26, on page 7.	Deputy Commissioners, up to budget provision.	P.
		REVENUE.		
64	Appeals against method of partition.	Commissioners ... ... Land Revenue Act, section 118.	Collectors	S.
65	Exercise of a Collector's powers.	Collector	Any Sub-Divisional Officer.	S.
65 (*a*)	Power to make rules under section 155 (3), Land Revenue Act, and section 106, Land Tenancy Act.	Government of India and Local Government.	Financial Commissioner.	S.
65 (*b*)	Local Government's powers of continuing assignments.	Local Government ... ... Revenue Circular No. 37, paragraph 8 II, III, IV.	Commissioners ...	P.
66	Regulation of patwaris' circles...	Commissioners ... ... Land Revenue Rule 1.	Collectors	R.
67	Alterations in kanungo and patwar establishments.	Financial Commissioner... ... Land Revenue Rules 2–5.	Commissioners	R.
68	Approval of candidates for district kanungoship.	Director of Land Records ... Land Revenue Rule 105.	Collectors	R.
69	Alteration of scale of *zaildars* ...	Local Government and Commissioners. Land Revenue Rule 165 (i) and (ii).	Financial Commissioner and Commissioners.	R.
70	Approval of non-*lambardar* candidates for *zaildari*.	Commissioners ... ... Land Revenue Rule 166.	Collectors	R.
71	Appointment of minors to be *zaildar*.	Commissioners ... . Land Revenue Rule 169. Punjab Government No. 2936, dated 12th October 1907.	Ditto	R.
72	Sanction to absence of *zaildar* for over one year.	Financial Commissioner ... Land Revenue Rule 188.	Ditto	R.
73	Refunds of land revenue ...	Commissioners ... ... Land Revenue Rules 256–58. Punjab Government No. 2936, dated 12th October 1907.	Ditto	R.
74	Exercise of powers of revenue revision.	Financial Commissioner ... Section 16 (3), Land Revenue Act. Section 84 (3), Land Revenue Act.	Commissioners	R.
75	Disposal of cases of undisputed *lambardari*.	Collectors ... ... Land Revenue Rule 179.	Assistant Collector, 1st grade.	R.
76	Grant of pensions to heirs of assignees.	Local Government ... ... Revenue Circular No. 37, paragraph 9.	Financial Commissioner	P.
77	Consolidation of revenue-free holdings.	Local Government ... ... Revenue Circular No. 37, paragraph 53.	Ditto ...	P.
78	Sanction to (*a*) di-alluvion assessments and to changes in rent-roll caused by them, and to	Commissioners and Financial Commissioner. Revenue Circular No. 33.	Collectors and Tahsildars.	P.

Abstract of the proposals of the Punjab Government for the devolution of powers to officers subordinate to it—cont.

Serial No.	Subject.	Authority who can now sanction, with reference.	Authority proposed.	Remarks.
79	(*b*) Reduction and increases of land revenue.	Financial Commissioner ... Revenue Circular No. 35, paragraph 7.	Commissioners	P.
80	Sanction to entertainment of temporary record-room establishment.	Financial Commissioner ... Revenue Circular No. 42, paragraph 13.	Deputy Commissioners, up to budget provision.	P.
81	Sanction to the institution of suits for rent of *nazul* properties.	Financial Commissioner ... Revenue Circular No. 45, paragraphs 8 and 17.	Ditto ...	P.
82	Powers of disposal of acquired lands on abandonment by Government.	Financial Commissioner ... Revenue Circular No. 54, paragraph 83.	Commissioners	P.
83	Remission of land revenue on lands taken up by Department Public Works.	Financial Commissioner ...	Collectors	P.
84	Remission of loans under Act XII of 1884.	Commissioners ... ... Revenue Circular No. 55, paragraph 16 (9).	Ditto	P.
85	Transfers of leases of waste lands	Local Government ... ... Revenue Circular No. 56, paragraph 62, form A, part II, 9, page 21.	Ditto	P.
86	Sanction to sales of ancestral land in execution of decrees.	Financial Commissioner ... Commissioners. Revenue Circular No. 66, paragraph 9.	Commissioners ...	P
87	Sanction to sale of *nazul* properties.	Financial Commissioner and Commissioners. Punjab Government circular No. 3—1661, dated 12th August 1907.	Collectors (in case of uncultivated land up to Rs. 500).	P.
		COURT OF WARDS.		
88	**Exercise of Financial Commissioner's powers.**	**Financial Commissioner ... Act II of 1903.**	**Commissioners ...**	**S.**
89	Leases of estates of Wards of Court.	Commissioners	Deputy Commissioners (in cases up to Rs. 5,000).	P.
90	Sanction to suits by Court ...	Financial Commissioner ... Section 20 of Act II of 1903.	Commissioners and Deputy Commissioners (up to Rs. 1,000).	P.
91	Countersignature of bills against the rate.	Commissioners ... ... Rule (*l*), page 14 of Revenue Circular No. 57.	Deputy Commissioners, up to budget provision.	P.
92	Expenditure of funds provided for in scheme of management.	Commissioners ... ... Rule (*h*), page 14 of Revenue Circular No. 57	Deputy Commissioners, up to budget provision.	P.
93	Contingent Expenditure ...	Commissioners ... ... Accountant-General's S. O. K. Rule (*viii*); page 13 of Revenue Circular No. 57.	Deputy Commissioners, up to Rs. 100.	P.
		EXCISE.		
94	Refunds and remissions of excise revenue.	Commissioners and Excise Commissioner. Paragraph 19 (*vii*), page 17 of Excise Pamphlet.	Collectors, up to Rs. 200	P.
95	Transfer of locality of excise shops.	Excise Commissioner ... ... Paragraph 27 (3), page 21 of Excise Pamphlet, part I.	Collectors	P.
96	Resale of forfeited excise licenses.	Excise Commissioner ... ... Rules 9 to 12 of the licensing rules, page 94 of Excise Pamphlet, part I.	Ditto	P.
97	Sanctions to rewards in excise cases over Rs. 50.	Excise Commissioner ... ... Paragraph 15, Rule VII-A, page 15 of Excise Pamphlet, part I.	Ditto	P.
98	Acceptance of highest bid at auctions.	Excise Commissioner ... ... Paragraph 26 (4), page20, Excise Pamphlet, part I.	Ditto	P.
99	**Conferment of subordinate civil judicial powers.**	**Local Government ... ... Section 64, Act XVIII of 1864.**	**Hon'ble Judges ...**	**S.**
		GENERAL ADMINISTRATION.		
100	**Powers of registering members of criminal tribes and grant of passes.**	**Deputy Commissioner ... Section 11, Act XXVII of 1871.**	**Any authorized Magistrate.**	**S.**
101	**Powers to sanction location of punitive police.**	**Local Government ... ... Section 15 of Police Act.**	**Commissioners ...**	**S.**
102	**Removal of lunatic prisoners to asylum.**	**Local Government ... ... Act III of 1900, section 30.**	**Inspector-General of Prisons.**	**S.**

Abstract of the proposals of the Punjab Government for the devolution of powers to officers subordinate to it—concluded.

Serial No.	Subject.	Authority who can now sanction, with reference.	Authority proposed.	Remarks.
103	Empowering of officers under Land Acquisition Act and Income Tax Act.	Local Government	Financial Commissioner.	S.
104	Power to fix fines	Local Government ... ... Section 12, Act I of 1871.	Commissioners ...	S.
105	Power to give orders regarding vagrants.	Local Government ... ... Section 46, Punjab Laws Act IV of 1872.	Ditto ...	S.
106	Power to compensate lessees of ferries.	Local Government ... ... Section 10, Act VIII of 1878.	Ditto ...	S.
107	Grant of leave in general ...	Local Government ... ... Articles 332, 339, 329, Civil Service Regulations.	Posting authority. (In note 1 to articles 332 and 339 substitute for "Local Government" "the authority granting the leave").	C.
108	Powers of Local Government over revenue establishment.	Local Government	Financial Commissioner.	P.
109	Appointment of ministerial officers in district offices, including Head Treasury Clerk, *Sadar Wasil Baqi Nawis*, Nazir, District Kanungo and Excise *Daroga*.	Commissioners ... ... Director of Land Records. Excise Commissioner. Various, including Land Revenue Rule No. 106.	Deputy Commissioners	P.
110	*Kursi Nashin* certificates ...	Commissioners ... ... Commissioner Delhi's No. 6, dated 23rd January 1875.	Ditto ...	P.
111	Grant of leave to—			
	(*a*) Subordinates	Commissioners ... ... Consolidated Circular No. 4, paragraph 17.	Collectors	P.
	(*b*) Gazetted Officers	Commissioners ... ... Consolidated Circular No. 4, paragraph 17.	Ditto	P.
	(*c*) Civil Surgeons	Local Government Consolidated Circular No. 11, paragraphs 10, 11.	Inspector-General of Civil Hospitals.	P.
112	Postings and appointments, &c., of Assistant Surgeons (provincial) and promotions.	Local Government ... ... Consolidated Circular No. 11, paragraph 21.	Ditto ...	P.
113	Employment of Extra Assistant Surgeons and extension of their employment.	Local Government ... ... Consolidated Circular No. 4, paragraph 17.	Ditto ...	P.
114	Promotions of 2nd class Civil Surgeons.	Local Government ... ... Consolidated Circular No. 11, paragraph 9.	Ditto ...	P.
115	Appointment of military officers to hold collateral (civil) medical charge.	Local Government ... ... Consolidated Circular No. 11, paragraph 5.	Ditto ...	P.
116	Declaration of Medical Officers to be plague inspecting officers.	Local Government ... ... Punjab Government notification No. 345, dated 11th November 1897.	Ditto ...	P.
117	Sanction of levy of fees at fairs	Financial Commissioner... ... Commissioners. Agriculture Circular No. 2, paragraph 2. Consolidated Circular No. 41, paragraph 58.	Deputy Commissioners	P.
118	Appointments of chaukidars ...	Deputy Commissioners ... ... Rule 8, Punjab Government notification No. 2778, dated 15th August 1876.	Ditto ...	R.
119	Alteration of scale of chaukidars	Commissioners ... ... Rule 4, Punjab Government notification No. 2778, dated 15th August 1876.	Ditto ...	R.
120	Sanction to prosecutions under Epidemic Diseases Act.	Commissioners ... ... Punjab Government Circular No. 8 of 1902.	Ditto ...	P.
		FORESTS.		
121	Forest powers	Local Government ... ... Act and Code.	Financial Commissioner.	C.

(*c*) *Statement of powers now reserved by law to the Governor-General in Council which might in the opinion of the Lieutenant-Governor be entrusted to the Local Government.*

	Act.	Section.	Power.
1	VIII of 1851	2	To vary scheduled rates of toll.
	XV of 1864	1	
2	XXXVI of 1858 ...	17-C	To move lunatics, beyond province, on concurrence of Local Government prepared to accept charge.
3	V of 1861	2	To change rates of police pay.
4	XXIII of 1863 ...	...	To dispose of Crown lands without restriction,—see rules in Punjab Government No. 1179 S., dated 3rd September 1885, framed with sanction of Government of India.
5	VII of 1870	22	To make rules regarding entertainment of process-servers.
6	VIII of 1870	1	To issue notifications regarding female infanticide.
7	I of 1871	12	To vary scale of fines on impounded cattle.
8	V of 1871	34	To make rules regarding convicts undergoing transportation within the province.
9	XXVII of 1871 ...	2 and 5	To notify criminal tribes.
		15	To make arrangements for settlements or removal of criminal tribes.
		17	To place them in a reformatory settlement.
		18	To make rules under this section.
10	IV of 1872	39-C	To fix taxation for village police.
		50-A	To make rules under Punjab Laws Act.
11	VIII of 1873	75	To make rules for carrying out Canal Act (except as regards charges) (section 75 (4)).
12	IX of 1874	11	To create Government work-houses.
		36	To make rules for work-houses.
13	XIV of 1874	5 or 5-A	To extend enactments to scheduled districts.
14	XIX of 1876	10	To prohibit dramatic performances.
15	III of 1877	14	To regulate salaries of registering officers.
		78	To make rules regarding details of registration operations.
16	VII of 1878	26	To disforest reserved forests.
		70	To alter fines for cattle trespass.
		77	To make rules under the Act.
17	III of 1879	5	To confirm rules for destruction of records.
18	XIV of 1879	4	To extend rules to cantonments.
19	XIII of 1880	4	To extend Vaccination Act to cantonments, 'subject to control' of Government of India (*cf.*, section 4 of XIV of 1879).
20	XXVI of 1881 ...	138	To appoint notaries public.
21	XX of 1883	11 (2)	To alter constitution of and also proportion of salaried members of district boards.
		30	To approve of local taxation.
		55	To sanction investments.
22	VI of 1886	36	To make rules regarding registration of births and deaths.
23	XI of 1886	4	To make an order for a tramway on land not within limits of municipality or cantonment.
24	VII of 1887	3	To determine the valuation of land for purposes of jurisdiction.
25	IX of 1887	5	To establish Small Cause Courts.
		8 (1)	To appoint Additional Judge of a Small Cause Court.
26	XX of 1891	5 (2) (*b*)	To vary proportion of salaried members of a municipality.
		182	To supersede a municipality.
27	I of 1894	55	To make rules regarding acquisition of land.
28	IX of 1894	59	To make rules for matters detailed in this section (subject to general control of Government of India).
29	XII of 1896	14	To establish warehouses for drugs.
		19	To make rules under this section.
30	VI of 1898	26	To dispose of intercepted parcels.
31	VIII of 1897	5	To establish reformatory schools.
32	II of 1902	3	To extend the Act.
		41	To make rules.

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MINUTES OF EVIDENCE

TAKEN BEFORE THE

ROYAL COMMISSION

UPON

DECENTRALIZATION

OF

WITNESSES SERVING DIRECTLY UNDER

THE

GOVERNMENT OF INDIA.

VOLUME X.

Presented to both Houses of Parliament by Command of His Majesty.

LONDON:
PRINTED FOR HIS MAJESTY'S STATIONERY OFFICE,
By DARLING & SON, Ltd., 34-40, Bacon Street, E.

And to be purchased, either directly or through any Bookseller, from
WYMAN and SONS, Ltd., Fetter Lane, E.C., and
32, Abingdon Street, Westminster, S.W.; or
OLIVER & BOYD, Tweeddale Court, Edinburgh; or
E. PONSONBY, 116, Grafton Street, Dublin.

1908.

[Cd. 4369.] *Price* 2*s.* 3*d.*

NOTE.

In the evidence of the Secretaries to the Government of India the questions marked by a single asterisk were framed by the Commission, and answered by the Secretaries in writing, prior to their oral examination.

The questions marked with a double asterisk were framed by the Chairman, and answered in writing, for the most part subsequent to the oral examination of the witnesses.

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MINUTES OF EVIDENCE

TAKEN BEFORE THE

ROYAL COMMISSION UPON DECENTRALIZATION.

TWENTY-SIXTH DAY.

CALCUTTA, *Saturday, the 4th January*, 1908.

PRESENT :

C. E. H. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Colonel J. T. W. LESLIE was called and examined.

Colonel J. T. W. Leslie.

4 *Jan.*, 1908.

42520. (*Chairman.*) You are Sanitary Commissioner with the Government of India ?—Yes.

42521. What are the main functions of the Sanitary Commissioner ?—The office of Sanitary Commissioner with the Government of India was held *ex-officio* by the Surgeon-General with the Government of India (now Director-General, Indian Medical Service), from 1880 until 1904. In the latter years of this period it was found that the volume of work was becoming too great for one man to manage, and that the increasing technicality of sanitary questions rendered it necessary that they should be the charge of an officer with opportunities to apply expert knowledge to their disposal. The separate office of Sanitary Commissioner with the Government of India was accordingly re-created in September, 1904.

The main functions of the Sanitary Commissioner are to advise the Government of India on sanitary questions and to co-ordinate research in connection with the prevention of disease. The advice given to the Home Department may be on references made to the Sanitary Commissioner by them or original, *i.e.*, on the initiative of the Sanitary Commissioner. A function which is essentially advisory is the review by the Sanitary Commissioner of reports by experts under provincial Governments, *e.g.*, of the health statistics in jails.

The Sanitary Commissioner is primarily an officer of the Home Department, but every Department of the Government of India may refer questions to him, but as most sanitary questions coming before the departments of the Government of India, require the advice of the Home Department, as a department, references are generally made not to the Sanitary Commissioner, but to the Home Department who consult the Sanitary Commissioner.

The Sanitary Commissioner is independent of the Director-General, Indian Medical Service, but the two officers work in communication with each other. The relation of the Sanitary Commissioner to provincial Governments is simple. It is intended to allow the Local Governments and their officers to make the fullest use of the Sanitary Commissioner who is frequently in a better position to obtain expert opinion than they are ; and at the same time every precaution is taken to prevent the Sanitary Commissioner usurping the authority of Local Governments over their officers. The extent to which use has been made of the Sanitary Commissioner by Local Governments and their officers has varied greatly in different cases, and seems to depend upon personal knowledge of the Sanitary Commissioner possessed by the local officers. There has been no friction in the relations of the Sanitary Commissioner with provincial Governments, except in the cases of Madras and Bombay, where there has apparently been some misunderstanding of the intentions of the Government of India, and a dread lest the Sanitary Commissioner should interfere between the Presidencial Governments and their officers.

The Sanitary Commissioner administers the Central Research Institute and, as he co-ordinates research, has the right to correspond on technical questions with the officials of laboratories under provincial Governments. The scheme provides for a central laboratory at Kasauli and a laboratory in each province. General research is under the direction of the Sanitary Commissioner, who has, however, no concern with routine work done in provincial laboratories.

The Sanitary Commissioner recommends officers for selection for the department, and the Home Department reserve the right of appointing directors of laboratories and sanctioning the leave of all officers of the Bacteriological Department.

The Sanitary Commissioner prepares a report of the work done in connection with sanitation among European and Native troops, among prisoners and among the general population, and in the report reviews the progress made in vaccination, in sanitary works of all sorts, and in medical research in connection with tropical diseases. He edits the Scientific Memoirs and pamphlets and papers on similar subjects, which the Government of India desire to publish for general information.

42522. When you bring up a case to the Home Department, on what is the case founded ?—I had better take a concrete example ; we had a high death rate from enteric fever in the Army, and we had very little knowledge as to how it arose ; we started the new Research Institute and we put the whole of the staff on to the subject, and we got good results.

42523. On any question of a similar character are you at liberty to tour as, and when, you like throughout the whole of India ?—Yes.

42524. Would you have to go to a particular province to investigate the conditions which obtain there, or would you call for reports from that province in connection with any outbreak of that sort ? —I have to be careful how I call for reports. I can go to a province, and generally speaking I can arrange with the provincial Sanitary Commissioner to get any information I want. I am entitled to call upon him to give me technical reports, but it is very easy to over-step the margin between technical and administrative reports, so that one has to be very careful.

42525. Do you correspond direct with the provincial Sanitary Commissioner ?—Yes.

42526. On all other matters how do you get at him ? —Through the Local Government.

Colonel J. T. W. Leslie.

4 *Jan.*, 1908.

42527. Do you write direct to the Local Government, or do you write through the Home Department?—I generally write through the Home Department; there are certain subjects upon which I write to the Secretaries. Cases where I address the Local Government would be those in which the Local Government themselves could give an answer.

42528. Suppose a proposal comes to you from the Home Department which concerns practically the whole of India, what is your method?—Generally speaking I have got the information in my office records; if I have not, I ask the provincial Sanitary Commissioners, or if necessary the Local Government, or I suggest to the Home Department that they should themselves get the information from the Local Government.

42529. As a rule, before you reply to a scheme which must affect India as a whole, do you try in some way to get into touch with the opinions held by the Local Governments?—Certainly, I would get my information from the provincial Sanitary Commissioner, but in certain cases I would not address the Local Government at all; I should suggest to the Home Department to address the Local Government.

42530. Do you know whether the Home Department follows your advice?—Yes, the Home Department draft a letter and send it through to me to see if it is exactly what I wanted.

42531. You would not yourself draft a letter upon a particular question and say to the Home Government "Will you forward this letter to the Sanitary Commissioner or to the provincial Government?"—No, but the Home Department might say "Will you kindly draft this letter yourself?"

42532. It would not be within your right to send a draft letter through the Home Department on your own initiative?—No; I might write a memorandum and request them to send it, but it would be entirely for them to say whether they would send it or not.

42533. When a proposal is made by a Local Government and is referred to you for your advice, what is your procedure?—I go on the facts; I may consult the local Sanitary Engineer, or other officers.

42534. Do you in practice ever consult the local Sanitary Engineer?—Certainly.

42535. Would you say "I have such and such ideas, but there may be some circumstances in your province which require their modification"?—Certainly, I generally know that because I am in fairly close communication with them all over northern India with regard to all these matters; in southern India this is not so quite to the same extent because the development has been different. So far as the Medical Department is concerned they were entirely independent before 1895; they had their own Military Medical Department, etc. The Indian Medical Service has since been changed entirely; it is one Service now; it is not presidencial at all.

42536. Have the provincial Governments a very fair knowledge before you advise the Home Department of what it is you are going to suggest?—I should think so, but it depends. If I make a suggestion myself, it is upon something I have discussed with the local people. If a thing comes up from the Local Government they may, or may not, know what I have to say upon it. A simple question might come up whether such and such a pay was to be given to an officer attached to the department; I might advise that it should be so much, not with regard to the Government at all, but with regard to the pay of similar appointments elsewhere; for instance, Bombay might ask me as to the proper pay of an appointment, and I should be able to advise them judging by a similar appointment in Calcutta. If men have to go to the same duties it is just as well to have the pay (within limits) on the same basis.

42537. Have you reason to believe that the Local Governments are sufficiently consulted?—I think they are.

42538. From their point of view or from yours?—From their point of view, certainly.

42539. You recently submitted a scheme for the reorganization of the Sanitary Department throughout the country; upon what materials did you proceed?—I consulted everybody with experience of sanitary administration I could come across in the country.

42540. Did you produce a scheme which would apply uniformly throughout the country?—Not absolutely uniformly, but on the same lines.

42541. So nearly uniformly that it would be difficult to make a difference?—The pay for instance might be different, but the general system is on the same lines throughout the country.

42542. Were the conditions of service different?—The conditions of service might be very different. I did not go into details; the Home Department asked the Local Government for details.

42543. In a question of that sort, in a scheme which applies to the whole country, should there be uniformity of scales of pay and conditions of service?—There cannot be absolute uniformity. The conditions are so different that it is impossible to give the same pay or the same terms of service.

42544. Is that the view taken by the Home Department?—I think that is the view taken by the Home Department.

42545. You say that one of your functions, which is essentially advisory, is the review of reports by experts of provincial Governments. Are those reports lengthy reports as a rule?—Yes, fairly lengthy.

42546. Do you write a lengthy review of the whole of these reports?—Yes. The Jail Review is about 20 or 22 pages.

42547. Do you issue many of these reports in the course of the year?—Not very many. As to the sanitary reports, we used to write a resolution on each; I used to prepare the notes for the resolution. We have stopped that recently, because it was not doing much good. Instead of doing that I write to the Sanitary Commissioner pointing out discrepancies, and asking him to explain them. If there is nothing in the note calling for any comment, I explain that to the Home Department.

42548. Could that be extended?—I should be glad to extend it; for instance, the Prisons Report is very useful.

42549. How long after the facts occur do you issue your review of the Prisons Report?—About ten months after the end of the year. I get the last report about August, and I get the review in to the Home Department by October of the same year. The Sanitary Report is officially due on the 30th November, eleven months after the end of the year to which it refers.

42550. Is that not too late for your review to be of substantial benefit?—No.

42551. Notwithstanding its out-of-dateness, you think it is essential to publish it?—Certainly; it is more up to date than the English reports or the German reports are; it is a year younger than similar German reports.

42552. You say that every department of the Government of India may refer questions to you; do Local Governments consult you quite freely?—They may. Some of them do very freely.

42553. The majority of them?—No, I cannot say the majority.

42554. Why is that?—With regard to the northern Governments, possibly, because I am personally known to the Lieutenant Governors.

42555. The amount of consultation by you with the provincial Governments depends upon their personal experience of you?—I think it probably does.

42556. Do you tour in Madras or Bombay?—I have been in Madras, and I go to Bombay every year.

42557. Do those Governments consult you?—They have done so, but very sparingly.

42558. May any of the officers in the provincial Governments write to you?—Yes.

42559. Do they do so?—Yes.

42560. You have nothing to do with their administrative machinery?—Nothing whatever.

42561. You recommend officers for selection for the Bacteriological Department—is that an Imperial Department?—Yes. It is only newly constituted, and so far it is an Imperial Department; I hope it will be an Imperial Department.

Colonel J. T. W. Leslie.

4 *Jan.*, 1908.

42562. Do you know anything with regard to Sanitary Boards? Are they constituted, generally speaking, on much the same lines in most of the provinces?—They have departed entirely from the original lines. The beginning of the Sanitary Boards was a recommendation in the report of Lord Stanley's Royal Commission; that was in 1863. Nothing happened until about 1887, when Sir A. P. MacDonnell wrote a resolution by which he recommended that Sanitary Boards should be appointed in all the provinces. The Board was to consist of an officer of approved administrative experience, a Sanitary Commissioner, and an Engineer skilled in sanitary science. Most of the provinces resisted the establishment of Boards; Madras, for instance, said that they did not want a Board; Bombay said the same; the Punjab said the same.

42563. What is the present position?—Every province in India, except Coorg, has a Board.

42564. On the whole is the work of those Boards well done?—I think they are exceedingly useful.

42565. Is their work well done?—It is not entirely satisfactory, I think, but I cannot tell you why.

42566. Do you think that every Sanitary Board ought to have something beyond mere advisory powers?—They have in some places. In the United Provinces they have executive powers; they got executive powers in 1896.

42567. Is it a good thing that a Sanitary Board should have executive powers?—I think it is. I imagine that the work is better done in the United Provinces than it is elsewhere; in the Punjab the Sanitary Boards have certain executive powers, and they have so much money given to them to spend. It is a small sum given to them by the Punjab Government.

42568. Composed as they are, or as they ought to be, of experts, would it be a wise thing to allow them to sanction schemes on their own authority up to a certain limit?—The Board I should like to see would be a very small Board indeed, no more than three officers, one of financial knowledge, a Sanitary Commissioner, and a Sanitary Engineer; I would give them certain executive power to spend small sums, but their main functions should be advisory.

42569. What powers of sanction should they possess?—It would depend on the circumstances of different places. I would give them powers to sanction up to anything which did not require the interference of the Local Government—where the Local Government were not likely to have to foot the bill.

42570. Suppose the Local Government now confine them to, say, Rs. 5,000, would you like to see it go up to, say, Rs. 10,000, or so?—Yes, I think I would; I have not any very clear idea.

42571. You suggest that these Sanitary Commissioners or representatives from each Sanitary Board should meet every year; do you contemplate conferences?—The Home Department suggest conferences; I do not think that that is anything like as useful as allowing a man to go anywhere he likes in order to see things. For instance, the Sanitary Commissioner in Bengal might very usefully perhaps go to Madras to see the King Institute there, or to Belgaum to see the new Vaccine Institute there. I do not think that conferences are likely to be often useful, or anything like so useful as allowing a Sanitary Commissioner to visit different places.

42572. You say that it would be a great advantage if the initial appointments as provincial Sanitary Commissioners were made by the Government of India; do you propose a scheme of provincial appointments to be made by the Government of India?—The Local Governments get their Civil Surgeons from the Government of India; they have a *cadre* of Civil Surgeons in the province. At present the Deputy Sanitary Commissioners are simply *cadre* appointments in the province; Smith, Brown or Robinson goes to the province, and if they have no Civil Surgeoncy for him they put him in as Deputy Sanitary Commissioner. That is exceedingly unsatisfactory. All over northern India, when they want an officer for a Deputy Sanitary Commissionership, they generally write and say so. The Government of India have not accepted my proposal that they should appoint Deputy Sanitary Commissioners, but they have done what amounts to exactly the same thing. They suggest that no officer should be appointed Deputy Sanitary Commissioner who has more than seven years' service, or who is not technically qualified for the appointment. I think they should have added, who is not a candidate for the appointment. Very often men are made Sanitary Commissioners against their will, and they are continually trying to get out of the appointment. That is unsatisfactory.

42573. You want to level up, as it were, the whole work done by the Deputy Sanitary Commissioners?—Yes.

42574. And for that purpose you would introduce the agency of the Government of India?—I think you must do so.

42575. You would not leave it to the Local Governments?—No; the Government of India have the patronage of the Sanitary Commissionerships except in Madras and Bombay, and, if we had to sacrifice one or the other, I would rather sacrifice the power of promotion; I would rather have power to select my man than have power to promote him.

42576. Are you responsible for preparing the returns of vital statistics?—Yes.

42577. Do you attach much importance to them?—As far as numbers go they are in most places fairly correct; as regards the details of the causes of death they are very far from correct.

42578. How do you know that the numbers of deaths are correct?—The census reports give you figures, and whenever you make a special investigation you get a figure which is pretty reliable; it is certainly not one per cent. out in most cases.

42579. We were told by a witness who had collated some of these statistics himself that they were not at all reliable; would it surprise you to hear that?—It depends on what he meant by "not reliable." As far as numbers are concerned, in most provinces the numbers are correct—the totals are correct, but the causes of death are all wrong. In some provinces the vital statistics are very bad. For instance, you have a birth rate of 23 in Madras; that cannot be right; but take the Punjab, or the United Provinces, or Bengal, or the Central Provinces, their figures, so far as the totals are concerned, are very nearly quite accurate.

42580. How do you check the totals which are returned?—The figures are collected by the headman in each village; those are sent into the police thana, and from there they are sent to the Sanitary Commissioner, who tabulates them.

42581. At all events you do not agree with the suggestion that it is desirable to reduce the frequency with which these returns are called for?—No, it cannot be done.

42582. Just as you would have an Imperial Service of Deputy Sanitary Commissioners, you want an Imperial Service of Sanitary Engineers?—Yes.

42583. All to be appointed by the Government of India?—No, certainly not. For instance, in many provinces there are Sanitary Engineers at present, and there are men who are Assistant Sanitary Engineers. These men who are taken into the *cadre* would be eligible for promotion in their own province or in another province.

42584. At all events you want something centralized under the Government of India instead of being localised under the provincial Governments?—I think it must be so; the Service is so small.

42585. (*Mr. Hichens.*) Is research work under the Government of India, or under the provincial Governments, or under both?—Mainly under the Government of India; so far as it is official, it is under the Government of India.

42586. How far should that be confined to the Government of India?—You cannot confine it to the Government of India. A man in a certain laboratory will do research work himself, but the systematizing of all the various research work must be in the hands of the Government of India, if we are to economize our *personnel*. If you have half a dozen men working in half a dozen different laboratories on the same subject you have power wasted; if you put the same half dozen men to work on a given subject and to work

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together, you will obtain good results; the odds are that if they are working separately you get nothing except controversy.

42587. Is it desirable that the provincial Governments should spend public money on research work at the same time that the Government of India are spending money on the same work?—The more money well spent on research work the better I am pleased.

42588. You would not leave it to the Government of India to take up that side of the question?—I think the Government of India should control it, certainly.

42589. That is practically what happens to-day?—That is what happens so far as the work is official. We exercise no control over the individual in his laboratory, of course.

42590. In other words, as far as research work goes, you are satisfied with the existing conditions?—Yes.

42591. Speaking from the point of view of your department what should be the relations between the Government of India and the provincial Governments in regard to sanitary matters? Would you say, for example, that it was the function of the Government of India to deal with principles and the function of the provincial Governments to attend to details?—The provincial Government must deal with details, the Government of India cannot do it.

42592. The Government of India should deal with matters of general principle?—I think so.

42593. As regards your proposals for the reorganization of the Sanitary Department, is it desirable that the Government of India should apprise the Local Governments of their nature, but leave it entirely to their discretion whether they give effect to any of your suggestions or not?—What the Government of India has done is to bring these matters to the notice of the Local Governments, and ask them to express their opinions upon them; they then will collect the opinions of the different provincial Governments and frame a resolution upon them.

42594. But suppose any individual Government says, for example, that they do not think your suggestion to create an Imperial Service of Sanitary Engineers is a good one; would you press that on the individual Local Government?—That is extremely likely to happen. For instance, the Public Works Department of the Government of India think that this should be an Imperial Service and should be recruited in England. One Local Government, I know, thinks it should be taken entirely from the Public Works Department. If the majority said that it should be an Imperial Service, the Government of India would, no doubt, refer the matter back to the Local Governments that dissented, and say "These are the views of the majority of the Local Governments, perhaps you will re-consider your position." I do not think that any actual compulsion should be put upon any Local Government if it chooses to hold out.

42595. In other words, the Government of India should use advice and explanation in a matter of that sort, not coercion?—Certainly not coercion; they will not use coercion.

42596. You apply that also to your other recommendations?—Yes, certainly.

42597. (*Mr. Dutt.*) Is your direct correspondence with the provincial Sanitary Commissioners mainly of the nature of calls for information?—Yes; practically the correspondence is entirely confined to requests for information.

42598. On receipt of the information, when you submit your report to the Home Department, does that Department sometimes send out instructions or advice to the Local Government?—They may say that the Government of India are advised that such and such is the case, and ask the Local Government if it is so; or they may accept it and say, do the Local Government think that such and such a thing might be amended; but that in practice does not happen.

42599. Generally, it is only a matter of advice or suggestion?—That is all.

42600 Suppose it came to your knowledge that malaria or some other epidemic disease had broken out in a district where the same disease had not occurred before, would you make any enquiries, or call for information from the provincial Sanitary Commissioner?—Certainly, and I would offer the provincial Sanitary Commissioner help to investigate it; we have an Institute for that very purpose.

42601. If you were touring in that province at the time, you would probably consult him personally in regard to those matters?—Certainly.

42602. Then your report on the subject would be submitted to the Home Department?—Yes.

42603. Have you had any occasion to make such enquiries as regards the outbreak of plague in new places?—Not exactly in the sense you mean.

42604. Nor with regard to the outbreak of malaria in districts in Bengal?—Yes, as to malaria. Take the black-water fever enquiry; we have been making private enquiries for some time. Recently the Planters Association in the Duars asked the Government of India to make an enquiry; they asked that the Liverpool School should send out somebody to enquire. Most of the new work in the investigation of malaria has actually been done in India. I therefore suggested to the Government of India that they should appoint a committee, and that we should employ experts of our own; the committee was appointed and the experts are now at work in the Duars.

42605. Is black-water fever the same as *kala azar*?—No. A certain clue to the causation of *kala azar* was obtained; I suggested to the Government of India that we should pursue that clue; they assented and provided the money, and I had an officer appointed and set him to work at it, and I think we have made some little progress with it.

42606. Have these enquiries resulted in any definite suggestions of any kind?—Certain of them have. The preliminary phase of the black-water fever enquiry has only just concluded; as to the *kala azar* enquiry we have got it to a certain point, and we cannot get any further at present; these things take some time.

42607. But so far as they have gone have you been able to issue any suggestion?—Yes, in regard to typhoid; we have, I think, got at the cause of the spread of typhoid among European troops.

42608. Are such suggestions communicated to the Local Governments?—Typhoid is mainly a concern of the army. The result of our inquiry has been communicated to the Principal Medical Officer, and we shall publish a report upon it which will be issued to the public under the authority of the Home Department.

42609. I am speaking not of the Army but generally.—It is a little difficult to explain. Take plague; we had a special inquiry into plague; they took a good deal of time investigating, and the result will be circulated to all the Local Governments so that they may frame their administrative measures upon what has been ascertained.

42610. (*Sir Frederic Lely.*) Is it not more or less true that the appointments of Deputy Sanitary Commissioners are rather unpopular because their functions are only advisory, and men like to have powers?—Yes, they are unpopular.

42611. There is a feeling that they are ploughing the sand?—That is an expression that I have heard used.

42612. In your letter to the Government of India you mention that the Civil Surgeon should be the Medical Officer of Health, and should always be Chairman of the Sanitary Sub-Committee of the Municipality? A professional witness we had yesterday said that he rather objected to a Civil Surgeon taking up that *rôle*, on the ground that he thereby got mixed up in local disputes and became unpopular?—It is only in small places that I suggest that; it is only where there is no special Health Officer.

42613. But the objection would apply equally in small places, or even more so?—You may put it the other way; you may say that he puts himself in a position to acquire more influence.

42614. Then you would not attach much importance to that opinion?—I would attach none.

42615. You also say that the Medical Officer of Health in the municipality should be under the administrative control of the Sanitary Commissioner; that

is, you would set aside the authority of the municipality entirely?—There is a little difficulty about the law; I would not set aside the authority of the municipality entirely, but there is no reason why the municipality and the Sanitary Commissioner should not co-operate with each other; their interests are exactly the same.

42616. But would you distinctly recognize, as tending to smooth working, that the Sanitary Commissioner, or the Deputy Sanitary Commissioner, as the case may be, acts as adviser of the municipality?—Certainly, but I think that he ought to be able to deal with a recalcitrant municipality; there ought to be some power over the municipality. For instance, a Deputy Sanitary Commissioner at present goes round a municipality and points out defects; he writes a note on it perhaps; the note is sent in duplicate; in one province at any rate, one copy is sent to the Sanitary Commissioner, the other to the Local Government, and nothing is done. I do not think that is satisfactory.

42617–18. Would not his proper course in a case like that be to bring the recalcitrancy of the municipality to the notice of the Government or of the Commissioner or whoever the authority might be?—The Sanitary Commissioner may weary of doing that.

42619. At present the Sanitary Officer could insist upon pressing home his recommendations until they were paid attention to?—It is an almost impossible position for him; in some places any suggestions he makes are gladly carried out; in other places nobody pays any attention to them; it depends on the place.

42620. Would you suggest any change in the present system?—No, I cannot suggest any change.

42621. Have you served as a Deputy Sanitary Commissioner yourself?—No.

42622. Practically you know nothing about the method of collecting vital statistics?—I have gone round with Sanitary Commissioners and Deputy Sanitary Commissioners and seen how they do it.

42623. What is the agency by which it is usually done?—It varies; in nearly every province at some stage the police have the collection of them.

42624. Would you be inclined to deprecate the intervention of the police at any stage?—*Primâ facie* I would; in practice the more the police have to do with them the more correct they are. I think it must be left to the provincial authorities.

42625. (*Sir Steyning Edgerley.*) You use the phrase "to co-ordinate research"; does that imply control?—It is rather a diagrammatic phrase, and I think the explanation must be rather diagrammatic. Suppose there is on hand research into a particular subject, I would ask one man to take one part and another man to take another, so that they should not both be working at the same thing; I would tell A what B had done, and tell B what A had done.

42626. You would simply divide the work and control it?—That is all.

42627. You would control it?—When I say "control," I think we should say what work has to be done. I would not interfere with the man in the laboratory doing what he likes; but when it is a large work you must have control, otherwise all our power is frittered away.

42628. You were asked whether research work should be provincial or imperial, and you favour its all being under your hands, for the reasons that you have first given?—I think so, for the present; if it developes, then it would be impossible to keep it in one hand.

42629. Your opinion is really that it should be imperial?—My opinion is that it should be imperial at present.

42630. For instance, do you think that so far as any control is necessary for co-ordinating the work at the Parel laboratory, it should be exercised by you; would you get better results if you had the control?—Parel is rather peculiar; that is the only laboratory that we have working on plague on a large scale; there is far more knowledge about plague in the Parel laboratory than anywhere else, and I should be sorry to interfere with it. I can say to them, "Such and such a distinguished scientist in Europe says so and so, for instance that a particular procedure will destroy rats; the Local Governments must know if this is true; will you make experiments," and I suggest what the experiment should be, and I should ask the Government of India (as I do as a matter of fact) to get the apparatus.

42631. You *do* ask the Government of India for it?—We do.

42632. And you get it?—We get it at once; we telegraph for it.

42633. Who pays for it?—The Government of India pays, but the Bombay Government administer the general funds of the Parel laboratory.

42634. Would not the position be very much clearer if the laboratory was frankly imperial?—It has got a certain amount of provincial work to do, and I think we could make an arrangement whereby the provincial people would be very well pleased with the work that is done.

42635. I do not put it that they are dissatisfied, but it is simply a matter of administration.—For the present it would be very much better indeed if it were imperial.

42636. That is to say, if you had a free hand you would, for the present at any rate, go back on the arrangement which was originally made, whereby the laboratory was handed over to the provincial Government?—The arrangement was a very curious one; it was never entirely handed over to the provincial Government.

42637. The laboratory was declared provincial; the Bombay Government received from the Government of India Rs. 1,20,000 a year to run it, and are nominally responsible for it?—Certainly.

42638. Would an arrangement by which it was frankly imperial be better?—I am not prepared even to say that. If the Bombay Government were willing to recognize that we did not wish to interfere in their affairs, frankly I do not care whether it is imperial or provincial. As it is, it is very difficult to assure the Bombay Government that one is not interfering unnecessarily, and there is always the possibility of trouble.

42639. I am not discussing that question at all.—But that is what it depends on.

42640. Not at all; there must be certain functions for a provincial Government and certain functions for the Central Government. I simply asked whether you thought that this sort of scientific research was better in the hands of the Central Government?—For the present, it is very much better in the hands of the Central Government.

42641. Then your view practically is that the Parel laboratory would be better under the Government of India?—Yes. I should like to qualify that statement; I say, that is for the present; the thing may grow so big that it must be under the Local Government, but, at present, when it is very small, I think it ought to be under the central authority.

42642. In the resolution which communicated your appointment the Government of India said that "they had no intention of relieving Local Governments of the direct control and responsibility they had exercised in sanitary matters or weakening their authority over provincial sanitary establishments"; that is one statement; "and the Sanitary Commissioner will not be permitted to encroach in any respect upon the authority of the Local Government over the officers under their control, but he will be prepared to confer with them" (that is, the provincial Governments) "informally on matters connected with sanitation; he should also correspond unofficially with provincial Sanitary Commissioners and the heads of provincial laboratories upon points of departmental procedure, forms and statistics and purely technical questions"; is that the position?—That is the position; you will note the word "unofficially."

42643. What is meant by "points of departmental procedure"; how do you construe that phrase?—I did not write the resolution.

42644. But what do you understand by it; the resolution was in 1904, and it is now 1908?—As to "departmental procedure" in regard to a laboratory, there is practically no departmental procedure, because there is as yet no department.

42645. Then does it mean nothing?—I take it that it is with a view to developments; I dislike criticizing it.

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42646. I do not want you to criticize it; I want to know how you have interpreted it during the last four years?—I have had no occasion to interpret that particular phrase.

42647. You agree that sanitation is a matter of the every-day life of the people?—Certainly.

42648. And therefore it is a matter of provincial, if not local, control?—Provincial or local.

42649. In all such matters you must carry the people with you; you must not drive them?—Exactly.

42650. Therefore all these matters require very close knowledge of the habits and customs and prejudices of the people?—Certainly.

42651. They must practically be entirely in the hands of officers and authorities close to the people?—Yes.

45652. Therefore the details of sanitation are a purely local matter?—Yes.

42653. You cannot administer it all over the country from one centre?—Yes, you could; for instance, you might have people doing nothing, letting things simply rest as they are, with enormous death rates, and nothing done at all; there you can do something; you can stir them up, and I think you ought to do so.

42654. You can bring such matters to notice, you mean?—Exactly.

42655. But you cannot administer?—No.

42656. You can have a sort of central body of information, and warning and so on, but you cannot administer?—You cannot administer.

42657. This resolution gives nothing in the shape of the Head-of-a-Department position to the Sanitary Commissioner?—I think it was intended to give a position of that sort, not with regard to Local Governments at all; it would be a Sanitary Department under the Government of India; there is no intention to control the Local Governments in any way, or to control the officers under the Local Governments; that is specifically avoided.

42658. Will you turn to your letter of the 14th August, 1906: in paragraph 2 you will see the phrase "to co-ordinate the work under Local Governments"; does that refer to research?—No, it refers to a great deal more than that; for instance, you visit a place in the United Provinces where you have very good water-works, suitable for a small town; you visit a town, we will say in another province, a town of similar size, where they want a water-works: you put the two sets of people in communication.

42659. You pass information?—You pass information; that is co-ordination.

42660. The word "co-ordination" in that passage then does not quite mean what it meant when you first used it?—No.

42661. Now look at paragraph 9; you say "Thus, in Bombay Lieutenant-Colonel Channer, who entered the Service in 1876, is Sanitary Commissioner, while Major Jameson, who entered the Service in 1890, was Inspector-General of Prisons," I suppose "Jameson" is a mistake?—It should be "Jackson."

42662. He is not Inspector-General of Prisons?—He was when I wrote.

42663. He was only acting in a furlough vacancy?—He was acting.

42664. The permanent Inspector-General was really four or five years senior to Lieutenant-Colonel Channer?—Yes.

42665. Does not that sentence, therefore, produce rather an inaccurate impression?—It was not intended to do so.

42666. But do you not think it does?—No, I do not think so; I took that example simply by chance; the point was applicable all over the country.

42667. But the fact is not accurate?—That is so; it was true at the time; it was an ill-chosen example; I will put it in that way.

42668. I think you would have to say that he was acting in the vacancy?—But the matter was of slight importance, because there were any number of examples; I took that one; it was a badly chosen one.

42669. I do not say that it was badly chosen, but I wanted to bring to your notice that the facts as stated are not quite correct.—The next fact, which is just as striking, is absolutely correct.

42670. I am not touching the merits of an argument?—But surely the merits of an argument are considerably touched when the facts are not accurate?

42671. I put the question because I have seen it stated, not with reference to yourself, but with reference to other officers, that the Government of India must rely on their Inspectors-General and similar officers for truly living information as to what is going on in the provinces, rather than on the Local Governments; I only put the question to point out that the information they got on this particular occasion was not exactly accurate; I do not want to go any further. Again, you say "It should be impressed upon the Bombay Government that if they are to make full use of their Sanitary Department, the expert officer must be directly responsible to them for his work." Surely the question of the position to be given to the Sanitary Commissioner under the Local Government is a little outside your sphere?—I was asked to make a reorganization of the Sanitary Department.

42672. Is it not rather interfering with the details of local government?—I do not see that this is interfering at all; it does not go near the Local Government; it is merely a recommendation to the Government of India.

42673. Would you be surprised to hear that the Surgeon-General in Madras told us that he would very much prefer a system by which the Sanitary Commissioner was one of his Deputy Surgeons-General?—I daresay.

42674. Is not the pay of a Sanitary Commissioner only Rs. 1,500 to Rs. 1,800 a month?—Yes.

42675. Do you suggest that the Bombay Government could get an officer on that salary who would contentedly remain as Sanitary Commissioner and be able to take independent charge of the whole of the delicate business of the sanitary work of a Local Government?—I think his pay should be higher.

42676. Is that not a very good reason for the Government of Bombay objecting to any system of giving him independent authority under present conditions?—I think it would have been simpler for the Bombay Government to have recommended more pay.

42677. Is not his present relation to the Surgeon-General a very good reason for objecting to giving him more pay?—No, I do not think it is any reason at all.

42678. You also suggest as regards this imperial scheme that you would make promotions to the office of provincial Sanitary Commissioner from the general body of provincial Deputy Sanitary Commissioners; does that mean that you would not necessarily promote to the Sanitary Commissionership of a given province from within that province?—No.

42679. He may come from anywhere?—He may come from anywhere within limits.

42680. That is to say, the Local Government would no longer appoint their own Sanitary Commissioner?—They do not now in any province except Madras and Bombay.

42681. Then you say "The only real obstacle is the language objection, which in my opinion is greatly outweighed by the advantages of welding the department into one whole." Suppose for example an excellent officer came from Bengal to Bombay on promotion as Sanitary Commissioner, would he know anything of the habits or customs or the general life of Mahrattas, or Gujeratis, or Sindis?—I think he would; he knows the broad general lines; he knows how carefully he has got to tread, and he will very soon find out.

42682. Sufficiently to administer a department interfering with all the details of the daily life of the people?—They do not interfere very much.

42683. You further suggest that all full-time Health Officers should be absorbed into this Sanitary Department?—You mean full-time Health Officers of ports; certainly.

42684. That is to say, you take those appointments away from the local medical *cadre* and put them into the Imperial Sanitary Department?—Yes.

42685. For instance, the Port Medical Officers of Bombay and Aden?—Bombay certainly; Aden is perhaps different.

42686. You think there would be no difficulty in the medical *cadre* losing a certain appointment of that sort?

—I do not think so ; there is no competition between the departments, or there ought to be no competition, as to that ; it is the general interest to get the best man into the place ; obviously the medical people would lose and the sanitary people would gain.

42687. You also say "The practice of sanitary engineering in India must be learned locally ; there is all the difference in the world between an engineer with a liking for and experience of sanitary work in India and an equally competent engineer without his liking and experience." Is that not exactly the present system in force, for instance, in Bombay ?—It is the system in many places ; the trouble has been that we have had very few of these men.

42688. How many Sanitary Engineers do you want in a province ?—You may want a great many ; in the United Provinces for instance besides the Sanitary Engineer for the Government you want half a dozen for the towns. At present it is not a Government Service at all. A man who is doing a very large amount of sanitary engineering engages men privately in England for the municipality ; I think you could get the same material for less money if the men belonged to Government ; you could also create a Service upon which you could draw to fill vacancies.

42689. You would entirely do away with the local interest of the bodies having their own engineers ?—The body has its own engineer ; it pays a man Rs. 600 a month for three or four years while the work is going on ; it could not afford to go on paying Rs. 600 a month.

42690. Again you say "Under the present system an engineer is gazetted to a sanitary appointment with little reference to his special fitness for the post" ?—I am afraid that is the case.

42691. Do you really suppose that the Local Governments do not choose their Sanitary Engineers with more care than that ?—You cannot choose when you have not got the men.

42692. Do you say that we have not got any suitable men on the local *cadres* ?—In certain provinces they have not got them ; that is an actual fact.

42693. It is not a fact in Bombay ?—I have said nothing about Bombay.

42694. This is a general statement ?—My statement is "Under the present system an engineer is gazetted to a sanitary appointment with little reference to his special fitness for the post" ; that very often happens ; I do not say that it always happens, or suggest that it always happens.

42695. You say, "The remedy is the creation of a separate Service of Sanitary Engineers" ; would they be brought out from England ?—Yes.

42696. That would entirely conflict with your argument that sanitary engineering in India must be learnt locally ?—Not at all ; we must get the men and we must train them ; they must be trained as engineers, and they should have a certain training as Sanitary Engineers before they came out, at least three years ; I would not give them work or be responsible for them until they had gained experience.

42697. You say that you submitted these proposals after conferring with the Local Governments ; did you really confer with the Government of Bombay about them ?—Not with the Government of Bombay *qua* Government ; I discussed these matters with Mr. Muir Mackenzie. On the occasion of my last visit to Bombay I was referred by Mr. Muir Mackenzie to you, and I failed to meet you ; you were in Calcutta.

42698. Did you see my predecessor about them ?—No, I did not discuss them with him at all.

42699. How often have you come to Bombay since your appointment ?—Three times : in December, 1906 ; February, 1905 ; and December, 1904.

42700. Do you generally give the Local Government notice of when you are coming ?—No, I cannot say that I generally do ; I generally communicate with my own people, not with the Local Government as a Local Government.

42701. You do not ask the Local Government whether there is anything in the province, as you happen to be there, that they would like you to look at ?—No ; I write to the Sanitary Commissioner and say I am coming, would he like to see me ; and when I get to the place I call on the secretary and I call on the member.

42702. Did you do that in December, 1904 ?—Not in December, 1904 ; I was in Bombay and I saw my own people, but practically I was on privilege leave in 1904. In 1905 I came down and I saw Mr. Muir Mackenzie and Mr. Quin ; I saw His Excellency ; and Colonel Channer came with me, and remained in Bombay with me for some time.

42703. Do you not think that the Local Governments would be extremely grateful to you if you gave them a little notice ?—I should be only too pleased to get into relations with the Local Government, but one is almost afraid to approach them.

42704. For instance, you might let them know you were coming, and they could ask you whether you could help them on any matter ; there may be questions as to which they would be only too glad to have your advice ?—I should be very glad indeed.

42705. When you leave a Presidency, do you not think you might write and say that you had been there, and, if it be so, say that you had not noticed anything wrong ?—I think that would be too much for me to do.

42706. Or say, "I have noticed this, that or the other and I tell you of it" ?—I should be very glad, but I should not do that unless the Local Government asked me to do it ; I should not offer to do it ; I might come to very serious grief.

42707. You really think so ?—I might—not possibly with the Local Government, but with the Home Department.

42708. You discussed this proposal with the provincial Sanitary Commissioner ?—I think he saw the letter.

42709. Did he not write a letter to the Local Government about March 1906 forwarding a number of letters from his Deputies, and complaining of the prospects and so on of the department ?—Yes, I saw that letter.

42710. He at the same time forwarded a copy of his letter officially to you ?—Yes ; he had no right to do so.

42711. Did you send it back to him and say that you could not accept it ?—I paid no attention to the communication at all.

42712. You did not show him that you considered he had gone outside his sphere ?—I perhaps ought to have sent it back ; it did not occur to me ; I paid no attention to it ; I did not answer it.

42713. When that state of things comes to the notice of the Local Government is it not apt to make them have some suspicion ?—Of course.

42714. Would you not be in a very much stronger position with the Local Government if you were able to say "I refused to receive the communication, I returned it" ?—Perhaps it is a pity I did not return it.

42715. It is one of the dangers of this sort of appointment which has to be guarded against, that it does *tend* to make local officers look past their Local Government to the officer of the Government of India ?—It is impossible to say that it does not, because on a particular occasion it has done so ; but I do not think it necessarily does so.

42716. I do not say anything more than that there is that tendency to be guarded against ?—It certainly has to be guarded against and strongly guarded against.

42717. And might I put it that on that one particular unfortunate occasion it was not quite so strongly guarded against as it might have been ?—I am not prepared to admit that ; I think it would have been better to have sent the letter back : I do not know that it was officially incorrect not to send it back ; the ignoring of it was quite as effective.

42718. (*Mr. Meyer.*) Was this report of the 14th August, 1906, submitted on your own initiative ?—It depends really on the resolution of the 8th September, where Government said that they wanted the Sanitary Commissioner to submit a general scheme.

42719. You proposed a scheme which goes considerably in the direction of centralization ; was that on your own initiative ?—So far as centralization is concerned, it is certainly entirely on my own initiative.

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42720. Have any orders been issued on it?—The Home Department and the Finance Department considered it went too far in the direction of centralization.

42721. There was a letter recently issued by the Home Department on the question of sanitation. Was that the outcome of this scheme?—Yes.

42722. Has not this question of the recruitment of Sanitary Commissioners and Deputy Sanitary Commissioners been dropped?—No, it has not been dropped; the Government of India said that the Local Government must appoint a man with not less than seven years' service, who was qualified for the department generally.

42723. That is a very different thing from taking the patronage away from the Local Government?—It comes to exactly the same thing.

42724. Anyhow, the Government of India now simply say to the Local Governments, "We consider that the man you appoint must not have less than seven years' service"?—Yes, and, particularly, qualified; they say, if you cannot get that, come to the Government of India; that is all they want.

42725. You say that as long as you have your say, or the Government of India through you, in the selection of Deputy Sanitary Commissioners of the province, you would not care whether the Local Government appointed the Sanitary Commissioner or not?—I should like to have the Government of India appoint both, but, if I had to give up one, I prefer to bring in the man at the bottom.

42726. In that case the Government of India and you would simply be concerned with the initial recruitment of the department?—Yes.

42727. And all the subsequent control of the *personnel* of the department would rest with the Local Government?—So far as possible.

42728. As to the question whether the Sanitary Commissioner should, or should not, be subordinate to the Surgeon General or the Inspector General of Civil Hospitals, is there any necessity for uniformity in a matter of that sort?—No.

42729. It might perfectly well be done in one province and not in another, as the Local Government thought best?—I do not think you would get it efficiently done; of course it is a matter for the Local Government to make up their minds about; it is their affair.

42730. You would give the Local Governments their own way?—Not if I could help it, in this matter.

42731. You spoke about the Sanitary Commissioner being able to deal with recalcitrant municipalities; you do not mean that the Sanitary Commissioner should have power then and there to order a municipality to take specific action?—No.

42732. You say that it is very unsatisfactory that the Sanitary Commissioner should be able to do nothing but complain?—It is not that; what I said was that it was very unsatisfactory that the Sanitary Commissioner had no ear given to his complaints.

42733. He is a voice crying in the wilderness; you want him to remain a voice, but to be listened to?—That is it.

(*The witness withdrew.*)

Adjourned.

THIRTY-SEVENTH DAY.

CALCUTTA, *Saturday*, 1*st February*, 1908.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Mr. S. EARDLEY-WILMOT was called and examined.

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42734. (*Chairman.*) You are Inspector-General of Forests to the Government of India?—I am.

At the present time about 22 per cent. of the area of British India is under the professional management of forest officers although continuing absolutely under the control of the Local Governments concerned.

Of my 34 years' service, 16 were passed in executive, 13 in administrative work, and the remaining five as adviser to the Government of India. During the first period there was much to contend against. The Government of India, although expressions of their forest policy may have issued in various circulars and letters, had not published any special definition of it, and there were many obstacles to progress which, as the aims and results of forestry have become better understood, have been, and are still being, removed. But the one original rule still exists in its entirety, and must continue to be upheld, namely, that the district forest officer is the assistant of the Collector as regards local forest matters, and that he can issue no orders which in any way affect the welfare of the population without the Collector's agreement. This embodies an unalterable policy, and I need therefore, perhaps, say no more of the work of the district forest officer save that the system which has gradually been built up in detail has been found to work so satisfactorily that, from time to time, and particularly during the past year, proposals to enhance the financial and administrative powers of these officers very considerably have been readily accepted.

The administrative officers of the department are and always have been, responsible for the silviculture and finance of their circles. But here, again, the Commissioner and the Local Government stand between the Conservators and the people, and every detail of work affecting them must be endorsed by the approval of the Commissioner, and, in important cases, by that of the Board of Revenue, before passing into practice. Many proofs may be adduced in justification of this system, which has stood the test of years. That Government is satisfied is shown by the enhanced financial and administrative powers lately granted to Conservators; that the Revenue Officers are contented is proved by the absence of friction, and the frequency of collaboration, between officers of the two departments; that the people, as a whole, are satisfied is proved in practice by the phenomenal success which has been attained in forest operations, a success which would be impossible save for the co-operation of the population who are now interested in the protection and exploitation of the State reserves as affording them a lucrative employment near their homes, while they share to a very large extent in that portion of the forest yield which is utilized in their daily lives.

Individual cases of discontent must continue to occur; but when they do, they are now held to prove that there is something wrong either in the application of the forest rules or in the spirit in which they are received, and enquiry is at once set on foot with a view to the removal of the friction. There is in

the State forests so much valuable material which is the property of the public, and is necessarily very lightly guarded, that there must always remain the temptation for the individual or the community to appropriate for his, or its, private use more than the due share. Yet the forest laws of India are trifling in their severity compared to those considered necessary to guard the State forests of Continental Governments, and were they introduced into any European country, the State reserves therein would be devastated in a few months to an extent which it would take generations to rectify. So far as I am acquainted with the forest settlements of the Bengal Presidency, they are generous to a degree which, perhaps in some cases, would not be justified in the interests of the improvement of the forests or, in others, by a perfectly equitable distribution of produce.* For the more is given to those who have the good fortune to reside near Government forests, the higher the price of the remainder and the less surplus revenue remains to reduce taxation in the country as a whole.

Personally, however, I am a firm believer in generosity in this matter, for I am convinced that, without the concurrence of our neighbours, forest protection is impossible in India. The chief causes of any present justifiable discontent are, the oppression exercised on the population by the subordinate forest staff; and it is the fault of the Local Administration when this is permitted to continue. Until quite lately, the salaries and conditions of service of this class of officers were so inadequate as almost to force them to resort to extortion, and the evil was intensified by the fact that, while the forest area continued to increase by reservation, the staff in the branches of upper control remained at the same strength, so there was inadequate supervision of, and far too much independence in, the lower grades. This evil is being remedied in most provinces, and already much has been done in this direction; but while the Government of India is always ready to sanction proposed improvements in the *personnel* of the department, Local Governments have shown a want of foresight in calculating their requirements, and delay in meeting them thus becomes inevitable.

With regard to the duties of the Inspector-General of Forests, they are threefold. He is the adviser of the Local Governments as to the technical management of their forests, and of the Government of India as regards all forest matters which may be sent to him for an expression of opinion. He has no authority, administrative or otherwise, and his opinions may or may not be acceptable; but in either of the two above-noted capacities he appears to be at present indispensable. In the former he has to advise Conservators and sometimes to express an opinion in order to decide on their conflicting views in regard to permanent systems of silvicultural management which may affect the future of a valuable forest; in the other he has to place the views of an expert before the Secretary and Member in charge of the Revenue and Agriculture Department, both officials who cannot possibly have leisure to give to each one of the various scientific departments they control that study of technical detail which is deemed necessary in deciding matters which may have far-reaching effects. The third duty of the Inspector-General of Forests consists in the control of forest education and research so far as the Imperial Forest College and Research Institute is concerned. With provincial education and research he has nothing to do save to afford advice when this is demanded. The education of the Provincial Service Officer will probably always be carried out at a central institution for the reason that it will not be worth while for the benefit of so few students to undertake the work locally. That of officers of the Subordinate Service will doubtless, in the near future, be arranged by Local Governments (as it now is in Burma) who will be able better to provide what is required to suit the varying forest conditions of the Empire. As to research, it was at first necessary that there should be central laboratories and libraries in the charge of experts, although it is recognized that the future progress of this most important and lucrative branch of forestry will be to a great extent dependent on the efforts made by Local Governments to investigate the value of the material locally available and to assist in placing it on the market.

*NOTE.—The cases are numerous in which the people do not utilize to the full the produce they are entitled to.

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It will be observed that the Inspector-General of Forests stands practically alone as the nominal Head of a Department possessing no administrative authority. I have nothing to say against this position. In my opinion the patronage and personal elements introduced into the duties of administrative Heads of Imperial Departments is to a large extent destructive of their utility as such, especially where the members of the Service are, or should be, partly borne on provincial lists, and I would prefer to see the Forest Department remain as it is under provincial control in its executive and administrative grades with the advice of its Head available by both the Local and Supreme Governments. But he should have authority to inspect the State forests throughout India in order to acquire the local knowledge which can alone make his advice valuable. The question of interference with the provincial staff, in the case of the Inspector-General of Forests, cannot possibly be mooted by anyone who has sufficient interest in the subject to enquire into the details of its working. That officer's opinions may or may not be acceptable, but provided that he is given opportunity to make a personal acquaintance with provincial forests, he should, if he is fit for his post, be able to present the best silvicultural advice to Local Governments, while his ripe experience of forest work throughout the Empire, and his knowledge of procedure and precedents, should ensure that the Government of India have at their disposal the best technical counsel which it is possible to obtain.

There is, however, as in all similar matters, a limit which must be imposed to the application of a system of decentralization, and this limit is in Indian forest management very sharply defined. In this country the sole permanent and impersonal institution may be taken to be, as regards forestry, the Government of India. They alone constitute a ruling power where continuity of purpose and policy is assured, and where the personal element is to so large an extent eliminated that, as a rule, it ceases to effect any serious alteration in a policy which has been accepted by experience and carried out with success. Such an advantage is not enjoyed by Local Governments, where the indifference or influence of a personal ruler is able to cause a change, not in the letter of a generally-defined imperial policy, but in the method of its application, or may result in its neglect or evasion.

Forestry is obviously impossible when frequent changes in systems of management are permissible, or when a crop which takes over a century to grow, and but a few days to remove, is treated with indecision, and there are thus in India, even more than in European countries where this principle is strictly enforced, very special reasons why the continuity of forest management should be assured by the general control of a more permanent and impersonal authority than that possible with any Local Government. It must be remembered that the Englishman, save in exceptional circumstances of upbringing or subsequent training, possesses no knowledge of forests, and of their influence in tropical, sub-tropical, or mountainous countries. In the early days of his Indian service the Revenue Officer is, as a rule, unacquainted with the intimate interdependence of agriculture and other industries with forestry, and he is apt to consider this science merely as a fad of an expert department. Becoming senior, if the prejudices of his youth are modified, there still remain the serious disabilities that the benefits to be derived from the inauguration of rational forest management are not to be reaped within the few years of his stay in any locality, and that his rule will not be rendered in any way more acceptable to the people thereby. Thus want of intelligent interest in the aims of State forestry and the fear of unpopularity in the present may combine to cause a neglect of this science which might be severely felt by future generations in India.

It is to combat these obvious disadvantages that the declaration of a fixed policy by the Government of India becomes essential, and that a general supervision should be exercised over the action of Local Governments in those matters which might tend to neglect or misapplication of that policy. For instance, there can at this period of British rule in India be no question of the extent of the forest required in any given locality to supply the inhabitants with produce, to regulate or maintain the water supply, or for any other purpose for which forests are provided by nature, and the power should not be left to an officer whose

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responsibilities cease after a short five years to enforce his personal opinion on the notice of future generations without the concurrence of higher authority. To such an officer who remains in power during the one-thirtieth part of the life of a tree we may well leave the original decision as to what crop provincial forests shall produce and also the method of its disposal by free gift or otherwise; but having done this, it is for a more permanent institution to ensure that no change from a system of management once recognized as suitable shall be made without due cause, so that the property of the State shall continue to be administered for the public benefit in the largest meaning of the term. At the present moment, apart from financial restrictions which are shared in common with other departments, the Government of India have receded almost entirely from the detailed control of forest management in India. They still maintain the power to prohibit the disforestration of the State reserves, and cases are not wanting to show the wisdom of such retention. They still ask that the sanction of the Governor-General in Council (section 77, Act VII) shall be accorded to the promulgation of certain rules or regulations affecting areas outside the limits of the province of issue; and they demand that the State forests shall, whenever possible, be treated under systems of management which shall be suitable to local requirements and continuous in their application. But beyond this no interference in forestry or in the forest staff is attempted. In this regard, however, the appointment of Conservators by the Government of India is sometimes quoted as an exception which, though referable to the exigencies of the Service, may perhaps be worthy of some few explanatory remarks. The department is recruited under a promise, implied, if not given, of similarity of conditions of service throughout India; but such similarity would be, owing to the various size of provincial forest *cadres*, impossible if promotion to the administrative grades were made on these *cadres*. The evil, if such it is considered, is minimized by the fact that Local Governments are always consulted as to the merits and postings of these officers, and every effort is made to meet the convenience of the Public Service in making the appointments. Personally, I am far from considering that the creation of a general list for the Administrative Officers of the department is an evil; indeed I look upon it as one of the most important measures to ensure the progress of Indian forestry. It must be obvious that, if a department is to effectively carry out the wishes of a Local Government as regards the management of the State forests which are frequently overburdened with popular demands on their yield, it must be in a position to prescribe the most effective system of treatment, and that this cannot be done without adequate professional knowledge. Unless a Forest Officer is scientific and business-like, he cannot utilize his knowledge, or adapt it to the requirements of the people as understood by his Local Government; he cannot arrange to produce, harvest, and dispose of, the required forest crop to the best advantage. The Forest Department is recognized as a commercial and revenue department in India. I am content that this should be so, but to work up even to this very moderate definition its members must be scientific and expert as in any other commercial undertaking, and in the ever-varying and multifarious demands on the Indian Forest Officers none who is not both scientific and expert can justify his existence at the present day. To do away with the general list of Administrative Forest Officers in the Bengal Presidency would restrict each of these officers to the narrower limits of provincial experience, and would seriously hamper the progress of scientific forestry in substituting the selection from the few for the present selection from the many to fill these posts which have such an important bearing on the general welfare of the country.

So much for the system of forest management in the so-called Presidency of Bengal. Its statistics will prove it to be a success. They show that the State reserves there are well protected and well organized; that their yield both in material for local consumption as well as in saleable produce is largely increasing, and that the opposition of the people to a new, and at first unknown, institution has practically disappeared, leaving to Government an estate which cannot but be of infinite value, both directly and indirectly, to the country in the future. This success is, in my opinion, due entirely to the gradual evolution of, and insistence on, an imperial forest policy by officials who are in a position to command a wider field of view than that afforded from the standpoint of the district or the province, and who are content to enforce general principles, leaving details to those who are in more direct communication with local conditions. The Government of India alone are intimately acquainted with the wider influences of the Indian forests; they alone are in a position to decide on the relative importance of provincial and imperial forest questions, just as they are able, by avoiding all untimely interference, and by soothing the fears and jealousies of Local Governments, to ensure their collaboration with the ultimate object that the State forests of India shall remain to their successors as a most valuable asset.

I have no local knowledge of the forests of the Bombay and Madras Presidencies. The following notes, therefore, are based on facts presented by reports, on conversations, on correspondence, and on inferences deduced from comparisons of results of forest management in Bengal, Bombay, and Madras. The systems of administration present the following main variations:—

——	Bengal.	Bombay.	Madras.
Head of Department ...	Inspector-General of Forests.	None.	Member of Board of Revenue.
Chief Conservator	Chief Provincial Forest Officer where areas are large.	Do.	None.
Conservator	Administrative Officer.	Advisory Officer.	Advisory Officer.
District Forest Officer ...	Executive Officer under Conservator.	Executive Officer under Collector.	Executive Officer under Collector.

The *effects* of these variations in practice are, I believe, as follows. In Bombay there is no control of technical management save that exercised by the Senior Conservator in addition to his other duties. In Madras the Head of Department possesses no technical knowledge, and though advice on technical management is given by each Conservator, no one of them has, up to the present, power to enforce it. There is in either province no outside criticism of professional work, and no exchange of experience is officially possible. As regards administration, the Conservator's abilities remain to a great extent unutilized because his proposals may be vetoed by the local Collector. As regards executive work, the Conservator is powerless to order or to control, this being also the duty of the Collector. It is believed that many of the Collectors in both provinces are far from convinced that the present arrangement is necessary in order to carry out the policy that insists that matters affecting the raiyat should be controlled by the Revenue Department. They would prefer that the Forest Officer should be held responsible for all technical business and that they should be relieved of it. Indeed in Madras a new edition of the Forest Code has just been prepared in which many beneficial changes in this direction were proposed, but of these some have been refused acceptance by the Government although the Member of the Board of Revenue was President of the Code Committee. As an example, it is ordered that the Collector must control the "felling, extraction, removal, and disposal of forest produce," which is essentially the duty of a professional Forest Officer. It is obvious therefore that the Revenue and not the Forest Department must be held responsible in the provinces of Madras and Bombay for the success or otherwise of forest management there. As to the *results* of the abovenoted variations, the best way to form an opinion is to compare the progress of forest

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organization and protection in the three Presidencies from available statistics, and to judge of the attitude of the people from the statistics of forest offences in each. Such statistics are of course readily available. I do not think that the comparisons will be found satisfactory, and it may be found that Madras and Bombay are a generation behind-hand in forest management as regards its reception by, or influence on, the population. If this is so, the reasons in my personal opinion are :—

(i) The forest staff is undermanned, and both the individual and the work suffer therefrom. In Madras for some time no leave has been granted save on medical certificate, which is a poor policy in any department, but particularly so in the Forest Department, for it is not the fault of the staff that their work is excessive. It has been also often underpaid in the subordinate branches whose members are probably under insufficient supervision, and thus may possess too great opportunities of oppressing the people.

(ii) The administrative and controlling staff is not permitted to put its professional abilities to the best possible use because of their subordination to the Revenue Officer in professional matters.

(iii) There is insufficient final control of silvicultural proposals, and subsequent interference with prescriptions is sometimes permitted without deference even to the highest silvicultural ability locally available.

(iv) There is no professional Head of the Department, and the higher Administrative Officers have no chance of extending their experience and silvicultural knowledge outside the limits of their Presidencies, which, moreover, do not afford in the variety of their forest vegetation nearly so much scope for doing so as do the forests of the Bengal Presidency. In consequence both the creation and maintenance of forests and their exploitation cannot be expected to show rapid improvement in methods, though this is necessary because the demands on the forests increase with the pressure of population.

For the improvement of forest management in India I recommend action on the following lines :—

(i) A clear statement of forest policy should be made public in every province so that the reasons for reservation and the system to be adopted in the disposal of the forest crop may be understood by all. Nothing upsets the Oriental like changes which he cannot understand, and so long as it is not definitely laid down that it is necessary in the public interest that certain areas shall be maintained as forest, so long will attempts continue to obtain personal advantages from State property.

(ii) Local Governments should acknowledge that the chief object of forest conservancy is not the supply of produce to the people or of revenue to the State, but the benefit of agriculture generally by the regulation of the water-supply ; also that consistent forest protection produces both these advantages, the former not being essential to the people (as for instance in the Punjab, United Provinces, etc., where the greater part of the population cannot be supplied with forest produce), while the latter is.

(iii) Forest settlements should be insisted upon, defining the amount of produce which may be removed under rights or privileges village by village, and they should be drawn up with an eye to the future and on the basis of adequate maintenance in perpetuity of such an area of forest as is requisite for the welfare of the country and its inhabitants.

(iv) The "possibility" of each area of State forest for each kind of produce should be fixed and, save in emergency, the yield should be confined within that estimate. That is to say, the forest interest, and not its capital, should be expended.

(v) The question of local requirements in produce should receive more careful consideration, and distinction should be sharply drawn between forest produce required for agricultural and domestic purposes and that used in trade. The population in the vicinity of the State forests should have preferential treatment, for they alone can advance customary utilization of these areas, On this basis the Local Government should be at liberty to dispose of the whole of its forest crop always within the limits laid down above.

(vi) In all provinces adequate provision for training, not only officers of the lower subordinate, but also of the upper subordinate, class, should be made, and this should be sufficient in quality to supply candidates for the ranger class and in quantity to permit of the reception of students from Native States as well as the nominees of the owners of private forests within British territory. It should be the object of Local Governments to popularize the aims and objects of forestry amongst all classes of the community, and to provide an education suitable to the demands made on the subordinate executive establishment and based on the local forest conditions. This cannot be done at a Central College. A good beginning has been made in establishing provincial forest schools for *lower* subordinates in several provinces, and these schemes should be matured and extended, so that ultimately the Dehra Dun College would be utilized only for the education of the Controlling Staff in tropical forestry.

(vii) Forest research, which is indispensable if we are to utilize to the utmost our forest produce, should also be extended, preferably by having forest branches attached to the provincial Agricultural Colleges which are now springing up. The Government of India have shown the way by the creation of a small Central Research Institute at Dehra Dun, but this is totally inadequate to meet the future demands of Indian forestry. It is preferable to apportion the work locally, and not to unduly augment the importance of centralized research. This latter will always be valuable in order to undertake investigations of more than local importance, but local investigations are best dealt with locally.

(viii) The administrative and controlling officers of the department should be held personally responsible for every branch of technical forest administration, including discipline, education and research ; and if their territorial charges are too large to permit of this being done effectively, the number of circles should be increased. Forestry will never be popular amongst the masses unless there is adequate control of the subordinate executive establishment, and to secure this the quality and the quantity of administration and control must be sufficient.

(ix) The final criticism of important permanent schemes of silvicultural management should rest with the Government of India. The continuance of the present system in Bombay and Madras, who have Forest Departments without professional Heads, should be altered, and more advantage should be taken of the experience available with the Government of India. Indian silviculture is at present far from being on a fixed basis ; hence it is necessary to have some final authority to decide questions on which local opinion may differ.

42735. You tell us that in all local matters the Collector of the district must have supreme control over the Forest Department ?—Yes ; in all matters which affect the people in any way, not in technical matters.

42736. Are all orders of the Forest Department issued in the Collector's name ?—The systems are different in different provinces. In the Bengal Presidency the orders to the district forest officer come through the Conservator ; he is the Administrative Officer. In Bombay and Madras the Conservator is not allowed to correspond with the district forest officer at all, and the orders come through the Collectors. In Bengal the Conservator is an Administrative Officer ; in the other provinces the Conservator is simply advisory.

42737. Are any harmful results to the supremacy of the Collector in his district occasioned by the Bengal system of direct correspondence between the Conservator and the forest officer ?—No, because all administrative matters regarding the welfare of the people, agriculture, grazing, and so on, are referred first to the Collector ; there are no administrative orders issued without the Collector's sanction.

42738. Is any time saved and correspondence prevented by the adoption of the Bengal system ?—The correspondence is scheduled into A and B. The A correspondence goes direct to the Conservator ; the B correspondence goes straight to the Collector ; so that the forest officer knows exactly what subjects he

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has to refer to the Collector and what subjects he has to refer to the Conservator. The Conservator has the technical and professional matters under his control, and the Collector has the district administration under his control. In point of fact in Bengal the district forest officer is the assistant of the Collector, and he is in constant communication with him; so there is no trouble or correspondence involved at all.

42739. Then from that point of view, the Bengal system is preferable to that which exists in Bombay and Madras?—I have no control of Bombay and Madras; my opinion is that the Bengal system is infinitely preferable.

42740. What provinces had you served in before you came to the Government of India?—First I was in Oudh, then in the North-West Provinces before the amalgamation, then in Burma.

42741. You deal with all provinces except Bombay and Madras?—Yes.

42742. You tell us that every detail of work has to be approved by the Commissioner and in many cases by the Board of Revenue?—In the case, for instance, of a forest settlement it would go first to the Collector, then to the Commissioner, and in important cases it would certainly go to the Board of Revenue.

42743. Does that system work fairly satisfactorily?—The Bengal settlements are the best we have got. There is an enquiry conducted by a Revenue Officer, at which a forest officer is allowed to be present, but not to have any influence in any way. There is an investigation made generally of the number of houses, the area of cultivated land, the number of cattle, and the amount of produce which is necessary for each village, and the settlement is worked out on those figures village by village; those are all scheduled, so that the forest officer knows, and the villager knows, exactly what can be obtained from the forest.

42744. Is the result that the forest officer is free to work the technical details of his own department, or are there some other advantages to which, from the point of view of administration, you attach importance?—The chief merit is that the forest officer is enabled to grow the crop which the Local Government wants to have. The Collector is not able to do that so well as a professional forest officer, unless he has studied the subject.

42745. Would there necessarily be a difference of opinion as to the kind of crop to grow?—That ought to be fixed by the Local Government, but as to the method of getting it, that ought to be left to the forest officer; it may be anything—it may be fuel timber, it may be grass even; it is what the Local Government wants.

42746. Is it forest produce?—It is forest produce of some kind.

42747. We have been told by several witnesses that they complain, not so much of the actual rules which govern the forests, but of the working of the rules by the forest subordinates. Is that a complaint which generally reaches you?—Yes; that is the chief complaint that the people have against the Forest Department—the working of the rules by low-paid subordinates who are not sufficiently supervised. The whole point, in my opinion, is supervision.

42748. Speaking generally, is the cause of that the poorness of pay of the inferior subordinates?—It would require a very considerable rise in pay to make the lower subordinates honest and not amenable to the sort of easements they get; the chief thing is the want of control. The area entrusted to the controlling forest officer is too large for him to visit frequently.

42749. It comes back then to the area of control?—Yes, in connection with the trustworthiness of the establishment.

42750. The area of charge depends upon the Government of India?—No; it depends entirely upon the Local Government, because if they ask for an increase in the controlling staff the Government of India is always ready to give it.

42751. Is any difficulty which exists in this matter caused, not by the action of the Government of India, but by the action of the provincial Government?—Yes, there is no action of the Government of India possible.

42752. Then by want of action?—It must be entirely by the action of the Local Government, because they control the local forest staff.

42753. They would have to apply to the Government of India for staff and funds?—They would have to apply to the Government of India for the controlling staff; for the subordinate staff they do not apply under the present arrangement; they can increase their own subordinate establishment at the rate of Rs. 25,000 a year, but directly they get to the upper controlling staff there are limits of pay, and any appointment by the Local Government beyond those limits requires a reference to the Government of India and probably to the Secretary of State, chiefly as a matter of finance.

42754. Do the revenues derived from forests go to the Government of India?—No; they are generally divided between the Local Government and Government of India in varying proportions.

42755. Would you tell us, briefly, how you carry out your duties as Inspector-General?—With regard to the Government of India in the Revenue and Agriculture Department, the forest cases come through the forest branch of which I am the Head, and they are forwarded to the Government of India with office notes—nothing else but office notes—and on the information before them the Government of India decide on the case. I can issue nothing in the Revenue and Agriculture Department.

42756. Do you go to the Secretary?—My papers go to the Member through the Secretary.

42757. Do you yourself work by office notes or by personal conference with the Secretary?—Mostly by office notes; I am away from headquarters very often. I tour for between seven and eight months; you may say seven months on the average.

42758. Do you go to Bombay and Madras?—I never go there unless I am asked to go; I have just come back from Madras now. I have never been to Bombay. They have never invited me.

42759. Is there a technical Head of the Forest Department in Bombay?—No.

42760. Are they all under the control of the Local Government without any distinctive technical Head?—There is no technical Head; there are three Conservators, and that is the end of it.

42761. Is it the same in Madras?—In Madras there is a Head of Department in the Board of Revenue; I would not describe him as the technical Head, but he disposes of technical questions.

42762. And of course the same in Bombay?—Except that in Bombay the papers no doubt go to the same Government officials, but in Madras you have the Forest Member of the Board of Revenue.

42763. You say you send notes to the Revenue and Agriculture Department upon forest matters which come up to you; what class of matters come to you?—Anything that comes to the Government of India comes to me; it may be an appeal from a forest guard on Rs. 5 a month, or it may be a proposal by the Local Government for a re-organization of staff extending to 2 or 3 lakhs. I have to note on everything.

42764. Is there, as a rule, in the other provinces any expert adviser to the Government—take the United Provinces?—There are two Conservators in the United Provinces, and the Local Government can consult either.

42765. There is no recognised technical Head?—No, it depends upon the individuality of the man entirely who is selected for consultation.

42766. All questions of re-organization and establishment come up to you regardless of the extent of the cost?—They do not come direct to me; they are addressed to the Government of India, and they simply come back to me.

42767. Amongst other things that come to you is every working forest plan?—That is on the other side; that is in the Inspector-General's Office; those do not go through the Secretary at all; they come to me as the technical Head of the Department.

42768. Do they come to you compulsorily?—Yes, every regular working plan has to come through me, and from me to the Local Government, except in Bombay and Madras.

42769. Do you make any special use of the word "regular"?—Yes, there are various kinds of working plans; there may be plans of operations lasting for a few years—for an indefinite period; those do not come to me at all. It is only when there is a regular plan, which fixes the work for a long period of years, and defines the manner in which the forest is to be treated, that it comes to me.

42770. A regular plan comes to you notwithstanding the largeness or the smallness of the area affected by the plan?—Yes; if it was a plan which required the sanction of the Local Government it would come to me for an expression of opinion.

42771. Would that expression of opinion be sent to the Local Government direct?—It would be sent to the Local Government direct, but it is merely an expression of opinion.

42772. It does not go to the Government of India?—No, it comes to me as Inspector-General of Forests. I send the opinion down without reference to the Government of India; it is purely technical, of course.

42773. What would be the smallest area affected by one of these regular forest plans?—If it was an unimportant area supplying produce to a town or to a cantonment, or something of that kind, it might fall as low as 20 square miles, or less; it depends on the importance of the area chiefly.

42774. The Forest Service is an Imperial Service?—It is an Imperial Service in the upper grades.

42775. What would be the standing of one of the senior Conservators of a provincial Government?—The average, under the present rate of promotion, would be about 20 or 22 years.

42776. Would an officer of that standing have served in most of the provinces in India?—No, probably not; very often he would have served in one province, or perhaps in two.

42777. Would he not be moved about a great deal during his term of service?—He would have been moved about; we try, for instance, to get him into Burma, which is a special forest area.

42778. Is not an officer of 25 years' service capable of being trusted with the decision on a smal regular forest working plan?—He may or may not be; it depends on the personality of the officer himself entirely.

42779. Would there be much value in an officer of 25 years' service who was not capable of dealing with matters of this sort?—From the silvicultural point of view there would not be much value in him.

42780. Taking it for granted that an officer is what he ought to be after 25 years' service, should he be capable of dealing with these smaller plans?—I think so, but officers after 25 years' service vary in their opinions; if you have a forest with two or three Conservators, you may have two or three different opinions upon one point.

42781. The same thing might happen in the case of Inspectors-General of Forests; your successor might have a different opinion from yours?—He might mentally condemn my opinions, but he could not alter them.

42782. There is no hard and fast standard in silviculture which would enable anybody to say this is right—this is wrong?—At present there is not. Of course there would be in Europe, but the conditions are very varied in India. For instance, in Madras they had three Conservators disagreeing upon a point a few months ago, and they were obliged to refer the matter for decision.

42783. The Inspector-General might be ignorant (and not improperly ignorant) as to questions which might vitally affect some of the smaller plans referred to him for decision?—Certainly.

42784. Under those circumstances would it not be better that the smaller cases should be dealt with locally?—I think the Inspector-General, having a wider experience is less liable to error than a Conservator, who has not so wide an experience.

42785. At all events the qualification of most of these local Conservators is not sufficiently high to criticize those schemes?—I did not wish to produce that impression; the majority of them would be able to do so.

42786. From whom is the Inspector-General of Forests chosen?—From the Conservators.

42787. Is there any step between the Conservator and the Inspector-General of Forests?—There is a Chief Conservator in Burma and the Central Provinces.

42788. Except in Burma and the Central Provinces there is no step between the two?—Chief Conservators have been refused in Madras and Bombay; they were offered by the Government of India, with a view to giving to each province a technical Head, but the provinces declined.

42789. Therefore it is quite possible that an officer who cannot deal with a small working plan to-day may have to deal with the whole of the forests to-morrow?—That may be.

42790. The Subordinate Services are under the Local Government?—Yes, entirely. I have nothing to do with any of the Services. I have nothing to do with the Forest Services except to note for the Government of India.

42791. Do you note upon the qualifications of officers?—I forward a confidential report to the Local Government. In the majority of cases I know 80 per cent. of the men personally in the Imperial Service, and I have seen their work from the working plans and the papers which have reached me.

42792. You do not want any administrative authority?—No, it would hamper me very considerably.

42793. What is your staff at the present moment?—I have got one assistant in the office, and the usual office establishment—a forest branch with about 12 clerks.

42794. You send down officers from time to time to inspect forest areas?—Yes. In the Research Institute there are five officers, and if the Local Government consents I send them round to make specific enquiries on certain subjects. I have to get the consent of each Local Government to each enquiry; the research officers can go anywhere with the consent of the Local Government in each case.

42795. A witness told us that all these officers' notes came to the Government of India, and that later on explanations were asked from the forest officers as to the way in which they did their work; is that so?—We have had no opportunity of testing that yet; the present system has only been established for two years, and the notes of the local officers have not yet been sent back.

42796. Have any remonstrations or observations been sent to the Conservators by the Inspector-General?—No, I am not empowered to do that at all.

42797. It was rather hinted at by a former witness, but you deny that altogether?—I deny it entirely. In Bengal, for instance, no one had been sent there. There was an occurrence in Bengal this year where the Conservators did not wish to have a man sent there, but as he had not tried it before, he was not in a position to criticize the matter at all.

42798. When forest questions come up to the Government of India is your advice invariably sought?—Yes, in the ordinary course of business I have to express an opinion.

42799. Do you often differ from the Local Governments?—No, I do not think I differ from them as a rule.

42800. Suggestions were made to us that when the Local Government had its views overridden by the Government of India before a final decision was given, the views of the Inspector-General upon whose advice their own theories might be upset should be submitted to the Local Government; have you any observations to make on that matter?—I would not mind my opinions being submitted to the Local Government at all; I should like to know beforehand whether they were going to the Local Government or not, because one uses different language in a private note to the language one uses otherwise; the language, I mean, might be stronger or clearer.

42801. But you have no objection to the advice which you give to the Government of India going to the Local Government?—No, not the slightest.

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42802. You say "Forestry is impossible when frequent changes in systems of management are permissible, or when a crop takes a century to grow and but a few days to remove is treated with indecision, and there are thus in India . . . . very special reasons why the continuity of forest management should be assured by the general control of a more permanent and impersonal authority." Would you explain what that phrase means?—If you establish a system of management for a forest which is to hold good for 100 or 150 years, I think no authority which is only stopping for a very short time should be able to upset it without reference to the chief authority.

42803. In India all authority remains only for a transitory period?—I think the Government of India is much more impersonal than a Lieutenant-Governor who comes for five years and goes away; he has the chance of introducing his own opinions and enforcing them on an area, whereas the Government of India has no power to do anything of the kind.

42804. On purely technical points is the advice which you give to the Government of India frequently overruled by your superiors in the department?—By technical points you means silviculture and forestry. My opinions on silviculture and forestry do not go to the Government of India.

42805. Then on what points do you advise the Government of India?—I advise the Government of India on every point outside technical matters in the Forest Department. The cases might vary from a Rs. 5 forest guard up to a re-organization scheme involving a lakh or more.

42806. Do you mean a scheme for the re-organization of the *personnel*?—Yes, or it may be the introduction of tramways, or a large building scheme, or anything of that kind; they may be big, or they may be petty.

42807. Would the question of making a tramway require the advice of an expert in silviculture?—In the case of a forest tramway, decidedly. It is not a point of silviculture, but it is a point of extraction; it is referred to the Government of India from the financial point of view; otherwise it need not be referred at all.

42808. On the technical side of your duties do the Government of India overrule you?—I do not quite understand what you mean by being overruled. I simply advance an opinion, and they can take it or not as they like.

42809. You are the expert adviser, and I understand that the reason your post is in existence is that the Inspector-General is the expert adviser to the Government of India. I want to know whether the expert advice which you give is generally adopted?—That is a very difficult question to answer. In a very large number of cases the advice is not accepted; in other cases it is accepted. They have other considerations besides my technical advice upon which they discuss the subject.

42810. I am only asking from the purely technical side?—My advice is frequently accepted, but I am not surprised if it is not accepted.

42811. And acting more or less under that advice you would lead us to believe that the Government of India have receded entirely from the detailed control of forest management?—I should not like you to think that; I should like you to think that they have receded from it of their own accord—with no regard to my advice.

42812. But at all events they have receded from the detailed management?—Yes, they have. Of late years there has been a regular progress of recession; in fact, there is nothing left now except one or two points.

42813. It has been suggested that under the direction of the Government of India forest management is apt very often to assume too commercial an aspect; would you agree with that suggestion?—I think the best value should be obtained from the forest area; if an area is not required by the people, it is a good thing to turn it into money. We are an economic department, and we want to utilize the produce to the full; that is what the forest officer is made for.

42814. Take, for instance, large forests such as exist in Burma; would the selection of the trees to be felled and so on be in any way under the control of the Government of India?—It would be indirectly if there was a contract which exceeded a certain sum. For financial reasons it might be so, not otherwise. Most of these restrictions in the Forest Department are financial; that belongs to the Financial Department. I would gladly see Local Governments with a perfectly free hand in that matter. The financial restrictions are very often very petty, and in the case mentioned the Government of India would have to interfere if the contract was over a certain sum—not on account of silviculture, but on account of finance.

42815. Would a contact of that sort be referred to you for advice?—Yes, it would come through me in the ordinary course of business, as every paper in the forest branch passes through me before it gets to the Secretary.

42816. And although from the technical point of view you might say, "I think this ought not to be insisted upon," your advice might not be accepted?—It might not be.

42817. Would the question of leasing come before you?—The length of the lease to be given very often does come before me. We may not want to bind ourselves to a certain method of working a forest for longer than a certain period. Our statistics may not be ready for five years; we may be willing to give an interim lease for five years; for that reason it would come under my notice silviculturally.

42818. The Local Government would have to send up to the Government of India for their opinion on a matter of that sort?—Not at all, unless they were hampered by the value of the lease exceeding the value for which they were empowered.

42819. There is one code for the remainder of India, and one each for Bombay and Madras?—Yes.

42820. Speaking only of the India Code, could you get rid of some of the restrictions therein?—I think, if the financial restrictions were removed the work would be reduced by about 50 per cent.

42821. Are most of the financial restrictions in your opinion reasonable?—No, much greater power in finance might be given to the Local Government.

42822. Apart from finance, is there anything of the remainder—the other 50 per cent. of the code, which is restrictive?—There are a lot of restrictions with regard to the promotions of subordinates; those should be removed. The reason for their retention is that forest education was centralized in the past, and in order to encourage that centralized education they had to have general rules for the whole of the Bengal Presidency. If the Local Government would undertake the forest education of their subordinates as they should do, and not leave it to our Central College, all those restrictions could go.

42823. You would like to see each Local Government training its subordinate officers?—It is desirable in every way. If they control the subordinate establishment they ought to educate them. In the college at Dehra Dun we had a vernacular class for forest guards; we have got rid of that. In Madras I think it is certain that they will start a forest school for the subordinates, and take those off our hands. I think the same thing will be done by the other Governments in a short time.

42824. As Director-General of Forests, have you any responsibility for the Forest Code?—Yes, I unfortunately had to compile it.

42825. Have you since that time ever considered whether any revision is possible?—It is being revised daily; it was only published 18 months ago, and it is simply bristling with revisions already. Greater powers have been given to forest officers and Conservators and Chief Conservators.

42826. Speaking generally, you think that much of the stringency of the code could be usefully relaxed?—Yes; it was simply on account of the former conditions of the Service: as the Service improves, those conditions can go, although it will always be useful as a compilation of Government orders.

42827. (*Sir Frederic Lely.*) You speak of the fundamental rule that the district forest officer is the assistant

of the Collector in local forest matters; does that obtain in Burma equally with other parts of India? We heard much less of the relations between the District Officer and the forest officer in Burma than anywhere else.—The rules are the same, but the local conditions are so different; the population is very sparse and the area is very large, so that the people do not come into contact with the forest officer there nearly so much as they do in Upper India or Madras or Bombay; that is probably the reason.

42828. There is no fundamental difference in the policy between Burma and elsewhere?—No, it is exactly the same.

42829. I understand that the provinces not under the Government of India show worse results than the rest in the feelings of the people as indicated by forest offences and such like, and you attribute that, so far as it exists, to two or three causes, one being that the forest staff in those provinces is undermanned and underpaid; is that owing to the fault of the Local Government?—It is because the Local Government has not submitted a scheme of re-organization; they are always at liberty to re-organize their establishment and to introduce better conditions of service if they wish to do so. They are beginning to do so now; Madras has a re-organization scheme preparing at the present time; Bombay has been struggling with a re-organization scheme since 1888, but they have not arrived at finality yet.

42830. The other causes that you suggest are the absence of professional headship and the different position occupied, especially as regards technical matters, by the District Officer. Do you mean that the greater interference of the District Officer in forest matters results in friction with the people?—I did not mean to imply that at all. If there was a technical Head of the Department there would be more continuity of method, and the people would understand the matter better. For instance, a Collector may come and throw open a whole forest to the permit system, by which anyone can go in with a permit and fell; two or three years afterwards the system may be altered, and the Collector may say that there shall be nothing but depôts; then again a third Collector may come on the scene and say something entirely different. The people do not understand that position at all.

42831. Your objection to what you consider is excessive interference is based on the fact that the Collector being a variable person, his influence is not consistent?—Yes; it may be said that that is the point.

42832. So far as the general tendency of the Collector's policy goes it would be towards conciliating the people?—Yes, with the result that the forest area may not yield one-twentieth of what it ought to do. In Madras at present they have 40,000 square miles of forest, and you may say that about 30,000 square miles of forest consist of denuded hills which yield nothing to the people, so that the sympathy of one Collector may result in making it very unpleasant later on for another Collector when there is nothing left for him to give. A regular system of working fixed by the Local Government on the advice of the Head of the Department would be far preferable to that. In Bengal the forest offences are less, the impounding of cattle is less, and, as Sir John Hewett says in his report this year, "the people are well disposed to, and appreciate, the Forest Department"; without having that disposition of the people towards us, we cannot do any work at all.

42833. (*Mr. Dutt.*) Is the Forest Code merely a compilation of Government orders on the subject of forests?—I look upon it as a compilation of Government orders for ready reference, that is all; there are constantly additions to, or subtractions from, the original, and the code is altered in that way; now it is simply a book of reference.

42834. The last book was issued about 18 months ago. Since then fresh orders have been passed and added to the code?—Dozens of orders. I do not say they are in the way of additions—they may be subtractions or alterations and corrigenda.

42835. Have the Bombay and Madras Codes grown up in the same way?—The Bombay Code can hardly be said to have grown; they have just taken the Government orders and compiled a code out of them. The Madras Code has just been revised.

42836. Do the Madras and Bombay Codes require the sanction of the Government of India?—No, orders are issued locally; they include the Government of India orders in them, but we have got nothing to do with them.

42837. Are the rules of the Bengal Code binding over the whole of India outside Bombay and Madras?—Yes.

42838. There are several Forest Acts apart from the Code?—Yes.

42839. Is there not one general Act?—No. Burma has its own Forest Act. There are many Acts. The Indian Forest Act applies, outside Bombay and Madras, to the minor provinces; then in the Non-Regulation provinces, like Baluchistan and other out-of-the-way places, they have different Acts.

42840. Is this cardinal principle to which you refer, that the "district forest officer is the assistant of the Collector as regards forest matters," based upon any particular rule in the Bengal Code?—It is enunciated in the code; I do not think there is any special rule with regard to it.

42841. Are there any parts of India where that principle is not carried out and where the district forest officer is not subordinate to the Collector?—I know of none.

42842. Not in Assam or parts of Bengal?—No, I know of none.

42843. And if the forest officer was not subordinate to the Collector it would be going against the intentions of the Code?—Yes, if he was not subordinate it would be insubordination.

42844. It would be against some rule or declaration in the Code itself?—I think so, but I should like to refer to the Code.

42845. I ask the question because there is some evidence before us that the practice is not uniform—that in some cases district forest officers are subordinate and in some cases they are not?—That is, I think, incorrect.

42846. Are the opinions which you give upon the regular working plans from all the provinces except Bombay and Madras binding on the Local Government?—They are given as advice.

42847. As a matter of fact, are they always accepted?—No, not always.

42848. Are they generally accepted?—Yes, I think I may say that.

42849. You have certain tracts which you call reserved forest and certain other tracts which are called unreserved or unclassed forest. What is the main distinction between those classes?—There may not be any difference at all with regard to the silvicultural treatment of them; that depends upon the orders of the Local Government. The Local Government may take a reserve and turn 10,000 cattle into it, or they may decide to grow timber on it. There is a distinction in the status of the forest with regard to the law; the reserve is much more protected by law than the unclassed forest; that is the chief distinction. As to the silvicultural treatment of it, that may be anything.

42850. Any forest reserved by law cannot be disforested without the sanction of the Government of India; and any forest not reserved by law may be disforested without the sanction of the Government of India?—Yes.

42851. Is that the main distinction—that one may be let out to the people, for instance, without any sanction from the Government of India?—The reserved forest may also be let out for grazing to the the people; that cannot be technically disforested; that is to say, they cannot be removed from the action of the law which affects reserved forests without sanction—that is the distinction. There is a certain law with regard to reserved forest and a certain law with regard to unclassed forest, but, as to treatment, that has nothing to do with the matter.

42852. Could you remove an unreserved forest from the list of unreserved forests without the sanction of the Government of India?—Certainly.

42853. Are you of opinion that the rule should remain as it is, that no part of a reserved forest should

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be disforested without the sanction of the Government of India, however small the area may be?—I think there might be a distinction made with regard to the size of the area; it has already been proposed that any area under 200 acres should be disforested by the Local Government without application to the Government of India; that would remove about 50 per cent. of the applications that are at present made.

42854. Are there any reserved forests in different parts of India very close to thickly populated villages?—Yes, I should say there are a great many of those. I know a great many extremely valuable forests where you could step out on to a wheat field—in fact, the larger the population the greater the value of the forest, and the greater the necessity of preserving it.

42855. Is that a prolific source of complaint?—I do not think it is especially a cause of complaint. Of course, evilly disposed people have the advantage of having the forest close to them when they want to rob it, but I should not think that that is a general ground of complaint.

42856. Are not most of the complaints against the forest rules owing to these reserved tracts being so close to populated villages?—No; the chief cause of complaint against forest rules is the way they are applied by the forest guards.

42857. In reserved forests, do you allow pasturage and other rights free?—That depends wholly upon the Local Government; they can give it free or keep it to themselves; the Government of India has nothing to do with it.

42858. In the Bengal provinces is there nothing in the code which lays down instructions on that point?—No; there is a financial rule that the Local Government if they want to give a grant of more than a certain value must apply for the sanction of the Government of India, but that has to do with the Finance Department, not with the Forest Department.

42859. You say that there is no professional Head of the Forest Department in the Madras and Bombay Governments; I take it that it is your opinion that there ought to be a professional Head of the Forest Department in every province?—I think it is best to have one professional Head for a province than to have three in different parts of the province who are constantly being transferred, and who carry away their personal opinions with them, permitting of no continuity of action anywhere.

42860. So far as the people are concerned, you would not interfere with the present rules at all?—If you are speaking of Bombay and Madras, I should like the professional Head of the Department to be supreme in technical matters, and the Collector to be supreme in matters connected with the people.

42861. Is there any likelihood of that very point being the subject of discussion, as to what is a technical matter and what is a matter relating to the people?—We discussed that a great many years ago in Bengal, and we have a schedule of subjects in which reference to the Conservator and reference to the Collector are separated; that point was settled many years ago.

42862. Those questions do not arise now?—No; I should say not in Bengal.

42863. (*Mr. Hichens.*) Apart from financial matters, do the Government of India leave the administrative control in forest matters to the provinces?—The sole control that the Government of India now has over the forests is with regard to the regulation of disforestation, and the criticism of regular working plans affecting certain areas. Under section 77 of the Act there are certain other matters; one has to do with hunting, shooting, and fishing in reserved forests; the Forest Department has nothing to do with that. The Local Governments use that clause of the Act in order to introduce game rules in the different provinces. Another instance under section 77 as to the power of Local Governments to enforce import or export duties on forest produce passing through their territory. That also has nothing to do with the Forest Department. It is a question which might affect another territory or people outside the province concerned, or it might affect a Native State; and for that reason the Government of India ought to retain control, so as to obviate any unpleasantness which might affect a Native State or people outside the province.

42864. In forest matters, can the Local Government impose whatever tariff they please?—The Local Government include the forest expenditure and revenue in their provincial budget, and the Local Governments are under financi l contracts by which these budgets do not much affect the Government of India one way or the other.

42865. Is there a schedule of rates for forest produce?—That has nothing to do with the Government of India; it varies from district to district; it is settled by the local forest officer and the Collector. It is entirely independent of the Government of India.

42866. Does the Bengal Forest Code enter into considerable detail?—Yes; it is a very big book.

42867. If any alteration is required, has that to be made by the Government of India?—Any alteration that is required or demanded by a Local Government has to be sanctioned by the Government of India.

42868. Therefore, to some extent, through that code, the Government of India do exercise a detailed control, because they may refuse to alter any provision of the code?—The Finance Department might certainly do so at any time.

42869. The code goes into detail, therefore the Government of India sanctions details?—Yes; it is an unfortunate coincidence that the code is issued by them.

42870. Is it better that the provinces should have one joint code or separate codes?—It would save time and labour if they had only one code, because otherwise they would only have to repeat the orders of the Government of India. Of course, they are entitled under the Act to make rules, and they embody those rules which are adopted to local conditions in their manual, but that is a separate thing altogether.

42871. At any rate, would it be correct to say that it is desirable that the general policy in forest matters should be laid down by the Government of India, and that in so far as a code dealt with the general policy it should be of uniform application?—That is so.

42872. But in so far as it does not, would it not possibly be better that the Local Governments should have the discretion to do as they like and to make their own rules and regulations?—I suppose so. I am quite in favour of giving the Local Governments full power, within the two restrictions I have mentioned.

42873. I suppose one joint code would have a slight tendency to lead to centralization?—I do not see that it would; it was originally compiled as a matter of convenience. To save the trouble of going over a dozen volumes, all the orders were collated and issued in that way, and if the orders are the same for all the provinces it would be more convenient to have one code than to have half a dozen provincial codes. I am fully in favour of reducing the size of the code. About 50 per cent. of the restrictions in the code are financial.

42874. And those are somewhat rigid in their application?—Yes; very often they are extremely trivial.

42875. Can you give an instance of such triviality?—You can find very many indeed; for instance, the Local Government should have the power, without reference to the Government of India, to grant enhanced travelling allowance to an officer. There are things of that kind.

42876. Those are rules of general application, not applying to the Forest Department more than to any other department?—In the Forest Code you will find a list of travelling allowances granted to forest officers; that is only an example. If the Local Government wants to increase the travelling allowances, they have to apply to the Government of India; there are several cases of that sort. After all, they are not worse off than the Government of India itself is with the Secretary of State; it is exactly the same thing.

42877. Do you find in practice that the code rules which apply, say, in Burma are likely to apply in Bengal, for example?—No; very often we have to make exceptions owing to the different conditions in different provinces.

42878. Then you would have no objection to there being separate codes for the separate provinces?—I see no disadvantage, except that it would increase one's work.

42879. You do not see any positive advantage?—No, certainly not; it would be better to have one compilation for a large area instead of several parts of it. As it is, reference to different Acts applying to different countries is often very trying.

42880. (*Mr. Meyer.*) You say that apart from the Dehra Dun College you have no administrative power; but are you not practically the Secretariat Officer in forest matters; all cases which go to the Revenue and Agricultural Department must go to you?—Yes; I do not pass any orders, but I note; I note on every case that is sent to the Forest Branch.

42881. Therefore you have a great deal to do with the Forest Branch?—That depends upon the amount of influence I possess, of course.

42882. The Inspector-General puts forward his opinion on all these matters, whether they relate to technical forestry or not; they may be purely financial matters?—That is so.

42883. The Inspector-General is also concerned with the promotion of all Conservators and the posting of them?—He has to note upon that matter exactly as upon any other matter.

42884. He takes the initiative as to making suggestions for the promotion of a man to a vacant Conservatorship?—He takes the initiative in the same way as every subordinate officer takes the initiative; the custom is that the subordinate officer should note first and the senior last—that is the only reason why he takes the initiative.

42885. He also proposes the postings in different provinces?—He has to express an opinion on the matter, certainly.

42886. To that extent, is he not actually the administrative Head of the Department?—No; because an administrative Head of a Department can order, and the Inspector-General has merely to express an opinion, which may not be taken.

42887. As a matter of fact, do not the Inspector-General's opinions and suggestions in these matters go a very long way?—I do not think mine go very far in such cases.

42888. Is it not the fact that the forest officers throughout India, except in Madras and Bombay, look to you as the real Head of the Department, and as the fountain of promotions, if I might so call it?—It is a very difficult question to answer what the opinions of other officers are with regard to me and my office.

42889. What was your own opinion when you were a junior forest officer?—My opinion, when I was a junior forest officer and wanted things I could not get, was that the Inspector-General was perfectly powerless.

42890. I am speaking of promotions?—I mean with regard to promotions, and that the Local Government had very much more to do with the matter than the Inspector-General.

42891. Would you still hold that opinion—that the Local Government has more to do with promotions than the Inspector-General?—Yes; I firmly hold that opinion, because they are always consulted first, and their opinion is taken as the best available.

42892. When a Local Government desires X to be appointed Conservator, is he so appointed?—If the Local Government proposes a man who is next on the list for promotion, he is invariably appointed.

42893. Only provided he is next on the list?—Yes; but that refers to all; they go down the list and take the next man.

42894. You look upon the present system as a good one, and you would like to extend it to Madras and Bombay?—I do not look upon the present system as a good one; I think that by the system of selection you get the best men, and by the system of seniority you do not always get the best men.

42895. You go at present by a system of seniority?—The Government of India goes by a system of seniority.

42896. Would you not be more likely to get a system of selection if you allowed the Local Government to appoint its own officers?—I do not know; I should not think that the Local Government would be any better able to throw off the claims of their senior men than the Government of India is; in fact, they would be probably less so.

42897. Two provinces have already the power of appointing their Conservators, namely, Bombay and Madras; is there any valid reason why Burma and the Central Provinces should not have their own *cadre* and be able to appoint their own Conservators?—I think the wider the field of selection you have the better the man you get, and the more you restrict the field of selection the more you hamper yourself in getting the best officer.

42898. The best officer is in your opinion the best forest officer—such a matter as an acquaintance with the language of the people or with the laws and customs of the province does not matter much?—You will not get a forest officer of any value here unless he is acquainted with the people, because his whole work is entirely dependent upon his acquaintance with the people.

42899. For that reason, is it not better that a man should spend his service in one province?—To a certain extent, but I do not think it takes a life-time to learn the habits and customs of the people. It is not thought so in any other department. For instance, in the Indian Civil Service it is not thought so; you put in a man of three years' service as a Collector; he does not know much about the customs and habits of the people.

42900. Do Indian Civil Servants go about from province to province?—Selected men do.

42901. A man goes up to the Government of India of course, but does a man serve in Bombay at one time and in Bengal at another time?—Frequently; for instance, Sir James La Touche served in Burma, and then came back to the United Provinces.

42902. Is that the usual system?—I do not know.

42903. We have had statements from the Central Provinces that under the present system Conservators there are frequently changed; there have been five Conservators since 1900. Do you consider that satisfactory?—It is much the best to try a man before you appoint him permanently; if you have a temporary vacancy lasting for a few months, it is infinitely better to put in a man on trial before appointing him to a place from which you cannot turn him out afterwards.

42904. The statement is that they go to Burma or elsewhere where they get higher pay; is that so?—They are liable to be moved of course anywhere, but in point of fact, except officiating men, no man is ever moved from any Conservatorship until he takes furlough. Officiating men on trial are purposely moved, but as soon as a man is permanent, he does not move until he takes furlough.

42905. If a Conservatorship in the Central Provinces fell vacant and the next senior man happened to be in Burma, would he be moved to the Central Provinces?—That is to say, if he was officiating for the first time in the class of Conservators and we wished to try him, we should put him into the most convenient vacancy, to try his administrative abilities.

42906. Do you think he would himself do justice under new conditions, with a new language and so on?—Certainly; I went to Burma after 25 years' service, and I consider that I did myself justice there.

42907. You had had long experience; I am speaking of a man who gets his first appointment.—It is a very fair and reasonable trial.

42908. You say that the Local Government's proposals in regard to subordinate establishments are not the concern of the Government of India except in so far as they come under the Rs. 25,000 rule. When they come up have they not occasionally been held back in order to get uniformity with every province?—No; not to get uniformity with every province, but to improve the conditions of the Subordinate Service, so as to obviate their preying too much on the people. Take, for instance, the re-grading of the ranger class, so that promotion in that class may be more rapid; or take the giving of the forest guard a living wage—instead of giving him Rs. 5, giving him Rs. 8; to us it is immaterial whether there is uniformity or not.

42909. Suppose a particular province says that its forest staff does not get enough pay, and asks that its forest staff should have more pay, is the tendency of the department to grant the increase straight off, or to keep the province waiting in order to consider some

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general scheme of uniformity?—I should think the tendency in the Revenue and Agriculture Department would be to consider whether the proposals were suitable to the particular province applying without reference to other provinces, because they know perfectly well that the conditions of service must vary in the different provinces of India.

42910. Speaking generally, proposals by particular Local Governments are not held up in reference to some general scheme?—Not in the Revenue and Agriculture Department.

42911. Are they held up, I mean, because the Government of India desires uniformity in all the provinces?—I do not know that they put that forward as a basis of argument, but they do compare one province with another, and they do sometimes refuse proposals on account of their expense.

42912. In any case in which a province has said that it wants additional forest officers, have you held up that proposal in order to compare the conditions of that province with all the other provinces, or have you granted the permission at once?—If you are referring to the Imperial Service, the Secretary of State has laid down certain rules which regulate appointments and therefore it becomes purely mechanical. The Forest Service is divided into major and minor appointments; with regard to major appointments, 80 per cent. have to be filled by the imperial officers and 20 per cent. by provincial officers. That being laid down it is simply a question of arithmetic. In the Revenue and Agriculture Department the action of the Government of India is to enhance the claims of the Local Government as a rule, not to diminish them.

42913. Suppose a particular Local Government says, "We want four more district forest officers"—they being officers belonging to the Imperial Service—do you consider that claim on its merits and deal with it straight away, or do you hold it up for some general re-grading or enhancement of *cadre* in other provinces?—We only accept the re-organization for each province on its own merits. In the olden days they used to re-organize the whole department throughout India, and that was a lamentable failure.

42914. When did the olden days end?—I think the last re-organization they had was about 1891; I cannot be sure without reference.

42915. Was there not a re-organization in 1900 or 1901?—I do not remember that—there was one in 1906; that was with regard to pay solely, not with regard to numbers.

42916. With regard to working plans, you have now got a Chief Conservator of Forests in two provinces; might not the Chief Conservator of Forests be competent to deal with working plans in his province?—He does not deal with them entirely, except that he has to send them up to me for my criticism. He can evade that by not having a regular plan—by having a plan of operations, as they do in Bengal. However, the rule contemplates that he should send me the working plans for criticism.

42917. You return them to the Local Government?—Yes.

42918. Is the Local Government's decision then final, or do you come in again through the Revenue and Agriculture Department?—I do not think I can come in again. They recommend the Local Government and I do not hear any more of it till they issue their orders; no case has occurred in which there has been any dispute of that kind.

42919. You see the proceedings of the Local Government in forest matters?—Yes.

42920. And when they do anything that you consider wrong, do you bring it to the notice of the Secretary in the Revenue and Agriculture Department?—Yes; I bring anything of importance to the notice of the Secretary.

42921. Might not a Chief Conservator of Forests be left to deal with working plans without sending them up to you?—Yes; if there was any advantage in it he might. I think when it is available, it is preferable to have the best advice you can get; it is only a question of posting a plan; it takes no time.

42922. (*Chairman.*) May I ask what has been your training as an expert in silviculture?—I was trained three years in Germany. I am an officer of the Forest Department.

42923. (*Mr. Meyer.*) On the principle that it is an advantage for the most experienced person to see to things, everything in forestry might be referred to the Inspector-General of Forests?—One might say so, but it would not be advisable.

42924. If you are going in for decentralization at all, you must give control in the management to the local authorities unless there is some strong reason for further control by the Central Government?—I do not know how to express an opinion on that; I think there is a line which can be very conveniently drawn in decentralization, as in most things.

42925. Working plans stand on the right side of the line?—I think I possess more knowledge of silviculture than any man in India at this moment; if advantage is not taken of this knowledge of mine, it is a matter of opinion whether that is advisable or not; that is the only way I can answer the question.

42926. You have spoken about difference of opinion between the Conservators in the matter of working plans. Might it not sometimes be a positive advantage to have two or three different systems going on so as to judge between them? I do not say necessarily in the same forests.—We have different systems of working going on; that is unavoidable; that depends on the sort of crop that you want to raise.

42927. Might it not be possible to have different experiments on the same crop?—Yes; experiments over a small area; we have got hundreds of experiments going on at the present moment, but that is very different from the treatment of an important area.

42928. You emphasise the fleeting character of the Heads of provincial Governments as opposed to the more continuous character of the Government of India. Does that apply to the Governments of Madras and Bombay?—I have never served in the Government of Madras or the Government of Bombay; I do not see why it should not apply to them just as well as to Bengal.

42929. Are you aware that the Government of Madras and the Government of Bombay have Councils?—Yes.

42930. Therefore what you say as to a single Lieutenant-Governor who is replaced every few years does not apply with so much force to a Corporation of three persons?—It may, if each of the three persons has separate work which he does throughout the whole of his tenure of office.

42931. Might not that apply similarly to the Government of India?—I do not think it would apply in the same way.

42932. At the same time, you desire the Government of India to have as much control over forest matters in Madras and Bombay as there is in the Lieutenant-Governor provinces?—I do not think I brought up the question of the Government of India having so much control; do you mean with regard to working plans?

42933. I take it that you are discontented with the system of administration in Madras and Bombay, and that you advocate, among other things, that the Conservators in Madras and Bombay shall be appointed, as they are in other provinces, by the Government of India and not by the Local Government?—I do not think I have said that.

42934. You say in your memoraudum: "Personally I am far from considering that the creation of a general list for the administrative officers of the Department is an evil; indeed, I look upon it as one of the most important measures to ensure the progress of Indian forestry."—That is under the head of Bengal.

42935. But I understand that, while you claim for the northern India system a brilliant success, you say that the Bombay and Madras system is a lamentable failure?—I can hardly accept those terms "lamentable failure" and "brilliant success"; I do not go so far as that at all.

42936. Are you, or are you not, in favour of the continuance of the present system of the appointment of Conservators in Madras and Bombay?—I should prefer to see them all on one list, decidedly.

42937. You say that the Government of India of late years have receded very much from forest control. Was not the original intention of the Secretary of State, when your appointment was created, that the

Government of India should exercise very little detailed control? I have an extract from a Circular of the Government of India of 1864 saying that "the forest administration in Bombay and Madras will be conducted entirely under the orders of the Local Governments"?—That is the stage at which we have now arrived.

42938. That was the stage at which you had arrived in 1864?—I do not know what the stage was in 1864, but we have arrived now at what the Secretary of State wanted; that is, that the entire control is in the hands of the Local Governments.

42939. In the first few years after the Revenue and Agriculture Department was created in 1881, was there not very considerable centralization in forest matters?—I am afraid I cannot give you any opinion about that unless you let me study the subject; I was not here in 1881.

42940. Do you consider that the present forest concessions to the people are liberal?—In Bengal, yes.

42941. You state that the Forest Code, as to part of it, deals with financial restrictions, and that these financial restrictions are laid down by the Finance Department. Did not your department help to draw up the code?—Certainly: I compiled it and sent the whole thing to the Finance Department for revision before it was printed.

42942. Were all these restrictions with regard to the powers of Conservators insisted on by the Finance Department?—They were accepted.

42943. Did the Finance Department initiate them?—I do not know how they were initiated. To find the initiation of these articles in the code, you would have to go back 30 or 40 years.

42944. The Forest Department was originally under the Public Works Department of the Government of India?—It was at one time.

42945. Was not the Forest Code originally rather a copy of the Public Works Code?—I have never compared them.

42946. I put it to you that the Finance Department is not concerned with the particular sanctioning powers of a Conservator or a Deputy Conservator?—Still we have to ask them before we can alter the powers.

42947. You revised the Code, you say, in 1907?—In 1906.

42948. But in 1907 you did away with a certain number of restrictions, or you enlarged the powers?—The powers of forest officers have been very much enlarged and increased in the last two years.

42949. Has the Finance Department generally objected to the delegations you propose?—Not as a rule. On some occasions when the proposals were first sent up they objected, and later on they accepted them.

42950. You said that a number of restrictions which still remain might be relaxed; have you proposed any relaxations?—I explained that those restrictions were mostly concerned with the appointment and promotion of officers of the Subordinate Service; that as long as we had centralized education it would be difficult to get rid of them, and that the Local Governments were now preparing to undertake the education of their own subordinate establishments, when these restrictions might be removed.

42951. There are not such things as the grant of applications for leave, or applications for sanction to write off a dead elephant, that might with advantage be relaxed?—I dare say there may be; we are always ready to relax anything of that kind. I think full powers ought to be given to the Local Governments in those matters.

42952. With regard to the Bombay and Madras Codes, are they not separate from the Imperial Code, but largely based on it?—Yes; they contain a good many articles that are in the Imperial Code, especially with regard to things that rest on education and finance.

42953. If they differed materially from the Imperial Code would the Local Government be addressed on the subject?—I do not think so; they have just revised the code in Madras, and we do not know anything about it at all; I suppose they will send us a copy for information when it is decided.

42954. You say that it is desirable to have a single Forest Code for India; are there separate Land Revenue Codes for these provinces?—I do not think I ever said that it was desirable to have a single Forest Code for all India; if I did say so I retract it.

42955. You prefer a single code for all provinces outside Madras and Bombay?—Yes, that is what I said.

42956. Are there single Revenue Codes for the provinces of India outside Madras and Bombay?—I do not know.

42957. To what extent do the Dehra Dun College grades go down; what is the lowest grade?—We have got rid of the forest guards; the Local Governments train them; we are now training rangers.

42958. You want to get rid of the rangers?—Yes; I think the Local Governments will do that in the next year or so.

42959. You have told us what the position of the district forest officer ought to be in relation to the Collector. Ought the Conservator to stand in the same relation to the Commissioner?—He does in Bengal.

42960. By Bengal you mean outside Madras and Bombay?—Yes.

42961. In Burma there are eight Commissioners and four Conservators, and the Conservators instead of being at the headquarters of divisions, are two at Maymyo and two at Rangoon; is that a sound distribution?—I think the soundest distribution is that which the Local Government considers the best; I would not criticize them in any way.

42962. If the Conservator is to stand to the Commissioner in the same way as the district forest officer stands to the Commissioner, ought not the Conservator to be at his headquarters?—I do not think there is any inconvenience when there are two officers; they need not be both at headquarters.

42963. It was suggested to us by a forest officer in Bengal that, where there were not quite enough Conservators for Commissioners' divisions, the Commissioners might have what he called sub-circle officers?—We have proposed sub-circle officers; the whole thing has been sent up to the Local Government, and they refuse to have anything to do with it. I think the circle officer is preferable.

42964. By the circle officer you mean the Conservator?—Yes.

42965. You say you have no local knowledge of the Madras forests?—I have a little knowledge now; I have just been there for two months.

42966. In Madras, is not a great part of what is called forest really grazing land?—It has been reduced to that by improper treatment and now they are trying to restore it; it will be a very lengthy business.

42967. Anyhow, the so-called forests are much more mixed up with the ordinary cultivation of land?—Not more so than in other places; not more so, for instance, than in Berar, or than in the Central Provinces. I do not see much difference in the local conditions.

42968. You tell us that the Conservator has no power to communicate with the district forest officer except through the Collector; is that so in regard to technical matters?—I believe so; I believe the Conservator sends in an office slip to the forest officer, which has to pass through the Collector.

42969. You have never heard of unofficial correspondence between the Conservator and the district forest officer?—There might be on abstract questions of professional interest perhaps. The Conservator writes: "In the Madras system of forest administration the Conservator is little more than a support to the unprofessional Head of the Department; the district officer is entirely under the authority of the Collector; direct correspondence between the Conservator and the forest officer is prohibited except in account matters and the preparation of weekly balances. The Conservator is supposed to be in charge of finance, but he cannot issue orders to people except through the Collector."

42970. Do you say that the Conservator ought to be Head of the Forest Department?—The Conservator ought to be the chief Administrative Officer in his own circle with regard to forest matters.

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42971. With the Collector subordinate to him?—The Collector is never subordinate to the Conservator; he cannot be.

42972. Then how would the Conservator be the chief officer in forest matters?—In the matter of executive works, in the matter of finance and in the matter of silviculture he would be the real chief, but he could not issue a single executive order to his divisional officer.

42973. He might issue orders affecting the people?—That is arranged for elsewhere; there is a schedule of subjects upon which he has direct jurisdiction and of subjects in which he has not direct jurisdiction; that schedule has been in force for 40 years.

42974. You have told us that you are subordinate to the Department of Revenue and Agriculture. On the same analogy, is there any objection to the Conservator being an advising officer to the Board of Revenue in Madras?—I think there would be if the member of the Board of Revenue knows nothing about the Conservator: as the member of the Board of Revenue has no claim to professional knowledge in regard to forests his position is very often unpleasant.

42975. On the same reasoning would you give authority to the Secretary of the Revenue and Agriculture Department?—If he differed with me in silviculture matters, certainly I should hold that I knew more about them than he does.

42976. You talked of schedules showing what are technical, and what non-technical, forest matters; suppose a question arises as to whether a matter comes under one head or the other, who is to decide it?—The Local Government, who made the schedule.

42977. You would remove from the Board of Revenue in Madras all control over forest matters?—Certainly not; the Board of Revenue has its own control over forest matters in the United Provinces and in every other province in India. I say that the Board of Revenue in Madras is not capable of settling silviculture questions in Madras.

42978. Are you aware that a great part of the forest revenue in Madras is not silvicultural at all, but purely the result of the grazing land which is let out by the tahsildar?—That may be so.

42979. In Bombay you have no Board; the Conservators are under the Local Government; is not that system exactly the same as the system in the United Provinces?—The position in Bombay is much more like the system in Madras; the Bombay Code begins by saying that "the Collector is the Executive Forest Officer in his own district," and that gives you the idea of the thing. In Bengal the Executive Forest Officer is an officer of the Forest Department, acting under the Collector's instructions. In Madras and Bombay a Conservator goes round and he inspects a forest tramway; he finds it all out of order; he does not criticize or order at all; if he wants to do that he has to go round through the Collector; the Collector has not got time to go into his forest and look after all the details. That is simply an example. I should like the district forest officer to be under the control of the Collector too, but I should like the orders issued to him through his superior officer, so that the inspecting officer could be of use and not a mere figurehead.

42980. Do you mean that the Collector should never issue an order to the district forest officer?—No, he can issue orders; if there is any hurry. Ordinarily, if you have a Conservator, he should be the administrative officer, subject, as I have said all along, to the control of the Commissioner and of the Board of Revenue.

42981. You correct the impression that you gave me that the district forest officer should be the assistant of the Collector in non-technical matters; you say that he is only to be subordinate to the Conservator?—At the present moment in Madras the executive forest officer cannot fell, extract or dispose of any forest produce without the order of the Collector; the felling and extraction of forest produce is a silvicultural operation; the method of felling and the method of extraction may be of very great importance to the future crop. The Collector is not a forest expert, and the man who ought to issue orders on those technical subjects after consultation with the Collector is the Conservator. The Conservator should be able to go round to the forest officer and say: "I told you to do this, why have you not done it." At present he is a nonentity, and the forest officer does what he likes.

42982. Let us assume that some distinction has been drawn between what you call silviculture and matters affecting the people. With regard to the latter point, is the forest officer the direct assistant of the Collector, or not?—I say that in all matters affecting the welfare of the people he should be under the orders of the Collector.

42983. Who should direct him through the Conservator?—That would be far preferable, so that he should get his orders carried out, which he cannot do at the present moment.

42984. Why cannot that be done now?—Because he has not time, any more than the Forest Member of the Board of Revenue has time, to look after 45,000 square miles of forest; it is not a one man job at all.

42985. And the Conservator will have the time if he has the orders of the Collector issued to the district forest officer?—If the three present Conservators have not got the time, it is very easy to make a Chief Conservator, or to appoint a fourth or fifth Conservator; a Conservator is a cheap thing, whereas a member of the Board of Revenue is not.

42986. You spoke of amending the present restrictions on disforestation in the Government of India Forest Act; you said it was proposed to take out plots under 200 acres; in what stage is that proposal at the present moment?—I think it is awaiting the opinion of this Commission. I think the correspondence was between you and me; if you wanted action to be taken immediately, it could be done, I daresay.

42987. The Forest Act also requires the previous sanction of the Government of India for rules for the management of village forests, under section 27?—Yes.

42988. And rules for protected forests, including hunting, shooting and fishing under section 31?—Yes.

42989. Do you consider the previous sanction of the Government of India necessary for such rules?—Not for village forests; I do not think they exist.

42990. Not under section 31 as to protected forests? I should not think so.

42991. Then in your opinion, the previous sanction of the Government of India so far as those things are concerned might be dispensed with?—I say the whole thing might be taken out, except disforestation.

42992. And, I understand, the levy of a duty on timber?—That does not affect the Forest Department in the least; it affects the Foreign Department and the Home Department.

42993. Do the forest budgets of the Local Governments come up through you?—No.

42994. They go straight to the Finance Department?—Yes; they send a copy to the Revenue and Agriculture Department, but as they only send figures under the main heads and subheads it is not of much use.

42995. (*Sir Steyning Edgerley.*) You say that there is no possibility in Bombay of controlling forest operations; are you acquainted with the Bombay system at all?—No; I have never been to Bombay.

42996. Do you know where the senior Conservator is generally posted?—I think he is generally at Poona; that is the central circle.

42997. Are you aware that every question of importance in silviculture goes to him, for consultation with other Conservators and to get reports from them?—I knew that the working plans went through him; I did not know of anything else.

42998. You have given a table of comparative information regarding the different provinces; you say that in Bombay there is no Head of the Department, is that accurate?—Unless you gave the senior Conservator the powers of a Chief Conservator, and made him the Head of his Department.

42999. Is not the Commissioner the Head of his Department?—But I was talking about the professional head—the technical head.

43000. Then in Madras is the member of the Board of Revenue a technical head?—No; but he has got to do the work of a technical officer.

43001. I am comparing what you say as to Madras and Bombay; under Madras you put a member of the Board of Revenue; under Bombay you put "none"; in Bombay is not the Commissioner the Head of the Department under the rules of 1892 which are still in force?—My meaning is that there is no administrative Head of the Department in Bombay in the sense in which I was then writing. If the four Commissioners are counted as Heads of the Department, I do not regard that as a satisfactory arrangement.

43002. Is it entirely accurate to say that there is no technical Head in Bombay?—No; if you take your senior Conservator to be the technical Head of the Department.

43003. As to Bengal proper your entry is, "Chief provincial forest officer where areas are large." There is only a Conservator in Bengal; therefore if that is accurate in Bengal, why do you put "none" under Bombay?—By the technical head of the Department, I meant the Inspector-General of Forests in Bengal, above the Conservators.

43004. You do not say so; you say the "Chief *provincial* forest officer"?—The local Head of the Department would be the chief provincial forest officer.

43005. In view of the information we have had about the Poona arrangement, do you still say that your entry here is accurate?—I do not understand how there can be four Commissioners and four Heads of Departments and three Conservators.

43006. I am not speaking about the Commissioner, I am speaking of the chief provincial forest officer. Under Bengal you put "the chief provincial forest officer where areas are large?—That is my description of the Chief Conservator.

43007. It says in the Bombay rules that, subject to the other provisions of these rules, each Conservator is invested with the direction of all professional operations of technical forestry. Is that "an advisory" sphere of duty?—It is "subject to" something.

43008. It is "subject to the other provisions of these rules"—that is all?—Do not "the other provisions of these rules" restrict his power very considerably?

43009. Not as to the direction of all professional operations. Similarly, in matters relating to departmental finance, or appointments or leave; the Conservator may go to the Government direct; therefore, in technical forestry and in finance in Bombay the direction and administration as regards those subjects are in the hands of the Conservator?—Yes.

43010. Is it then right to call him purely an advisory officer.—No; if the restrictions otherwise imposed do not prevent his acting, he is an Executive Officer.

43011. Then that entry is wrong?—It is wrong in those circumstances.

43012. In Bombay you say there is no control of technical management except that exercised by the senior Conservator in addition to his other duties; what more is there in any other province?—Where there is a Chief Conservator, there is the Chief Conservator, and beyond him there is the Inspector-General.

43013. Is it the case that, when the technical officers disagree, the Bombay Government can refer to the Inspector-General for his decision?—I have not had any references from Bombay; I have from Madras.

43014. That simply means that there has been no occasion for such reference during your tenure of office?—It may mean that.

43015. Was there not an important case where the Government of Bombay took the course of referring to the Inspector-General?—I believe they did invite one of my predecessors down to Bombay once.

43016. They are at perfect liberty to do it when circumstances demand it?—They can always issue an invitation.

43017. Then it is hardly correct to say that "there is no control of technical management save that exercised by the senior Conservator?—If I had said that there was no control of technical management available except that exercised by the Conservator, I should have been wrong.

43018. How many controlling authorities do you wish for? Is not the Executive Officer the divisional forest officer?—That is so.

43019. And he has his Conservator above him?—Yes.

43020. And the Conservator may refer to the senior Conservator?—Yes.

43021. How many more are necessary?—The senior Conservator and the other Conservators do not always agree.

43022. Then the Government can refer to the Inspector-General?—I think the senior Conservator reports to the Government his opinion of a case.

43023. You say: "There is in either province no outside criticism of professional work, and no exchange of experience is officially possible." Do you consider that accurate?—Yes; as far as I am aware I think it is accurate.

43024. Do you think that the Conservators never meet?—I meant from outside the province.

43025. There is no exchange of experience?—I meant outside the province.

43026. Have you ever seen a paper called the "Indian Forester"?—Yes; I have seen it.

43027. Does that not allow of the exchange of experiences?—I do not think you will find much exchange of experiences in that paper.

43028. Where else could you get experience?—By service or conferences outside the province.

43029. Did you go back to the United Province after you went to Burma?—No; I came here after leaving Burma.

43030. How does the experience you gained in Burma benefit the United Provinces?—The experience is utilised; if not in the province where you gain it, it is utilised elsewhere.

43031. You say: "As regards administration, the Conservator's abilities remain to a great extent unutilized, because his proposals may be vetoed by the local Collector." As regards technical forestry, would you like to modify that remark?—Yes, I might modify that a little.

43032. It is not correct?—It is not quite correct.

43033. You say: "As regards executive work the Conservator is powerless to order or to control, this being also the duty of the Collector." Is that again correct as regards technical forestry?—I was not thinking so much of technical forestry, but of matters like road-making and so on.

43034. You have not guarded the sentence in that way?—I will guard it.

43035. Then you say: "It is obvious, therefore, that the Revenue and not the Forest Department must be held responsible in the provinces of Madras and Bombay"?—That I think is correct.

43036. Correct as to Bombay?—I think so; if a Revenue Officer is the Head of the Department I think you must hold the Head of the Department responsible.

43037. You have immediately before said: "As an example, it is ordered that the Collector must control the felling, extraction, removal and disposal of forest produce"?—That is the case in Madras which I have just quoted.

43038. You go on to say: "It is obvious, therefore, that the Revenue and not the Forest Department must be held responsible in the provinces of Madras and Bombay for the success or otherwise of forest management there"?—Yes; I still think that. As long as the Head of the Department is the Revenue Officer, and as you say that there are more than one of them, I think they certainly ought to be held responsible.

43039. For technical forestry?—For the success or otherwise of forest management.

43040. Do you say for technical forestry?—That is an example given from Madras.

43041. But you extend its application to Bombay?—I apply this principle to Bombay, that the Revenue and not the Forest Department must be held responsible for the success or otherwise of forest management, but the example above is one given which has actually happened in Madras at this present time.

43042. Is not the inference from the language used that it applies to both provinces?—I did not mean it to be so.

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43043. You would wish to tell us then that in Bombay the Forest Department cannot be held responsible for the success of forest management ?—I consider that if the Head of the Department is a Revenue Officer he ought to be held responsible for the success of forest management ; otherwise, what is the good of having a Head of a Department ?

43044. In technical forestry ?—Forest management ; I include everything—technical and all the rest of it.

43045. But I wish you to divide it ?—On both—both technical and otherwise.

43046. Have you actually made the comparisons of statistics that you refer to ?—I have not made them altogether ; I have made them from time to time when looking over the various reports of various provinces.

43047. You have not made them for the present purpose ?—No ; I can give you the statistics.

43048. The first reason for your hypothetical conclusion is that the Forest Department is undermanned, and you say (quite correctly I believe), that the Government of Bombay have been trying to get a re-organization through since 1888 ? You said that they were "struggling with a scheme" ; is it not more correct to say that they are struggling with the Government of India over a scheme ?—I should not like to say that.

43049. Is it not a fact that the scheme has been returned over and over again with alternative suggestions by the Government of India ?—I do not think so—not over and over again ; there was one returned in March, 1906.

43050. But long before then ?—The first was submitted in May, 1890 ; it was discussed in 1891 ; there were certain recommendations made, and the Government of Bombay refused to accept them.

43051. Quite so ; and the Government of India then sent down another scheme in place of the local scheme, which they considered was not suitable, and the same thing happened ; then, after the famine, the Bombay Government sent up a scheme in 1905, and the Government of India has sent it back again, asking among other things to be informed of every forest guard's beat throughout the Presidency. Is that a detail that the Government of India particularly need to know ? —I think it is impossible to judge of the number of forest guards you require unless you know how many beats there are.

43052. If you distrust the Local Government ?—Not on that account, but if there are two or three times the number of forest guards in one province that there are in another province, I think it merits enquiry.

43053. You think the Government of India should deal with such details on the advice of the Inspector-General ?—Not on the advice of the Inspector-General.

43054. But it comes through him—he would note on the case ?—Yes.

43055. As a matter of fact, this re-organization desired by the Local Government has been delayed for different reasons for some 20 years ?—I met Mr. Talbot as Chief Conservator immediately after that scheme had been sent back by the Government of India, and he assured me that he was heartily glad that it had been sent back, because it was totally unsuitable.

43056. Your second reason is that, "The administrative and controlling staff is not permitted to put its professional abilities to the best possible use, because of their subordination to the Revenue Officer in professional matters" ; is that quite accurate ?—It certainly is in Madras ; I can check it again as to Bombay ; I have been told so.

43057. What do you mean by saying there is "insufficient final control of silvicultural proposals" ? —I meant to say that where there are three Conservators, and one of them has the control of silvicultural proposals, you presuppose that his own proposals are absolutely correct ; they may not be.

43058. Do you consider that the modern forest officer comes out well grounded in forestry ?—Yes ; I think he has a fair theoretical knowledge of forestry.

43059. What he has to learn are the local conditions ? —He has to apply theoretical knowledge to Indian conditions.

43060. Is there not a considerable variety in the forests from Sind to Canara ?—Yes.

43061. And an officer who serves in different divisions through that range has probably got a fairly wide experience for a Conservatorship in Bombay ? — Certainly ; he ought to have.

43062. Is not your third reason also somewhat inconsistent with the answers you have just given to me ?—I say : "There is no professional Head of Department, and the higher administrative officers have no chance of extending their experience and silvicultural knowledge outside the limits of their Presidencies, which, moreover, do not afford in the variety of their forest vegetation nearly so much scope for doing so as do the forests of the Bengal Presidency." I adhere to that. I think, for instance, that if the forest officers in Bombay wish to work the teak forests of Canara better than they do at present, they will gain vastly by going to the teak forests of Burma.

43063. You know that the Bombay Government did ask to be allowed to send officers there, and the Government of India did not consent ?—I do not think it was the Government of India, but they anticipated objections from the Government of Burma perhaps.

43064. Had they asked whether the Government of Burma objected to exchanging officers temporarily ?— I forget the correspondence.

43065. With regard to objections to centralization in the matter of forest education, which you state, was not that centralization the action of the Government of India ?—The Government of India started forest education at Dehra Dun.

43066. And asked the Bombay Government to discontinue it at Poona. They have changed their policy ? —I do not think the Government of India have changed their policy. I do not put it down to the Government of India in any way.

43067. You say : "If revenue and expenditure were entirely imperial Local Governments would cease to take an interest in forests" ; what grounds have you for saying that ?—Chiefly human nature.

43068. Would you say the same in regard to salt or customs ?—I think so, so far as my experience has gone with Local Governments. In the answers received from Local Governments for instance about the amalgamation of the Conservators' list, that was one of the reasons put forward for refusing, because, they said they wished to have their own departments absolutely separate.

43069. That view is not entirely shared by the Government of India ?—I have not asked them ; I would not think of asking them.

43070. What do you mean when you say that the proposals of the Local Government have been "undoubtedly retarded" ?—I was alluding to want of foresight. Local Governments write up for an increase of the Imperial staff ; they say it is absolutely necessary, and they cannot do without it for a day, the fact of the matter being that it takes three and a-half years to produce a forest officer, so that after their proposal is sanctioned they have to wait three and a-half years before they can get them ; if they had thought that they would not have got them for three and a-half years, they would have written up for the increase before. That is the trouble that we are suffering from all over India.

43071. They lay stress upon the immediate necessity in order to get sanction ?—They go further ; they ask that men shall be transferred from other provinces to meet their wishes.

43072. You have had cases like that ?—Several.

43073. You think they ought to have looked ahead and taken it up earlier ?—Most certainly ; if they control their own Forest Department, they ought to have used foresight.

43074. (*Chairman.*) In Madras did you look at the accounts which the forest officer has to keep ?—No ; I have nothing to do with that ; I cannot inspect offices.

43075. Are the accounts that the forest officer is required to keep very complicated ?—No ; I should

not have called them complicated; it entirely depends on the method of work which the Local Government prescribes.

43076. That is entirely in the hands of the Local Government?—Yes; if they prescribe departmental work to a large extent, the accounts are extremely heavy, and if they issue orders that the work shall be carried out on contract, the accounts become comparatively light.

43077. Are you allowed to go on leave during your tenure of appointment?—Yes.

43078. Who acts for you?—The Government of India have to go into the whole question and select another man.

43079. Where does he come from?—He is probably a Conservator, from some other province.

43080. He has no power of sanctioning these working plans as a Conservator, but when he comes and acts for you for six months he can sanction any working plans of any size all over India?—Yes; he very seldom does.

43081. Are the working plans held up till you come back?—When I have been on short leave I have generally found them held back.

43082. And when you have been on long leave?—If I was officiating as Inspector-General I should do them myself.

43083. The result is that a man who is called upon to act for the Inspector-General who is on long leave has at once to decide upon the working of forest plans, and again to advise finally, when he has had no previous training in the matter of final responsibility?—Yes; but he is the next best man, or even a better man.

43084. As a better man he has no power of even the smallest sanction?—No.

(*The witness withdrew.*)

Surgeon-General G. Bomford, M.D., C.I.E., was called and examined.

43085. (*Chairman.*) You are an officer of the Indian Medical Service?—Yes.

43086. Will you state briefly the organization of the Department?—The *personnel* of the Indian Medical Department, superior and subordinate, consists of members of five distinct establishments, viz.:—

(*i*) The Indian Medical Service;
(*ii*) Military Assistant Surgeons and
(*iii*) Military Hospital Assistants. } Both of the "Indian Subordinate Medical Department;"
(*iv*) Civil Assistant Surgeons; and
(*v*) Civil Hospital Assistants.

The Indian Medical Service is a Military Service and its members are commissioned officers of the Army. Candidates for the Service, who must be natural-born subjects of His Majesty the King and of European or East Indian descent, are selected by competitive examination in England. Members of the Service are eligible for employment in superior civil medical appointments under Local Governments and Administrations as well as with native troops, a single Service for military and civil duties being an economical arrangement to provide a reserve of Commissioned Medical Officers competent to perform military duties in time of war.

Military Assistant Surgeons are mostly Europeans and Eurasians, who are recruited in India by a competitive educational examination in the first instance and subsequently undergo a four years' course of professional medical training at one of the medical colleges. The majority of Military Assistant Surgeons are employed on subordinate military duties at station hospitals for British troops; but there are a number of appointments, subordinate as well as independent civil surgeoncies, open to them in the Civil Department under Local Governments and Administrations, from which they are liable to recall to military duty in time of war.

Military Hospital Assistants are natives of India with lower professional qualifications than Military Assistant Surgeons, who are trained at the several medical schools, primarily for employment on subordinate military medical duties at regimental hospitals for native troops, but a limited number are also employed in subordinate medical appointments in the Civil Department, from which they are liable to recall to military duty in time of war.

Civil Assistant Surgeons.—Each Local Government and Administration has its own provincial establishment of Civil Assistant Surgeons, who are trained in the medical colleges and must possess a University degree or diploma. They hold charge of minor hospitals and dispensaries; are employed in subordinate posts in the larger civil hospitals and fill several other miscellaneous subordinate medical appointments. The services of a considerable number of Civil Assistant Surgeons are also lent to Municipal and Local Boards for employment at their medical institutions. A certain number of independent civil surgeoncies are also reserved in each province for medical subordinates of this class.

Civil Hospital Assistants.—As in the case of Civil Assistant Surgeons, each Local Government and Administration maintains its own establishment of Civil Hospital Assistants for subordinate medical duties, who are usually trained at medical schools and possess lower educational and professional qualifications than Civil Assistant Surgeons. They are employed in charge of minor dispensaries and in a variety of other subordinate medical posts.

The medical administration of each province is under the control of the Local Government, whose adviser in such matters is an officer of the Indian Medical Service of the rank of Colonel and designated Inspector-General of Civil Hospitals. In Madras and Bombay, however, the Administrative Medical Officer is of the rank of Surgeon-General. Except in Bombay, the district medical and sanitary arrangements are in charge of a Medical Officer designated "Civil Surgeon," or in Madras "District Medical and Sanitary Officer." He superintends medical institutions and, subject to the general authority of the Collector or Deputy Commissioner, all matters connected with the health of the population. It is his duty to attend in his professional capacity the superior officers of Government who are entitled to the privilege of free medical treatment, and he also performs the major portion of the medico-legal work of the district and is responsible for vaccination. If there is a district jail located at the head-quarters station of his district, he holds executive and medical charge of the jail. In the Bombay Presidency the Civil Surgeon is occupied principally with the duties of the head-quarters station of his district, though he also does inspection work. The rural hospitals and dispensaries in that Presidency are under the direct control of the Surgeon-General, and sanitary work is supervised by the provincial Deputy Sanitary Commissioners acting under the orders of the Sanitary Commissioner, Bombay.

The Director-General is the Head of the Indian Medical Service and, as such, is responsible that the Service is maintained at the sanctioned strength, which at present consists of 754 officers, and that the authorized number of officers of that Service are at the disposal of the Commander-in-Chief for military duty, and at the disposal of the several Local Governments and Administrations for the appointments reserved under them for officers of the Indian Medical Service as Professors in the Medical Colleges, as Civil Surgeons, as Superintendents of Central Jails, etc. He maintains the record of services and confidential reports of the members of the Service; proposes to the Government of India the transfer of officers from the Military to the Civil Department, and *vice versâ*, according to necessity, and the selection of officers for promotion to the administrative grade and their promotion thereto. He is the Administrative Head of the "Indian Subordinate Medical Department," which at present consists of 470 Military Assistant Surgeons and 860 Military Hospital Assistants. He is responsible that the department is kept up to strength and for the professional training at the medical colleges and schools of the men recruited from time to time to that end. He is responsible that the necessary number of the medical subordinates in question are at the disposal of the Commander-in-Chief and of the several Local

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Governments and Administrations who have appointments reserved under them for Government servants of this class. He also maintains the personal files of members belonging to the department, namely, a record of services and confidential reports as in the case of officers of the Indian Medical Service. He is directly subordinate to the Government of India in the Home Department and is required to assist that department with advice in regard to all questions referred to it by Local Governments and Administrations in connection with the Service, promotion, pay, pension, conduct, etc., etc., of the officers of the Indian Medical Service and the Indian Subordinate Medical Department employed under them, and in regard to similar questions relating to the members of their own provincial establishments of Civil Assistant Surgeons and Hospital Assistants. Also with reference to questions relating to the organization, maintenance or control of medical institutions belonging to Local Governments and Administrations. He is also required to render similar assistance to all the other departments of the Government of India whenever necessary. He is required to perform tours in order to confer with, and offer advice to, Local Administrative Medical Officers and to visit provincial medical institutions. He controls the Medical Store Depôts, which are primarily military institutions, but which also supply civil hospitals and dispensaries with medical and surgical stores. He also controls the X-ray Institute which has been established at Dehra Dun.

With reference to the relations of the Government of India to the Local Governments in matters which concern the *personnel* of their Medical Departments, it is important to note that this *personnel* is composed partly of officers selected from the Indian Medical Service and the Indian Subordinate Medical Department, which are military and imperial Services, and partly of Civil Assistant Surgeons and Hospital Assistants who are recruited by the Local Governments themselves for service in the particular province. There is also a very small and diminishing number of superior officers who belong to no Service, but have been engaged provincially and are known as "Uncovenanted Medical Officers." The number of superior medical officers employed by each Local Government is fixed from time to time by the Government of India (with the concurrence of the Secretary of State), but it is in the power of Local Governments to employ as many Civil Assistant Surgeons and Hospital Assistants as they can find work for.

The pay of the different classes is regulated by general rules which have been laid down at various times by the Government of India (with the concurrence of the Secretary of State), and allowances for special appointments or duties are similarly regulated by the Supreme Government. This is necessary so as to maintain a general uniformity of emoluments, though local or personal allowances may be sanctioned when it has been proved to the satisfaction of the Government of India (and generally of the Secretary of State also) that the local circumstances, or the nature of the particular service rendered, justify exceptional treatment. Opinions are apt to differ as regards either the interpretation of the rules or the justification for giving a special allowance for some particular duty, and allowances are a source of numerous references to the Government of India when either the Local Government or its Accountant-General finds it necessary to ask for a ruling, or the officer concerned feels himself aggrieved.

The promotion of officers in the Indian Medical Service and the Indian Subordinate Medical Department is regulated by the Government of India in the Department of Military Supply, as these are military services, and it is generally a matter of length of service, but in the higher ranks where selection comes in, the confidential reports received from the Local Governments are in all cases carefully considered before the promotion is made, and in cases of doubt a special report is always called for. The promotion of Civil Assistant Surgeons and Hospital Assistants on the provincial lists depends upon length of service except in the higher grades, and is entirely in the hands of the Local Government concerned, though governed by rules which have been laid down by the Government of India and which are applicable to all provinces. Civil Assistant Surgeons and Hospital Assistants, before promotion to the different grades of their services, have to pass septennial examinations to prove that they have maintained their knowledge of professional subjects. In the case of Assistant Surgeons these examinations are conducted in Madras and Bombay by the local Surgeon-General, but for all the other provinces there is a common examination under the direction of the Director-General, Indian Medical Service. This arrangement saves the Local Governments a good deal of trouble and has never been the subject of any objection. The corresponding examinations for the Hospital Assistants are entirely provincial, and are at present unsatisfactory in many ways. A proposal to recast them on an improved plan is now under consideration, and is likely to be accepted by most, if not by all, the provinces.

In the case of the Indian Medical Service and the Indian Subordinate Medical Department the Government of India selects the officers who are to be placed at the disposal of the several Local Governments for civil employment, the Local Government merely reporting that there is a vacancy in its establishment, and the Government of India selecting the man to fill it. In a large proportion of cases the officer of the Indian Medical Service is selected for ordinary civil employment, which means employment as a Civil Surgeon of a district or town, but in some cases an officer is required for a special department in which special qualifications are needed, and in that case he is placed at the disposal of the Local Government for employment in that particular line, it may be, for instance, as a Chemical Examiner, or an Alienist, or in the Jail Department, etc. In former days when there were Madras and Bombay armies distinct from the army of Bengal, those Governments used to select officers for civil employment from the establishment of Indian Medical Service officers maintained for their own armies, but now that there is only one army for the whole of India with a single establishment of Indian Medical Service officers, the selection is necessarily made by the Government of India. For the purpose of advising the Government of India in the Home Department in making this selection, the Director-General, Indian Medical Service, keeps lists of applicants for civil employment in the different provinces, and for some years past this selection has been based very strictly upon priority of application in the case of the Indian Medical Service, provided of course there is no positive unfitness; and upon special fitness and seniority in the case of the Indian Subordinate Medical Department. The eligibility of an Indian Medical Service officer for civil employment is restricted in ordinary circumstances to some particular province or group of provinces, which is determined in London at the time he enters the Service.

Each Local Government is entitled in ordinary circumstances to have a definite number of officers at its disposal which is determined by the number of *cadre* appointments in the province, *plus* an addition of 20 per cent. for leave vacancies, this 20 per cent. being taken from the general leave reserve of the whole Service. The officers filling *cadre* appointments are placed *permanently*, and those who are filling leave vacancies, *temporarily*, at the disposal of the Local Government. The transfer of an officer from the temporary to the permanent list requires the concurrence of the Government of India in order to prevent the confirmation of an officer out of his turn.

The Director-General, Indian Medical Service, also keeps lists of men who are desirous of serving in special departments and have the necessary qualifications, and if there are no men so qualified for any particular department, he takes steps to put one or more in training according as vacancies are known to be likely to occur. An officer who has been placed temporarily at the disposal of a Local Government for a special department is as a rule only confirmed in that department, when a permanent vacancy occurs, and is not allowed to be wasted by being transferred to ordinary employment where his special knowledge is not required. He is liable to serve in his particular line in any province which may be in need of his special services.

In addition to the *cadre* appointments and the leave reserve, the Local Governments often have special needs for the services of additional Medical Officers on account of famine, plague or other emergency, and every endeavour is made to meet these requirements, though it may entail a temporary shortage of officers

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in other provinces, or on the military side, where no such emergency exists. On the other hand the Local Governments are bound to surrender a proportion of their men in time of war for the extra requirements of the army, the officers in civil employment thus forming a reserve for the army. This give-and-take system between the different provinces and the army is of the greatest importance, but is only possible because the Government of India regulates the distribution. From the figures showing the number of officers of the Indian Medical Service at the disposal of the different Local Governments on the 1st November 1907, it is evident that they have little to complain of as regards not getting their full complement of men in ordinary circumstances.

It has been proposed in some quarters at different times that the proportion of officers due to Local Governments for leave vacancies should be always permanently at their disposal, even when there is no vacancy at the moment in which they can be employed. This arrangement would break the Service up into a number of local Medical Departments in which there would sometimes be several officers unemployed and, therefore, discontented, while at other times there would be a deficiency. It would of course destroy the general reserve by parcelling it out, and so make it impossible to meet special needs either for special departments or in case of a local emergency. It would be uneconomical because the strength of the Service would have to be based upon the greatest requirements of each province taken separately, instead of as now upon the greatest need of India as a whole. Each province would also expect to round off the fraction of an officer that might be due to it, instead of the rounding off being applied once to the total of the whole Service, and every Local Government would be obliged to have extra men in training as understudies for special appointments. Eventually the Local Government would still have to come to the Government of India to supply their deficiencies as casualties occurred, because the recruitment in London is made for military purposes only and not for civil, and no Indian Medical Service officer is obliged to go into civil employment, and in consequence of this fact it is very difficult to see what would be gained. The disadvantages of such a system can be seen at the present time in the case of the Civil Assistant Surgeons and Hospital Assistants who are localized already. If it were not that there is an establishment of Military Assistant Surgeons and Military Hospital Assistants, from which men can generally be borrowed to some extent in time of emergency, it would be difficult for any Local Government to receive assistance when it requires extra medical subordinates for famine or plague duty, and owing to the fact that the Military Service of Hospital Assistants is shorthanded this difficulty is very apparent in one province at the present moment.

Once a medical officer has been placed at the disposal of a Local Government for ordinary civil employment, which means generally as a Civil Surgeon, the Local Government has a free hand in posting him to any station it thinks fit, except that in every province the civil stations have been classified for this purpose under one of two categories, viz.: List I, stations which are reserved for Indian Medical Service officers, and List II, stations which may be filled by either an Indian Medical Service officer or an Assistant Surgeon, civil or military, the number of Indian Medical Service officers in these List II stations being limited. This classification of civil stations is regulated by the Government of India.

In the case of departments for which officers are required with special qualifications, such as Chemical Examiners, Alienists in charge of central Lunatic Asylums, Superintendents of Central Jails, Sanitary Officers and Bacteriologists, the appointment to an office is generally made by the Government of India, though Local Governments can suggest filling it with an officer at their disposal, if they happen to have such an officer who is at once qualified and a candidate for such special employment.

A similar rule applies to professorships at medical colleges in the north of India, though Madras and Bombay are still allowed to fill the professorships at their colleges from the list of men at their disposal without reference to the Government of India. It is obvious that it may be an advantage to a college to have its professors selected from the whole Service instead of being dependent on a comparatively small local list, and that there must be a greater danger in Bombay and Madras of men being appointed to these chairs without being properly fitted to fill them. In a recent case the Bombay Government was allowed to borrow a particular officer from the Government of India to fill a chair at its medical college for which he was fitted, and this is of course better than putting in a man from their own list with no particular qualification in the subject; but it is still an unsatisfactory arrangement because the Government of India, if the selection had been left in their hands, might have been able to supply an officer even more competent than the one the Bombay Government fancied. The importance of filling these special appointments, such as chemical examinerships and professorial chairs, with the best men available cannot be over-estimated, and until this is secured the Government must necessarily be open to the charge, which has been levelled at it at different times from various quarters, of making these important offices mere conveniences of its Medical Service. The time has passed when every Medical Officer can be considered fit to fill any office that may be vacant and into which it may be a convenience to himself or the Local Government to put him.

The same may be said in the case of jail appointments, though in their case perhaps less obvious. The improvement which has resulted in the health of the prisoners since the jails in northern India have been placed under the management of selected Medical Officers has been enormous, and with the improvement in health there has been an improvement in discipline, because it is impossible to enforce discipline amongst a lot of moribund men such as used to fill the jails. Last year when the appointment of Inspector-General of Prisons was vacant in Madras, the Local Government asked the Government of India to submit three names of officers outside the Madras Presidency fitted to fill the office so that they might be considered, together with their own men, when they were selecting an incumbent. As it happened the Madras Government selected the very best man available, the very man the Government of India would have sent them if they had simply asked for an officer to fill the appointment, but this fortunate ending of the case should not, in my opinion, have been left so much to chance.

It is often suggested that in the case of special departments the Local Government should have power to appoint an officer to a vacancy from its own list when it has an officer considered fit to fill it, and still be allowed to come up to the Government of India to supply its needs when it has not. The objection to this is that the Government of India cannot be expected to train officers for special departments if there is to be no certainty of their ever being wanted, and officers cannot be expected to undergo training for a particular line, and to give up their prospects in other directions, merely on the off-chance of a Local Government wanting a stop-gap. Let us suppose, for instance, that an officer is anxious to enter the Chemical Department and undergoes the necessary training for a year in India, and also passes the examination of the Chemical Institute while on leave in England, thus qualifying for such employment. He naturally looks on being appointed in his turn as a vacancy occurs, but under this proposal might see another officer, junior to himself, with inferior qualifications, and who has perhaps refused to undergo any special training, appointed by the Local Government to fill the vacancy. It is not likely that we shall find qualified officers willing to be candidates for special departments on such terms. If a Local Government has on its list an officer who is a candidate for a special department and is well qualified for it, every endeavour would always be made to appoint him in the province of his choice, but in the case of such small departments as the Chemical Department this may be often difficult, and officers belonging to such departments must be prepared to serve on occasion in any province where their special knowledge is required.

There are three appointments which are filled by the Government of India without necessarily any reference to the wishes of the Local Government under whom the incumbents of the appointments serve, viz., the two Civil Surgeons of Simla and the Superintendent of the Presidency General Hospital at Calcutta. This small amount of direct patronage is of long standing, and can be justified by the fact that the Supreme Government has its seat in Calcutta and Simla and has

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contributed largely to the needs of the medical institutions at both places. It is also beneficial to the Service, because it enables the Government of India to sometimes reward an officer of conspicuous talent or merit, for whom there may be no sufficient opening in his local sphere, in a way which is very much appreciated. The Simla appointments are also justified by the fact that some Local Governments have fewer hill stations at their disposal, for the benefit of the officers serving under them, than others, and that the Punjab is particularly well off in this respect even after the Simla appointments are taken from it.

When an officer at the disposal of a Local Government applies for leave, the application has to be countersigned by the Director-General, Indian Medical Service, and this procedure has often been the subject of discussion. There seems to be an impression that the Director General dictates to the Local Governments in the matter of granting leave, and this is resented. This, however, is an error, as there is nothing in the rules which prevents a Local Government withholding or giving leave whether the Director-General, Indian Medical Service, countersigns the application or not. The object of the procedure in such cases is to give the Director-General an opportunity of warning a Local Government against giving leave too freely at times when there is a great demand for officers in other directions, and particularly when it is known to him that Medical Officers are likely to be required for war service in the near future. In practice the application is countersigned in ordinary times almost without exception, but in many cases the Local Government is informed that it has only been so on the understanding that no demand will be made for a substitute, the Director-General, Indian Medical Service, being aware that the Government of India for some reason is not able to supply one at the moment. This is of course an indirect check upon Local Governments, and prevents them in many cases giving leave in excess of their 20 per cent. of strength. I can only remember one case in the last three years in which the Director-General, Indian Medical Service, has refused to countersign an application for leave. In this case the Local Government had just before asked for eight extra officers to meet its requirements in combating plague. The Principal Medical Officer, His Majesty's Forces in India, had been pressed to give up officers for this purpose, and it seemed unreasonable that the Inspector-General of Civil Hospitals should almost at the same moment be proposing to give leave to an officer, in whose case there was no particular urgency, and when the full permissible number of officers was already absent from duty. The functions of the Director-General, Indian Medical Service, in this matter are purely advisory and often salutary.

The selection of the Administrative Medical Officers who advise the Local Governments and direct their medical affairs (Surgeon-General in the case of Bombay and Madras; Inspector-General of Civil Hospitals in the other provinces) is a matter which presents difficulties and sometimes causes friction. Promotion of Indian Medical Service officers to the administrative grade is made by the Government of India in the Department of Military Supply, in consultation with the Home Department so far as officers in civil employment are concerned, and with the advice of the Director-General, Indian Medical Service, the list of officers so promoted or declared eligible for promotion, is a small one, and it is from this list that the administrative officer of a province has to be chosen. The fact that the field of selection is limited must sometimes clash with the natural desire of a Local Government to have as its adviser some particular man with whom they are acquainted, and who has a knowledge of what are believed to be the needs of the province. By skilful management and some small amount of manipulation of the order of promotion the desires of Local Governments can often be met, but there must be a limit to such arrangement if the claims of individual officers to promotion in due course are not to be flagrantly disregarded. It is admitted also that in some cases the provinces have benefited by the introduction of an Administrative Officer whose experience had been gained in another sphere. It may be noted that at the present moment the whole of the civil Administrative Medical Officers are men whose appointment was freely accepted, and in many cases desired, by the Local Governments concerned. In making promotions to Administrative ranks much attention is paid to the confidential reports received from Local Governments on the officers serving under them, but it is to be regretted that these reports are often very meagre and colourless, and one Local Government in particular contents itself with saying every year that it has no remarks to offer.

The Director-General, Indian Medical Service, is not an inspecting officer in the proper sense of that term so far as Civil Departments are concerned, and he only visits civil institutions with a view to informing himself about them, so that he may be in a position to better advise the Government of India in cases where these institutions are concerned. He only advises when he is asked to do so, but from his knowledge of all provinces he is often able to indicate possible improvements and to suggest a reference to another province where a better system is to be found. That his advice is sometimes acceptable to Local Governments is shown by the following instances in my own case.

In 1904 the Bombay Government obtained permission to place me on a Committee to consider the improvement of the Grant Medical College. In 1906 the Bengal Government asked me to attend at a conference on the subject of the Lunatic Asylum at Ranchi. In 1907 I was attached by the Government of the United Provinces to a Committee which was considering the plans of a new Medical College at Lucknow. Great care is exercised not to undermine in any way the authority of Local Governments over their own medical advisers, and I know of no instance in which offence has been given to a Local Government in this matter, except in the case of the Madras Government which is peculiarly sensitive on the point.

I am in agreement with the views of the Lieutenant-Governor of Bengal on the advantage to the local Administrative Medical Officer of free access to the Local Government. In the Punjab the Inspector-General of Civil Hospitals is expected to visit the Lieutenant-Governor regularly once a week at an appointed hour, and I have personal experience of the advantages of this custom. It not only enables the Inspector-General of Civil Hospitals to ascertain how far his plans and ideas are likely to be acceptable to the Government and feasible, but compels him to frame plans and to think out ideas in a way which he is otherwise very apt to neglect to do.

43087. Your functions cover not only the Military but the Civil Departments?—They are mainly civil.

43088. To what extent are you responsible for military matters?—I am responsible for the promotion of the officers in the Indian Medical Service. I am not at all responsible for the administration of military hospitals.

43089. You tell us that the Indian Medical Service is a military Service, but for its administration you are not responsible?—I am only responsible for the promotion of officers and general rules and general questions affecting the service—their pay, and that sort of thing.

43090. Does the arrangement of a single Service for civil and military duties work well administratively?—It is administered on the military side by another officer.

43091. On the civil side by you?—Only in a general way.

43092. Except for the purposes of promotion, do you interfere in any way?—No, not at all.

43093. Having no administrative responsibilities either on the military or the civil side, what are your principal duties?—Advising the Government of India in all departments upon any matter that has any sort of connection with Medicine or the Medical Department; anything which affects the Medical Service, or anything upon which they think my advice will be useful.

43094. Do you advise with regard to lunatic asylums?—Yes.

43095. Or with regard to bacteriological research?—The Sanitary Commissioner is now their primary adviser upon that; they may ask my advice, and do so occasionally.

43096. What other points?—They take my advice about pay and allowances for Medical Officers or

medical subordinates, building hospitals, and expenditure in the Medical Department which has to come to the Government of India.

43097. Do you look upon yourself principally, then, as the Director of this Medical Service and not as an expert adviser to the Government of India?—I am Director of the Indian Medical Service, certainly, but I am also the adviser of the Government of India in all medical matters. I administer the Medical Stores Department directly, and I have some little administration over military students in the colleges and medical schools; that is the only direct administration that I have; the X-rays Institute is also directly under me. For the rest, I am an adviser of the Government of India in all matters affecting the Service or in any medical matter which the Government of India think they want advice about.

43098. You tell us that the services of a number of Assistant Surgeons are lent to Municipal and Local Boards; have you any control over them during the period that they are so lent?—No; the Local Government is entirely responsible.

43099. Then with regard to these independent Civil Surgeons, are they under your control in any way?—A certain number of the Civil Surgeoncies in a province are given to Assistant Surgeons, not to officers in the Indian Medical Service at all, but to Assistant Surgeons, who are either natives or local Europeans.

43100. They are either Civil Assistant Surgeons or Civil Hospital Assistants?—Civil Hospital Assistants are not made Civil Surgeons; there are a certain number of appointments reserved for the Civil Assistant Surgeons.

43101. Have you any relations with the provincial Governments in respect to these people?—Practically none.

43102. Is there any caveat when you say "practically"?—I examine them, that is all; I do sometimes help them to go from one province to another.

43103. We had some evidence in Madras to the effect that the Surgeon-General there was practically excluded from selection to the Director-Generalship; is that so?—Yes; because he is on the Madras list.

43104. Are there separate Madras and Bombay lists?—Yes; it is an old separation, but the remnant of it still remains. The Director-General used to be the Surgeon-General in Bengal; he is now called the Director-General.

43105. Is the Director-General chosen from the Chief Medical Officer in one of the other Governments?—Not necessarily; they may go down below them.

43106. Upon the selected list?—Yes; he generally is on that list.

43107. Is there any proposal to abolish this distinction?—It will abolish itself when all the old Madras list men have died out.

43108. You are responsible for the Service being maintained at the sanctioned strength. Do the Local Governments make representations to you as to their own requirements?—No; because we do not recruit for civil duties; it is recruited merely as a military Service.

43109. Are you responsible for the selection of officers in the administrative grades?—I advise the Military Supply Department who appoints them.

43110. Have the officers been all their time in the employ of the provincial Government?—Nobody is over all his time; he may have been for some years; the Military Supply Department has to promote him.

43111. Is that merely a formal Gazette notice, or is it a real selection?—A real selection, certainly.

43112. Do you consult the Home Department?—I consult the Home Department if he is in civil employ, and they consult the Local Government.

43113. As a matter of course, do they consult the provincial Government?—No; I think only when there is some doubt; if the Local Government has expressed favourable views, and consider that the men ought to be promoted, there is no necessity to consult them; but if the man is going to be objected to, they are always consulted.

43114. When an officer is promoted to the administrative list, does he withdraw from promotion in the province in which he has been serving?—He is selected and remains where he is; when he is promoted he may go anywhere.

43115. And does, as a matter of fact, go in that way?—He very often goes somewhere else; say a man has served in Madras, when he is promoted he may become an Administrative Medical Officer and go to Rawalpindi or anywhere. He may revert to military, or he may get a civil appointment.

43116. Is the provincial Government hampered in its senior civil appointments by the fact that the selection to the administrative list is in the hands of the Military Supply Department?—I do not think that they are, practically, because we take care that they should not be. They are so far hampered that the Madras Government cannot take any man who is in Madras; it must be a man who is senior in the Service and has been selected for promotion to the higher grade.

43117. But subject to that it can choose?—It can always ask; it makes the proposal.

43118. Are those proposals generally accepted?—Almost always; I only know one instance where a proposal was not accepted.

43119. Are officers often rejected for the administrative list?—Very frequently.

43120. What happens to them?—They retire when they are 55.

43121. At what sort of age are they generally selected or rejected?—Very nearly 55; many have to retire at 55 before they go up for promotion at all.

43122. Has it ever been suggested to you by the provincial Governments that there are men in their employ with whose services they would administratively like to dispense?—Yes, certainly.

43123. Do you manage to get rid of them before they reach the age of 55?—Sometimes they are made to retire; that is very seldom done; there are regular rules about it; what the Local Government generally does when they do not like a man is to suggest that he should be sent back to military employment. That is an easy way from their point of view of getting rid of a man. The Military Department naturally says: "We do not want this man; you have had him for twenty years, and now he has deteriorated, we do not want him."

43124. Then what happens?—The Provincial Government has to keep him until he has earned a pension.

43125. Would it be desirable to retire such a man?—It might be unfair in many cases.

43126. Would it be desirable from the point of view of the Service?—From the point of view of the Service it would be very detrimental, because we should all feel that the man had been treated unjustly.

43127. Why?—A man has done good service for twenty years; then he begins to get somewhat stupid; it is only fair to let him go on till he can get a pension.

43128. That is your view of the case?—It would be the view of the whole Service, I am sure.

43129. You would disregard the necessities of the Service?—There has never been a case where there was urgent necessity for getting rid of a man; if there were such a case there is no doubt we should get rid of him at once.

43130. Have you in practice been able to get rid of a man at once?—The other day a Local Government came up and said they wanted to get rid of a man; we did not want to give any leave in that province because they had already more than their number of officers on leave. We said: "All right, you can give him leave on the understanding that he will retire at the end of it." It was done the very next day.

43131. How long was the leave for?—Perhaps six months. That probably enabled him to qualify for his pension; it was some sort of moral delinquency that was alleged against him.

43132. You say you assist the Home Department in regard to the members of the provincial establishments of Civil Assistant Surgeons and Hospital Assistants; what does the Director-General know about them?—

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Questions about their pay and pension are settled by the Government of India and the Secretary of State.

43133. You are talking of the provincial establishment?—Yes. The rate at which they are promoted and their pay and pensions are certainly settled by the Government of India, and, I think, by the Secretary of State.

43134. If they are settled by the Government of India and the Secretary of State, why should they be referred to the Director-General?—Because the Local Government may come up (as it has come up only the other day) and say: "These men are not getting enough pay; we cannot get Hospital Assistants unless we pay them more"; that is referred to me, and I advise the Home Department.

43135. What you mean is that you advise not on small cases but on general principles?—On general principles, certainly, sometimes on small cases in the matter of allowances.

43136. You say that you also assist "with reference to questions relating to the organisation, maintenance or control of medical institutions belonging to Local Governments and Administrations." Are these questions referred to you?—If the Local Government has to go to the Government of India the questions are referred to me.

43137. Do these references often occur?—Any large expenditure on a medical college or hospital, or a lunatic asylum, would be always referred to me.

43138. As to whether the structure and so forth is suitable for medical purposes?—Quite so, and whether the expenditure is justified.

43139. When you go on tour do you tell the Local Governments that you are coming?—No.

43140. Having noticed certain failings in these medical institutions, how do you draw attention to them?—I do not necessarily draw attention to them. I am not allowed to make any remark. I can make a remark to the Government of India, but, for instance, if I go into a hospital I may not write in their book.

43141. You may not correspond with the provincial Government?—I have never corresponded with a provincial Government; I understand that they do not like it; unless they write to me I do not write to them.

43142. When you draw the attention of the Government of India to any matter, do they correspond with the Local Government?—They may or may not; it very rarely occurs, but it might be that I saw something that I thought ought to be altered; in that case I should report the matter to the Home Department; whether they took action or not would depend upon them.

43143. It would pass then beyond your province?—Yes; practically I might say something privately to the local Administrative Medical Officer.

43144. Or you would probably write to him?—Certainly; but as a rule I speak to him at the time.

43145. Why are you consulted as to the *personnel*?—That is the only thing I am responsible for as regards the civil line. I give advice about everything, but I am mainly responsible for the *personnel*, that is to say that the proper man gets promoted, and that the rules applying to individuals are carried out. That is really my chief function.

43146. There are a great number of references made to the Government of India about giving special allowances: could a great many of those rules be relaxed from your point of view?—No, I think not, because in all these Medical Services it is important that all officers should get allowances on the same principles. Local conditions have to be considered, but I think it is very important that all the officers should be treated, as it were, on the same principle, and feel that they are being treated on the same principle.

43147. Could that not be laid down generally?—There are general rules to a certain extent.

43148. Could not the Local Government be trusted to use with integrity these general rules?—That may be somewhat a matter of opinion. For instance, the other day in Burma they proposed to give a Hospital Assistant some allowance for teaching the police first aid to the wounded; the local Administrative Medical Officer considered that it was no part of the Hospital Assistant's duty, and that therefore he ought to have an allowance for it. Everywhere else in India it has always been considered that it is his duty, if he is attached to the police, to give them that sort of instruction. That is a trifling matter, but if you relax provisions in one province you would have all the Hospital Assistants in the other provinces howling. They have a common organization for the whole of India so that they know everything that goes on.

43149. You say that while references are made to you about promotion, pay, pension, conduct and so forth of the Civil Surgeons; on the other hand, the promotion of Civil Assistant Surgeons is entirely in the hands of the Local Government concerned?—Yes, that is under definite rules; promotion is entirely in their hands, but it is governed by certain rules. Reference is made to the Government of India only when they want a change of rules.

43150. Does the system by which the Government of India selects officers who are placed at the disposal of the provincial Governments work well?—It works very well.

43151. Do you have complaints about it from the provincial Governments about the quality of the officers they get?—Very rarely.

43152. Or as to their fitness to undertake the duties?—You are speaking now of Civil Surgeons; very seldom we have complaints; of course there may be cases where a man does not commend himself to the Local Government as a suitable man.

43153. You have two branches of the Indian Medical Service, one civil and the other military; does the system work equally well in both branches?—I only select men from the military and put them into civil employment.

43154. As a rule, do they say that the officer you send is the class of man they want?—There are very rarely complaints; I have occasionally had a complaint.

43155. When a complaint reaches you what action can you take?—It depends how it reaches me; if they come up to the Government of India and say, "This man is absolutely unsuitable," it would have to be considered.

43156. You mean a private communication?—A private communication is generally made through the local Administrative Medical Officer.

43157. The Provincial Governments have no reason to complain in your judgment as to the working of the present system?—No; it is remarkably seldom that we do get complaints, when you consider that we have natives and other people in the Medical Service.

43158. You select and train men for the different departments?—Yes.

43159. Do you take them from the provincial Government?—No, from the military as a rule; I might take them from a provincial Government.

43160. Then with regard to the special appointments—appointments to professorial chairs—you say, "The Government of India must necessarily be open to the charge which has been levelled at it at different times from different quarters of making these important offices mere conveniences of its Medical Service"?—The charge is often made.

43161. Then it would appear that the Government of India are not always impeccable. Do you get complaints from the provincial Governments that they do not always get the best kind of men?—No, it is the other way; it is the Local Government that complains that we select men.

43162. And that having selected men you do not always give them the best men?—Never; they cannot say that we do not give them the best men.

43163. Then it is outside people who complain?—That is it.

43164. The Director-General has to sanction every application for leave?—He has to countersign it.

43165. You say that that is very often a pure formality?—I will not say that; I do not refuse to countersign unless I know that giving them up another officer is objectionable.

43166. Is there a reserve of officers at your disposal?—No.

43167. The reserve of 20 per cent. belongs entirely to the provincial Governments?—They have a certain proportion, of course.

43168. Each has a certain proportion of the 20 per cent.?—If it has got men on leave.

43169. You have no reserve staff at your disposal?—I have only those people in military employment; those are my reserves.

43170. Have you any reserve available out of them?—The Military Department can generally spare the men.

43171. Then you have a reserve at your disposal?—If the military people will give them up; they do so practically always—not always.

43172. Except in case of war, you have practically that reserve at your disposal?—Yes; there are not people sitting outside the door waiting doing nothing; they are not a reserve in that sense.

43173. You tell us that you only give advice when you are asked for it, but on the other hand you often indicate possible improvements; is that not rather a contradiction in terms?—I do not give advice to the Local Government. I give it to the particular Medical Officer unofficially as I go round his wards; I might see that he has a certain operating table or something of that kind, and I would say: "There is a very much better pattern that you could get;" he says: "Where can I see it," and I tell him.

43174. (*Sir Steyning Edgerley.*) You say: "The object of the Indian Medical Service is to provide a reserve of Commissioned Medical Officers competent to perform military duties in time of war;" is the reserve at all sufficient for that purpose?—Yes; We may not meet the numbers that the Principal Medical Officer thinks he would like to have; as a matter of fact, he wants more men than there are in the whole Service; I mean in any great emergency.

43175. You get a great many requests from the Local Government for more men; can you supply all the wants of the Local Governments for civil employ?—We supply all the wants they ought to have, I mean for their *cadre* appointments.

43176. But would they not be very glad to increase their *cadre* if permitted?—I am not at all sure about that.

43177. Assuming that they would?—Assuming that they would and the Secretary of State would agree, we could always increase the number; as a matter of fact, we are increasing it.

43178. It would make your reserve for war purposes much larger than it is at present?—It would increase the war reserve, certainly.

43179. You say you are responsible for the training of military officers at the medical colleges and schools, so that you are responsible for Military Assistant Surgeons at the Grant Medical College, and for the Military Hospital Assistants in Poona?—Yes.

43180. Have you ever had any sort of question whether you could not secure enough men with the M.B. degree as Military Assistant Surgeons?—There is no such thing; there is no possibility of it.

43181. You could not train them up to that standard?—Not in the time; the Military Department only allows them four years; it used to be three, now it is four.

43182. Would it be a good thing to allow them to be taught up to that standard?—You mean men with University degrees; no, they would be too big for their boots; their primary duty is a very subordinate one.

43183. You say that "it is in the power of Local Governments to employ as many Civil Assistant Surgeons and Hospital Assistants as they can find work for"; that is, of course, subject to financial restriction?—Yes; I do not know exactly what the restriction is.

43184. Do not Assistant Surgeons run up to Rs. 300 a month?—Yes, eventually.

43185. So that a Local Government cannot employ a new Assistant Surgeon without the sanction of the Government of India?—If there is that financial rule of course they cannot; practically I am certain that they do determine the number.

43186. You say: "The promotion of Civil Assistant Surgeons and Hospital Assistants on the provincial lists depends on length of service, except in the higher grades, and is entirely in the hands of the Local Government concerned, though governed by rules which have been laid down by the Government of India and which are applicable to all provinces." Occasionally you get cases where an exception to the rule is necessary. Have the Local Governments any sort of discretion to make an exception?—Certainly they have discretion; I do not think anybody would interfere with them.

43187. The officers have to complete seven years' service and they have to pass the grade examination?—Yes.

43188. If either condition is not fulfilled, the Local Government would have to go up to the Government of India?—Yes, in the case of an Assistant Surgeon.

43189. Might that not be left to the Local Government without any particular danger?—Yes, I am not sure that it could not; if you promote a man too soon you make him more expensive.

43190. But is that too great a discretion to be entrusted to the Local Governments?—So far as I am concerned, I should have no objection to their being trusted with that discretion.

43191. As to Assistant Surgeons and Hospital Assistants, could not that also be left with the Local Government?—Possibly, yes.

43192. You say that the examinations for Hospital Assistants are entirely provincial; does that mean that the provincial Government can alter them as they like?—Yes, they are regulated entirely by provincial Governments.

43193. They are not confined in any way by the military requirements?—Not as regards Civil Hospital Assistants.

43194. Are Civil Hospital Assistants under the control of the military people at all?—No; we might ask for the loan of them.

43195. There is nothing of that kind which limits either their qualifications or their pay?—The military people have nothing to do with Civil Assistants. If we were very hard up we might ask Local Governments for assistance, but I do not remember such a thing; it is the other way, the Military Hospital Assistants are lent to the civil side.

43196. Do you think the present system of selection of Imperial officers for civil employ is satisfactory?—It seems to me to be the only one unless you go in for jobbery—the Surgeon-General or some one putting his friends in. All men coming into the Service are told beforehand that they will be eligible for civil employ; that is held out to them as a bait.

43197. They do not go into civil employ under five or six years?—They must be of two years' standing; we do not register their applications under two years.

43198. Within that time is it possible to form an opinion with regard to their merits?—Yes, some opinion, certainly.

43199. Do you register every application you receive?—Yes.

43200. Are you not rather apt to let the Local Governments get the best men?—They are all quite young men, and I do not see how the work could be done in any other way with justice to the Service and the men.

43201. Is not the whole of the younger reserve in the Military Department?—Yes, unless it may happen that some Local Government has more than its number; then some of the reserve is there.

43202. Could not some arrangement be made by which young officers could be lent to civil hospitals for a term?—They must do two years' military duty; that is considered essential by the military people.

43203. Must it of necessity be the first two years?—We do occasionally let a man go, but he is liable to be recalled; he must finish his two years, and it is much better that he should do it at first.

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43204. Taking a season when every one is worked hard, could they not be attached to a civil hospital?—That is a matter for purely local arrangement.

43205. But is it not impossible to get it done at present?—I do not see why it should be; the local civil people should ask the local military people; whether it is possible or not depends on the military.

43206. What proportion of men in civil employment must be surrendered for war service?—There is no fixed proportion; in a great emergency we should surrender the whole. The question is under discussion now.

43207. Is it from time to time laid down how many you want from one province and how many from another?—Yes, we have asked each province how many they are prepared to give up.

43208. Assuming the number is fixed, and each province knows what number it has to surrender, what further reason is there for central control? Why should they not have their own Medical Department?—They have their own Medical Department.

43209. Some of them do not think so?—I know that, but they all have more men than they ought to have.

43210. Is not every province rather short-handed?—No, every province has more men than it ought to have; a province may be short-handed from the fact that too many men are on leave, but that is their own look-out.

43211. But what would you say in the case of epidemics?—We have provided for every case of plague. For instance, Bombay has 14 men on leave, and they only ought to have 10; it is just because each province does not have separate departments that we are able to let them have a few men occasionally.

43212. With regard to Bombay, is not the local equipment quite easy?—The local equipment of Hospital Assistants, I daresay, may be. Bombay has just expressed its willingness to give us 25 assistants for other hospitals, and it is probably very well off.

43213. With regard to leave, that can be given whether you countersign or not?—Yes.

43214. If you refuse to countersign can the Local Government give leave?—Certainly, but they might have to recall a man the next day.

43215. Would that be in case of emergency?—Yes. No doubt if I did not countersign I should give the reason.

43216. But in spite of that they could give leave?—Certainly.

43217. Do you know if it has ever been done?—I cannot say.

43218. In that case, what is the actual value of the countersignature?—In the first place it tells me that they are going to give a man leave, and it is necessary that I should know how many men there are on leave. It also enables me to tell anyone that we are hard up owing to the requirements elsewhere and that we shall not be able to give them another officer, but that we might be able to do so in six months if they can get on with local arrangements.

43219. You say that you never send remarks to the Local Government as to the result of your tours, but do you not think they would be extremely glad to have them?—Some would not, I know.

43220. Do you think research work would be better performed locally than imperially?—No, I think it would be better to make it imperial.

43221. It is easier to record results?—Yes, because you would get two men doing the same thing, which would lead to squabbling.

43222. Would you be in favour of the centralization of research work?—Yes, certainly.

43223. You say great care is exercised not to undermine in any way the authority of Local Governments over their advisers, but are not the present arrangements with regard to fees charged to Native Chiefs and others calculated to undermine the authority of Local Governments?—Not at all; I think the situation has been entirely misunderstood, and there is an explanation going out from the Home Department which will put the matter right.

43224. Up to the year 1888 there was no rule on the subject at all?—Yes; I am not defending the rule as a rule. The general idea of having any restriction I have nothing to do with—it is an accomplished thing now, and we cannot get out of it.

43225. Do you see any reason why it could not be exercised perfectly well by the Medical Officer of the Local Government?—No; I was very nearly suggesting the other day that it should be left to him, but for the present at any rate, if he referred to me so that we might get a general idea of how it should be done, it would be better. As a matter of fact, if you did leave it to him he would probably write to me in a great many cases.

43226. As far as it goes, does it not take the control of the Medical Officers of the province away from the provincial Government?—But the Government of India has relinquished its control.

43227. But is that not so, as a matter of fact?—The wish of the Government of India is to put the determination of the professional value of the Service into the hands of its professional advisers and not control them, and the Government of India has left it entirely in the hands of the Director-General of the Indian Medical Service.

43228. Have the Local Governments been consulted?—The idea is that the Local Governments shall be consulted as to whether there is any general reason for not giving a fee, but not as to the amount.

43229. Before it was taken out of their hands altogether were they asked about it, or was the matter explained?—No, I think not; it was taken away because the whole principle of the thing was changed.

43230. Without consultation?—Yes, without consultation; perhaps it would have been better if there had been consultation, but I have nothing to do with that.

43231. (*Mr. Meyer.*) It is stated in a memorandum of the Government of Bombay that with regard to sanitation and so on the utility of the general expert, assuming him to exist, is not apparent, and that the Bombay Government is not aware of any special assistance received from Directors and Inspectors under this branch of general administration. Has not the Bombay Government consulted you as Director-General of the Medical Service in a variety of matters?—They consulted me in 1904. I was not actually Director-General at that moment, but I had been officiating for some time.

43232. Have you been consulted with regard to other matters?—Not that I remember.

43233. Then there is a statement that the Bombay Government are conscious of an attempt to undermine the authority of its own officers—do you plead guilty to that?—They have never complained, and so far as I know, that statement is without foundation.

43234. It is further said that medical administration is a matter actually and entirely for the control of the Local Government—do you agree with that?—I should say no, not as far as Service interests are concerned; apart from that they have absolute control.

43235. To take the question of plague, might plague become a matter that the Government of India should deal with as a political question?—Yes.

43236. So that there are matters in which the Government of India might, conceivably, expediently intervene in ordinary administration?—Yes.

43237. What is the relative proportion in number between the Indian Medical Service Officers in active military employ and the number lent to the civil branch?—It is about a third, I think, or perhaps more—about 40 per cent.

43238. Besides that, there are a few other officers in other departments?—Yes.

43239. Speaking generally, would you say that as regards the military and civil medical employ the proportion would be as one to two?—I should say there would be rather more than one-third in military employ.

43240. In the event of a big war, would you have to recall most of the men now in civil employ?—In a great emergency I think we could calculate on restoring 75 per cent. of them.

43241. Would that not very seriously dislocate the whole of the civil administration?—Certainly, but that would be only in very great emergency.

43242. Whether recruited in this country or in England, is it not an advantage that your Civil Medical Service should be a real Service, and that the military element should be only a portion of it which could be returned in the event of a war without dislocating the whole of the civil administration?—But you would still dislocate a portion of it. They are not all returned now; it is only in the case of a great emergency; and seeing that under your arrangement you would not have sufficient reserve, I have no doubt in a case of great emergency you would take the Uncovenanted Officers too. It would be the same thing in the end, but the Uncovenanted man would not be so useful as the Indian Medical Service Officers, nor would he be so useful to the civil people.

43243. Would you therefore prefer your present system under which a Military Department provides in normal times for the military work and the Civil Department?—Yes, we have tried the system of Uncovenanted Officers, but we have given it up. We used to have a large number of Uncovenanted Officers, but in 1888 we ceased to recruit them.

43244. Do you object to the suggestion that the reserve should be distributed amongst the Local Governments, and do you say it would be uneconomical because the provincial fractions would actually work up to more than the imperial whole?—Yes.

43245. Would it not be rather an advantage to increase your numbers somewhat?—But we could increase them at once if the Financial Department or the Secretary of State would let us. I do not think it is necessary.

43246. Would it not give the Local Government more freedom?—Freedom for what? They would only have men they did not want, and nothing causes more discontent in the Service than men hanging about doing nothing with no appointment and on unemployed pay.

43247. Would they be doing nothing?—Certain of them; they would be getting unemployed pay—that is the point.

43248. You also attach great importance to your selecting the officer who has to serve on civil duty in a particular province?—I only attach importance to it in the way that we do it fairly.

43249. What do you mean by your remarks with regard to the eligibility of an officer for civil employment?—That is to give a man who passes highest in London something of an advantage.

43250. Then if you go by the list and a man is wanted in Bombay, do you take a man who has put Bombay down in the examination list?—Yes.

43251. So that you do not go strictly by seniority or priority of application?—Yes, we do, because a man applies for a particular province, and we go strictly according to the seniority of the applicant for a particular province. I meant as regards that particular list, not in any other way.

43252. You have a few officers serving in the Political Department and a few in the Finance Department; do you select them?—I select the man who goes home to be trained; not that there is much selection, because few people ever apply.

43253. You merely select a possible candidate, but the final selection rests with the Finance Department?—Yes.

43254. Similarly with regard to the Political employés, you would say that the particular gentlemen who applied were, in your opinion, qualified for employment as doctors in Native States, but the actual selection rests with the Political Department?—Yes, they undoubtedly exercise more selection than a Local Government does.

43255. Why should not the provincial Governments select from the candidates, subject to your certificate that they were fit for employment in the Civil Department; do you see any grave objection to that?—No, except that it might be unfair very often. Every man before he comes into the Service, has it held out to him that he can go into civil employment, and it is only fair that a man should have an opportunity in his turn unless he is obviously unfit; and if you let the Local Government reject Hindus, and so on, you will not increase the popularity of the Service—the thing is looked at very closely as it is. I think it is done with absolute fairness by us, because it is a matter which does not affect us in any way at all.

43256. With regard to reversion to military employ, might not a man who is found unfit for civil employ for some reason be reverted to military employ within a specific period?—There is no specific period; he may be reverted if the Commander-in-Chief will accept him.

43257. In the case of an ordinary military officer lent to some other department, can he be sent back within a period of from three to five years?—There is no term with us in the case of an officer of the Indian Medical Service.

43258. Might it not be advisable to have a term within which a man can be sent back without question?—East Indians and Eurasians would then always be in military employ, as it takes them more than two years to be accepted, however good they may be.

43259. Taking the case of a European officer, might it not be to the advantage of the Service if the Local Government could send him back?—I do not think so without giving reasons; it would be a sort of slur on the man which would never be explained. It would be put on record that such and such a Government had sent him back as unfit, and he would never have a chance of defending or explaining himself.

43260. There is nothing to prevent the Local Government sending in a statement of the case?—No, they have to send in a statement of the case if they want to get rid of the man.

43261. Then at present the Local Government has not the selection of the man and cannot get rid of him; they have to put up with a man whom an outside authority selects?—They have; but do you find a great many of them say they have a lot of men they want to get rid of? Not one of us is recruited for civil service to begin with, so I do not see how a Civil Government can expect to select the men.

43262. Does that not bring us back to the inconvenience of having a Civil Department recruited by military officers?—I do not know what the inconvenience is except that of having to give them up in time of war; I know of no other.

43263. You said that it was very important that Civil Hospital Assistants and Assistant Surgeons should be on uniform rates of pay?—I mean on a uniform principle.

43264. Because they are in constant communication with each other, and what was done in one province might be pressed upon another. On the other hand, does not that constant communication possibly arise from the fact that uniform rates of pay have been prescribed?—At the present moment there happens to be some discontent.

43265. A Local Government at present can appoint an officer up to Rs. 250?—Yes.

43266. Ordinarily it cannot introduce a new pay for Hospital Assistants who may be receiving much below Rs. 250, without the sanction of the Government of India?—Yes.

43267. Supposing that a Local Government could pay its Hospital Assistants as it thought fit, would the interests of the men not be split up?—Not in the least; as soon as Bengal raised the pay of Hospital Assistants, the other provinces would raise it too.

43268. So that one province could practically force another?—Yes, certainly.

43269. As regards special appointments, such as Chemical Examiners and so on, do you think it necessary that the Government of India should have a say?—I think so; it is very difficult to get such men, and if it is to be done it should be done by the Imperial Government.

43270. Is there not another possible alternative, that they should be removed from the field of the Indian Medical Service; does the Indian Medical Service necessarily produce highly trained specialists of this sort?—It certainly has succeeded in producing the best.

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43271. Would you not get such good men outside the Indian Medical Service?—You would have to pay them more; I do not say you could not get them.

43272. And if there is specialization, you think it should be carried out under the auspices of the Government?—A man must be a medical man; if he were a pure chemist you would not have so much difficulty in recruiting him from outside, but it is better that you should take an officer of the Indian Medical Service and train him.

43273. In Madras and Bombay the Government can select their own Inspectors-General of Jails; is that the case in other provinces?—Yes; they would probably ask us, for instance, in Assam, for someone, but they can appoint their own men.

43274. In such a case as the Jail Department, besides a knowledge of jail work is there not another qualification necessary, namely, a knowledge of the *personnel*? Is the best man who is available as a Jail Officer necessarily the best man for the Headship of a provincial Department of which he does not know anything?—I think so, if he knows about jails, which is the primary thing.

43275. And he will acquire a knowledge of his *personnel* and the administrative conditions subsequently?—Yes.

43276. Would you apply that in the case of the Inspector-General of Civil Hospitals?—Yes, generally speaking; I admit it is more difficult in his case.

43277. The question has been raised as to whether the provincial Sanitary Commissioners should be independent as they are now, or under the Inspector-General of Civil Hospitals or the Surgeon-General; are you prepared to give any opinion upon that?—My opinion is very strongly that they should be independent. I have seen the other system fail.

43278. You say that the Medical Officers in Madras and Bombay are excluded from the Director-Generalship and will be for a long time; the Director-General is Head of all the Medical Officers in India?—Yes, in a sort of way.

43279. He is the Director of the whole Service?—Yes, and he has a good deal to do with promotions. The Madras man thinks that the Surgeon-General of Madras is just as good as the Surgeon-General of Bengal, and he is just as proud of himself as I am of myself and a bit more; it is no cause of soreness.

43280. As regards the fees question, is that not really a matter with which the Local Government should deal administratively?—I think the Local Government should have nothing to do with the settling of fees, which are a purely private and professional matter.

43281. Is there not a danger that the Medical Officer may charge what the Government regards as exorbitant fees?—Yes.

43282. The ground for interference being that he is an officer of the Government and might not have been called in to a case unlesss he had been, is it not rather an administrative question as to whether or not a particular man may have abused his position as an officer of the Government?—But who is to settle what is abuse?

43283. Each Local Government would have its principal Medical Officer to advise it.—But the objection to that course is, or was, that that necessitated the whole question of what was the matter with the patient and so on going through the Secretariat. To avoid that now, the Government of India have left it entirely in the hands of its medical adviser.

43284. The medical adviser has the final say in the matter?—Yes, but it is recognised, of course, that there may be some political or general reason for not letting the Medical Officer have a free hand; therefore a medical adviser, having settled what the proper professional fee is, will have to ask the Local Government whether there is any objection to it.

43285. You say that for his attendance in such and such a case he should receive a certain amount; but suppose you find in an exactly similar case he has taken double that amount, would you consider that to be an administrative matter or a professional matter?—It would be a professional matter. In the first instance, he would be told not to take the larger amount.

43286. (*Mr. Hichens.*) With regard to the question of uniformity of pay, is the Indian Medical Service recruited by the Secretary of State, the men being liable to be transferred from one province to another, and, generally speaking, forming one Service?—Yes.

43287. And for that reason it is desirable that there should be a uniform scale of pay laid down?—Yes.

43288. Does the same thing apply to Assistant Surgeons and Hospital Assistants; do they form one Service in the same sense?—No.

43289. Are they in practice transferred from one province to another?—Very little; in fact, never. I do not know the reason, but they are certainly not transferred.

43290. Therefore the same conditions do not apply in their case?—No.

43291. Is it equally necessary to have uniformity in that case?—No, I will not say it is equally necessary, but it is desirable. If you pay more in one province you would have trouble in a neighbouring province.

43292. I suppose there is no reason why the conditions in Baluchistan and Burma, say, should be similar?—No, and the pay is not either.

43293. Is the difference based on local conditions?—I suppose so.

43294. It depends on the cost of living and a variety of other matters?—Yes, and on the possibility, or impossibility, of getting men to go.

43295. Is the alteration and increase of pay in certain parts of India owing to the difficulty of getting men to go there in consequence of the extra cost of living?—Yes.

43296. Therefore your aim is to get a uniform class of men throughout India for Civil Assistant Surgeons and Hospital Assistants?—I suppose it is so; with all doctors you would like them to be pretty much the same.

43297. Supposing one Local Government thought it had a certain amount of extra money at its disposal under the provincial settlement and it attached importance to medical work, is there any particular reason why they should not get a better class of man?—No, none at all.

43298. Why should they not therefore, without consulting any other province, say, we want a higher class of man, and we will offer higher pay?—That is not the way to get a higher class man.

43299. But if you got a higher class man you would have to pay him more?—Yes.

43300. To do that, would you not admit of a certain amount of elasticity on the part of a Local Government if it chose to alter the status and qualifications of its officers; would it not enable them to develop more on their own lines?—I do not feel that at all. A Hospital Assistant is a man trained in a certain way for a certain work, and merely offering him more pay would not make him different.

43301. I suppose in the long run, if you improved the pay, you would improve the status?—No, you would not improve the quality of the men at all; it depends on the schools they go through.

43302. Is it your view that it is desirable to maintain the present uniformity in regard to the quality of officers as between one province and another?—Yes, on the whole it is very desirable to keep the pay the same, allowing, of course, for local conditions.

43303. (*Mr. Dutt.*) If you had a certain amount of difference in various parts of India, might not one province learn from another, and experiments tried in one province be of advantage in another?—I am sure if you raised the pay in one province you would have to raise it in the others.

43304. Do Civil Assistant Surgeons and Hospital Assistants belong entirely to one province, being recruited in that province and not liable to be transferred outside it?—I do not think they are ever liable.

43305. They are always recruited by the Local Government?—Yes.

43306. Are Military Assistant Surgeons recruited by examination ; is there an annual competition open to all, or only to nominated candidates ?—It is open to all Europeans or Eurasians of a certain age.

43307. Who have certain educational qualifications ? —Not necessarily.

43308. Are the men employed mostly on military duties ?—Their primary duties are military, but sometimes they are lent for civil work.

43309. How are Military Hospital Assistants recruited ?—In the same way.

43310. Is that done by the Government of India or by the provincial Governments ?—It is done under my orders by the local schools. Say the Agra School has so many vacancies, it refers to me as to how many they are to take in, and it admits them by examination.

43311. But the actual work of recruitment is done from your office ?—Yes.

43312. You say that if a provincial Government wanted to send back a Civil Surgeon to military duty it would have to get the consent of the Government of India ?—Of the Commander-in-Chief.

43313. In some cases are such requests refused ?—Certainly.

43314. Supposing a Civil Surgeon failed to give satisfaction and was considered unfit for promotion, what would be your opinion as to his compulsory retirement on a proportionate pension ?—That might be done ; it depends on the case entirely.

43315. Supposing neither the civil authorities nor the military authorities wanted him, would you be in favour of retiring him on such pension as he has earned by his term of service ?—Certainly ; that is what we do as a rule.

43316. But if he has not completed a sufficient term for earning a superannuation pension, and he is not medically unfit, you cannot retire him ?—It can be done, certainly.

43317. But not under the rules of pension ?—Not necessarily on pension.

43318. Would you be in favour of retiring him compulsorily on a proportionate allowance if he had not served the necessary term ?—It would depend on the particular case.

43319. Has the creation of the new appointment of Sanitary Commissioner lightened your work to some extent ?—Certainly.

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43320. Is there sufficient work for the Head of the Sanitary Department to occupy the whole of his time ? —Yes, and more than enough.

43321. Is he practically the adviser on sanitary matters to all the provincial Governments ?—Yes, he is an adviser of the Government of India, and he goes on tour and advises Local Governments.

43322. Were you in charge of this office before the separation took place ?—Yes, for a time.

43323. Therefore can you say, from experience, that a great deal of work has been taken off your hands since the creation of the appointment ?—Yes, a great deal ; and a great deal, which was previously neglected because we had not time to do it, is now being done by the Sanitary Commissioner.

43324. (*Sir Frederic Lely.*) You say that the system of management of rural hospitals and dispensaries differs in Bombay from the rest of India ?—Yes ; it is not so much under the Civil Surgeon.

43325. What is your view as to the system under which medical relief should be applied and the management and supervision of rural hospitals and dispensaries ; would you place the whole of the medical staff under the complete control of the Surgeon-General, as I understand is the case in Bombay, or would you give the District Board any voice in the matter of promotion, discipline or appointments and inspection generally ?—The Civil Surgeon of the district certainly ought to have some control over the local hospitals.

43326. But would you give the District Board power to appoint the doctor, for instance ?—I am afraid I do not know enough about it to form an opinion.

43327. In some parts of India, the District Board has full control of the hospitals ; they appoint the doctors, they can dismiss them, and the Collector is the only person who has any general control, the management being in the hands of the District Board ?—I do not think a District Board can dismiss Medical Officers.

43328. You do not think they should, at any rate ? —I do not think they can either, but those are matters as to which I am not prepared to offer any opinion.

(*The witness withdrew.*)

Mr. C. J. Stevenson-Moore was called and examined.

43329. You are Officiating Director of Criminal Intelligence ?—Yes, I am a Civil Servant, and I was previously Inspector-General of Police in Bengal for about three years.

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In 1904 the Secretary of State's sanction was obtained to the abolition of the Department for the Suppression of Thagi and Dakaiti, some of the functions of which had grown obsolete, and to the establishment of a Central Criminal Intelligence Department in its stead. The whole question was carefully gone into by the Indian Police Commission which, as a result, recommended the formation of provincial Criminal Investigation Departments and a central department on similar lines for the whole of India. Accepting generally their recommendations, the Government of India submitted the following proposals to the Secretary of State :—

(1) That there should be constituted in each province a Criminal Investigation Department for the purpose of collating and circulating information regarding organized crime and of assisting the district police in the investigation of crimes which are of such a special character as to render assistance necessary.

(2) That in all the larger provinces the Head of this Department should be an officer of the rank of Deputy Inspector-General, who should also have the administrative charge of the railway police of the province.

(3) That he should have a personal assistant of the rank of District Superintendent, and that the work now done by the provincial Special Branch should be transferred to the Criminal Investigation Department, which should also administer the provincial Finger Print Bureau.

(4) That there should be a central Criminal Intelligence Department for the whole of India, presided over by an officer of the standing and experience of an Inspector-General of Police.

(5) That the functions of this Central Department should be to collect and communicate information obtained from the provincial Criminal Investigation Departments or otherwise. They should include—

(*a*) Dealing with special forms of crime, some of which have been rendered more difficult of suppression by the recent extensions of railways and the increased use of the post office and telegraph by natives. Under this head the department would organize and supervise operations directed against criminal tribes, organized dakaits working over large areas, wandering gangs of criminals, note forgers, coiners, professional poisoners, &c.

(*b*) Collecting and testing intelligence upon political matters, including social, religious, and political movements not necessarily of a criminal character

(6) That its intervention in the investigation of offences should ordinarily be confined to such special and technical crimes as currency note forgeries, but that it should also assist local authorities by obtaining for them the

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services of officers acquainted with the *personnel* or methods of criminals who come from outside the province.

(7) That the Central Department should be brought into connection with the police of Native States for the purpose of obtaining full information regarding the commission of organized crimes in their territories.

(8) That the Central Department should arrange for the compilation of manuals of information regarding criminal tribes in regard to whom the existing sources of intelligence are admittedly defective.

(9) That the Central Department should maintain a Central Finger Print Bureau, to which the provincial Finger Print Bureaux would send finger impressions of all convicts who were foreigners to the province or whose criminal operations were known to extend beyond the province to which they belong.

This scheme was accepted in substance by Local Governments and Administrations, received the sanction of the Secretary of State, and is the basis on which the work of the department is now being conducted. The Secretary of State also agreed to the proposal that the Director, Criminal Intelligence, should be referred to by the Home Department as an expert adviser in connection with the police re-organization schemes which emanated from the Police Commission's recommendations.

For the Criminal Intelligence Department the following superior staff has been sanctioned :—

(1) Director of Criminal Intelligence on a salary of Rs. 3,000 per mensem.

(2) Deputy Director of Criminal Intelligence on Rs. 1,500–2,000 per mensem.

(3) Personal Assistant to the Director on a salary of Rs. 1,300 per mensem.

(4) Assistant Director on a salary of Rs. 800 to Rs. 1,200 per mensem.

The Director, Criminal Intelligence, has no direct concern with the administration of the provincial police forces, which are in entire charge of the provincial Inspectors-General under the Local Governments. As regards crime, his functions are restricted to collecting and communicating information, to supervising and organizing operations directed against certain specified classes of criminals and to intervening in the investigation of certain special and technical offences such as note-forgery. These functions are exercised very sparingly. He does not interfere at all unless an important gang of criminals has been operating in many parts of India, and intervention is necessary in order to secure a complete history of their antecedents and the crimes for which they are responsible. His action is ordinarily confined to furnishing advice and information and procuring the services of police officers belonging to other provinces whose special knowledge can be advantageously utilised. He is not concerned with the detection of isolated crimes, but with tracing out extensive criminal operations, and where these are spread over several provinces it is impossible to secure systematic action without a measure of central supervision over the provincial Criminal Investigation Departments. Every year forms of crime more widespread in their effects, more scientifically conceived and more cleverly executed come to notice. Every year India seems to attract a large number of dangerous criminals from over the seas, whose operations extend over the whole Peninsula, who are often not reported to us from the ports where they embark, and who by change of name and other devices succeed in evading surveillance for some months. It is generally recognized that such conditions as these cannot be successfully combated without the aid of a central authority.

The investigations which have been initiated or taken charge of by the Director, Criminal Intelligence, are very few. He has taken up enquiries into counterfeit coining, forgery of currency notes, and, with the full approval of the Local Government mainly concerned, with the operations of a suspicious foreign gang. A provincial Criminal Investigation Department has recently suggested the necessity for a similar investigation into certain widespread smuggling operations, the centres of which appear to exist in Delhi and other towns in northern India, Karachi, Bombay, Calcutta, Rangoon and Colombo. In such cases, the local officers value an arrangement which enables well organized and widespread criminal operations to be investigated thoroughly and as a whole under central control by those local officers best qualified for the purpose. Where provincial Criminal Investigation Departments are in full working order, Superintendents of Police similarly value their assistance and freely ask for it.

I regard the functions of the Director as the lowest minimum which can be assigned to him with due regard to efficiency. He can advantageously be consulted by provincial Governments as well as by the Government of India. He is so consulted. The Police Commission rightly emphasized the value of personal conference. There is no objection to his communicating his views to Local Governments on any proposed scheme, provided he satisfies himself first that he will not thereby compromise the attitude of the Government of India.

The Director, Criminal Intelligence, corresponds direct, occasionally with the Chief Secretary and Inspector-General of Police, more frequently with the Deputy Inspector-General, Crime and Railways, and the assistant in charge of the Special Branch, who, in Special Branch matters, is the Chief Secretary's assistant. Most of the correspondence with the Deputy Inspector-General is of a technical nature relating to crime. Nearly all the correspondence of the Director, Criminal Intelligence, is demi-official. There is no reason why the control over the provincial officers by their own Government should thereby be weakened. The free interchange of information between police officers is a practice to be encouraged.

Periodical conferences of provincial Heads of Departments would not touch the more important functions of the Director, Criminal Intelligence. The Central Special Branch and the Central Finger Print Bureau would have to remain. The provincial Deputy Inspectors-General, Crime and Railways, freely correspond direct and interchange information with each other already, but it is not the business of any particular provincial department to bring together criminal information which has no direct bearing on the immediate problems of its own province or to take general action required in regard to foreign criminals who may enter India by any littoral province. The responsibility for initiating a set of systematic enquiries all over India, and perhaps outside India, cannot be left to be fixed by conference. The conferences of Inspectors-General would for the most part prove infructuous. The anomalies of detail, found to exist on a comparison of the Police Codes of the several provinces, are very numerous. Former Police Commissions have enunciated general principles which have nevertheless been evaded, and the last Commission's proposals aim at removing many fundamental differences which still survive. The opinion of an Inspector-General of Police on any matter admitting of controversy would stand small chance of being generally accepted by his colleagues, still less by the various Local Governments concerned. Such conferences no doubt would result in the removal of some minor anomalies and the adoption of some improved methods, but the Government of India, reinforced from time to time by the opinions of Special Commissions, is the only authority that can take action when a tendency exists to sacrifice general principles to local considerations. In the absence of a touring officer under the Government of India such cases are apt to escape notice, and where differences of opinion arise, the Director, Criminal Intelligence, can be usefully employed in smoothing away difficulties by personal conference.

The creation of the appointment of Director, Criminal Intelligence, has in no way centralized control over the provincial police. The Director, Criminal Intelligence, has no concern with the control of the provincial force. All that he does is to advise and supervise when there is an exceptional outbreak of crime of a kind which cannot be adequately dealt with by the provincial police, and if he takes over the investigation, the agency used is mainly the provincial agency temporarily deputed for the purpose. Any officer of his own employed on investigation works in closest touch with the Criminal Investigation Department of the province concerned.

The Director, Criminal Intelligence, is in no sense an Imperial Inspector-General. He does not inspect and has no control over the provincial police force.

43330. Are you brought into direct relationship with the Inspectors-General of Police of provincial Governments?—Yes, mainly in connection with any proposed general rules or inter-provincial procedure.

43331. Do they communicate direct with you?—Yes; nearly all my communications are made demi-officially.

43332. How do you, as Director of Criminal Intelligence, have to deal with the rules of Inspectors-General?—It arises very largely from the recommendations of the Police Commission; for instance, one of their recommendations was that police officers should be given general warrants for travelling to enable them to travel without paying their fares, and in a case of that sort it is advisable to have rules common to the whole of India, because a railway which passes through several provinces, naturally wants one set of rules.

43333. What other general questions would there be arising between you and them?—The Finger Print Bureau is another matter where again one wants a certain amount of uniformity. Another point which has arisen recently is with regard to probationary Assistant Superintendents. It was directed by the Secretary of State that they should have a course of 18 months' training in India, but there are no rules on that subject, and those orders of the Secretary of State have not been altogether introduced yet. In a case like that when I go round I inquire, and if the rules have been overlooked I remind the local officers, and leave them to take action.

43334. Do you go on tour?—Yes, during the whole of the cold weather.

43335. Does the local Inspector-General of Police write to you and say: "Such and such rules are under consideration, will you give me your advice?" or do you write to him and say generally that orders have been issued by the Government of India, and that you want to know what he is doing in the matter?—I generally wait till I go to his province, and then I ask what he is doing. Sometimes the Local Governments write to the Government of India, saying they want rules on certain subjects, and asking whether we will introduce them, or whether we would like them to do so.

43336. When a local Inspector-General asks for advice do you give it, and do you consider that that begins and ends your functions *qua* Local Government?—Yes.

43337. With regard to the Criminal Investigation Department, is that generally conducted through the Deputy Inspector-General?—Yes.

43338. Do you observe the same attitude towards him, or do you look upon yourself, as Director of Criminal Intelligence, as dealing more frequently with its workings?—I require more information in his case. If it was a case of dealing with a big criminal organization I would ordinarily go to him and ask him to let me see his papers and discuss the matter with him.

43339. Would you go to see him or write to him?—I would see him if possible, because it is much more satisfactory.

43340. How do you organize, with so small a staff, operations in regard to criminal tribes and the other matters you have detailed?—That staff is merely for collecting information; when it comes to organization one has to go to the local officers. In a case of criminal operations extending through several provinces one would discuss with them and find out whether they would like the matter taken up generally, and so on.

43341. Do you go to the Local Governments and ask them whether they would like you to begin operations?—I mean the local police officer.

43342. Then, as far as the larger criminal operations are concerned, you take action on your own initiative?—Yes, very largely.

43343. And then you employ their officers?—Yes.

43344. Have you any authority to employ their officers against their wish?—No, it is arranged between them and the Government of India.

43345. When you speak of procuring the services of police officers belonging to other provinces, I suppose that you would only do so if the Local Government was willing?—Yes.

43346. Have any occasions occurred when they have been unwilling?—No; they have been only too glad.

43347. When you speak of a measure of provincial work, what form would it take?—Merely in connection with enquiries into cases of a special or technical nature.

43348. Do you write and ask what is being done in such matters?—I should see the diaries of my own officers.

43349. Then the central supervision is only with regard to special cases?—Yes.

43350. You say that the functions of the Director of Criminal Intelligence are the minimum which can be assigned to him with due regard to efficiency; are there other functions which you think he ought to have?—No; I do not at present advocate any change.

43351. What do you mean by the lowest minimum?—There are certain cases specified in which he can interfere, but in which, as a rule, he does not. Circumstances might arise which would render his interference desirable. What I had in mind was a case of dakaiti which might have been committed by a tribe of Afghans, in which case it would be necessary for one to intervene, though in cases of ordinary dakaiti one would not interfere.

43352. In the course of your official correspondence, do you write direct to the Inspector-General or do you address the Local Government?—I write direct; I think orders have been passed to that effect with the consent of the Local Government.

43353. With regard to conferences, do you represent that Local Governments would not adopt certain police methods if only suggested by the Inspector-General, without any backing from the Director of Criminal Intelligence?—I think there are certain traditional local prejudices in many police matters; and people prefer their own methods. An Inspector-General of ripe experience and force of character might gain the support of the other Inspectors-General, but the other Local Governments would remain to be convinced.

43354. Do you not think that the same advantages which have resulted from conferences between other high officials would result in the case of Inspectors-General?—They would have some effect.

43355. But only in minor matters?—I do not think in any matter of controversy you could get much further.

43356. (*Mr. Dutt.*) One of your duties is to supervise operations against certain criminal tribes and wandering gangs of criminals. I suppose that is a duty you have in common with provincial Governments?—Yes; it is only when it becomes a big matter that I should interfere.

43357. When the police of one Local Government find a gang wandering out of their jurisdiction into that of another Local Government, can they follow them and co-operate with the police of that Government?—Yes, they are supposed to, but they do not always do it very well; that is not a matter in which I should interfere at all.

43358. Is another part of your duty the collecting of intelligence on political, social, and religious matters?—Yes.

43359. Your general duty is to collect information for the use either of Local Governments or the Government of India?—Yes.

43360. Have the provinces their own Finger Print Bureaux?—Yes.

43361. And what you keep is a duplicate of the same finger prints?—Yes, but not a duplicate of every finger print slip in all the provinces; the provinces have far more than I have; I have merely those of criminals who commit crime outside the province wherein they reside.

43362. Do the provinces keep those prints also?—Yes. That is to say, those provinces in which such criminals reside, not those in which they are convicted.

43363. You say you have no direct concern with the administration of police affairs in the different provinces; was your department not intended to have

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any control over the administration of the police in provinces, and is it not a part of the duty of your department to keep up to date information with regard to the administration in the different provinces? —No.

43364. So that, if information were suddenly asked for, you would have to refer to the particular province for it?—Not necessarily; it depends on what it is. If it was an extraordinary crime I might have a file about it; ordinary crime I should have no information about.

43365. Supposing you became aware of a serious conspiracy or an organized offence against the State, would you send a man to make enquiries, and would he have orders to communicate with the Superintendent of the district?—He probably would if he went to a district, but he would go in the first instance to the Deputy Inspector-General Criminal Investigation Department.

43366. The Superintendent is the man who is responsible for the whole administration of criminal matters within his district? — Not necessarily; a specially technical case, such as a case of note forgery, may have been taken out of his hands by the Criminal Investigation Department.

43367. Do you take away his authority?—He is always kept informed of the progress of the case, but the men who are actually enquiring into the case may be men of the Criminal Investigation Department.

43368. And the Superintendent is not responsible in the least?—Not in a case of that sort, he is merely responsible for looking after the men entrusted with the investigation.

43369. And he is not even entitled to be informed? —Yes, all communications go through the Superintendent to the Deputy Inspector-General.

43370. But your man might be working in the district?—No, my man would not be working in the district.

43371. In a case sufficiently serious are you prepared to send a man to any particular place?—Only for certain technical crimes.

43372. And might a man go and work in that district, without even informing the District Superintendent of his presence?—His orders are to put himself in touch with the Deputy Inspector-General.

43373. Then would your man ignore the Superintendent?—Probably he would not, but that is the Deputy Inspector-General's affair.

43374. If he did ignore him would he be called to account?—Certainly, by me, if I heard of it.

43375. Then is he bound to report himself?—I do not think there are any rules or orders on the subject.

43376. Would he have power to give orders to the police subordinates?—No.

43377. Then who would he work with?—With the Deputy Inspector-General.

43378. But he would have to work with the police of the district?—The Deputy Inspector-General would probably put one of his men to work with him.

43379. Would the procedure be that he would report himself to the Deputy Inspector-General of Police and everything would then be left to him and he might, or might not, communicate with the Superintendent?—Yes.

43380. (*Sir Steyning Edgerley.*) Where is your Bureau?—In Simla.

43381. Is that a convenient centre?—I do not think it matters very much where the centre is; I have heard of no case in which inconvenience has arisen from its being at Simla.

43382. But in cases where material has to be posted it would take longer to get at you than if your office were at Delhi, for instance?—As a place Delhi is, of course, more central.

43383. You say that you are in no way concerned with the administration of the provincial police, but do not all cases of police re-organization pass through your office?—I believe most of them have done so, but personally I have not seen many of them. I have seen some.

43384. What is the process; do they pass through the office in the usual course of business on their way up to the Secretary?—Those that I have seen have done so.

43385. Will you describe your procedure in the Home Department?—I have only had experience of two cases. One was a case of some objection as to the percentage of head constables to be promoted to sub-inspectors, which was sent to me for my opinion, and I kept the matter over till I happened to go to the place, when I discussed it, together with some other minor matters, and made proposals likely to be acceptable to both Governments.

43386. Was that sent to you as an un-official reference?—Yes.

43387. What was the other case?—A case in which a Local Government wanted to keep separate Finger Print Bureaux in the Presidency town and in the districts.

43388. You say that the Government of India is the only authority which can take action when a tendency exists to sacrifice general principles to local considerations; what do you exactly mean by general principles?—There are several cases in which general principles have been laid down by the Government of India but in which no action is taken by the Local Governments. For instance, in 1860, it was decided that the police of all Local Governments should be under an Inspector-General, but in one province that recommendation was not given effect to until 1887, and even then, only partially. Full effect has been given only recently, as a result of the Police Commission's recommendations. There are many such cases; a recent one is connected with the period of training probationary Superintendents.

43389. But supposing one Local Government wished to make the period of training two years, and another only one year, would that contravene the principle, and would there be any virtue in fixing it at 18 months?—I think anything short of that would be insufficient. The question of training probationers in England was considered. It was decided by the Secretary of State to increase the period of training out here instead, but I have noticed that in two provinces the period has not been increased.

43390. Is it part of your duty to bring such matters to the notice of the Government of India?—I should bring them to the notice of the local officers in the first instance.

43391. What do you mean by saying that "in no sense" are you an Inspector-General?—I have no disciplinary powers; I do not inspect, I merely call for information; I do not suggest punishments or promotions.

43392. But when you say you are in no sense an Inspector-General, that is rather a strong phrase. As a matter of fact you try to find out what is going on, and you take action to try to alter it?—In particular instances, where innovations are taking place owing to the recommendations of the Police Commission.

43393. Then you are in some sense an Inspector-General, and you are not merely a Director of Criminal Intelligence?—That, I take it, is an appendage to the extra temporary duties which were put on the Director of Criminal Intelligence by the Secretary of State as expert adviser in connection with the reorganization schemes.

43394. That was purely temporary. It is not part of the duties of the appointment as sanctioned by the Government of India which are to be maintained?—There is nothing very clear in the orders on the subject.

43395. That kind of action must necessarily centralize control?—I think not.

43396. Not if you go from province to province, where Local Governments nominally have authority to make their own arrangements?—I think not.

43397. As a matter of fact, have you had practically nothing to do with the reorganization of the police as adviser to the Government of India?—Nothing.

43398. (*Mr. Meyer.*) When you said that the Director of Criminal Intelligence was in no sense an Inspector-General, had you in your mind the fact that the administrative police officer in a province is an

Inspector-General and that you do not stand in the same relation to the whole of India as he does to the province?—That is what I meant.

43399. You are not, that is, an administrative officer?—No.

43400. The permanent Director of Criminal Intelligence is Sir Harold Stuart who was Secretary of the late Police Commission?—Yes.

43401. Was it not specially agreed by the Secretary of State that he should assist the Government of India with his advice on all matters arising out of the report of that Commission?—Yes; I cannot be sure whether he was specified by name.

43402. The Secretary of State at any rate agreed that the Director of Criminal Intelligence should assist with his advice?—Yes.

43403. And Sir Harold Stuart, as a matter of fact, went to some of the provinces, to discuss matters?—Yes.

43404. Is it not the fact that the Government of India suggested that within certain defined scales Local Governments should be allowed to dispose of these matters?—Yes.

43405. And that the Secretary of State insisted on detailed proposition statements?—Yes.

43406. Has there been any complaint that there was a good deal of petty alteration on the part of the Government of India in regard to these things?—Speaking for Bengal, of which I was Inspector-General at the time, there was no ground for complaint against the Government of India for undue interference in detail. Their hands were tied of course by the Secretary of State, but we got special sanction to introduce some of the reforms in anticipation of his sanction.

43407. Do you know whether the Bombay Government put forward a scale of establishment which was of larger strength than the general scale laid down by the Police Commission?—Yes.

43408. And that the Bombay Government expected the Government of India to pay for it?—I believe so.

43409. If the Government of India is asked to pay for establishments might it not reasonably be allowed to cut them down?—Certainly. The imperial police grant was limited to 150 lakhs, and it had to be equitably distributed between the different provinces.

43410. Generally speaking, what is the state of affairs now with regard to the police re-organization scheme: is it almost completed?—I think so, except in Bombay.

43411. We have been told that in Eastern Bengal certain new rules which have been issued by the Local Government have taken away the power of punishment and of dealing with appeals from the District Magistrate and Commissioner, and have seriously weakened the position of the District Magistrate with regard to police matters; what do you say as to that?—That is in connection with the dual appeal; there was one appeal from the Magistrate to the Commissioner and another from the Deputy Inspector-General to the Inspector-General.

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43412. Has that not been done away with?—Yes.

43413. In your opinion, is there any foundation for the statement that the alteration of procedure really affects the position of the District Magistrate?—I should not think so in the least.

43414. Did not the Government of India intend that in any matter which affected the peace of the district, the District Magistrate should be able to ask for the removal of any incompetent officer?—Yes.

43415. In the Indian Police Act there is a section providing that no increase in a police force can take place without the approval of the Government of India, and there have been a number of references under that Act; do you regard that restriction as of any value?—No.

43416. It has been alleged by some of the witnesses that the travelling allowances of police officers in Eastern Bengal are inadequate; is that so?—There used to be a great many complaints in the old days, but I am not prepared to give an opinion now.

43417. It was also alleged that there were unnecessary reports required from Local Governments and local bodies with regard to riots, &c.; have you any knowledge as to that?—I do not think that is the case. When the unrest was at its height special orders were passed, but they are not now in force. Ordinarily it is left to the discretion of the Local Government. They are supposed to telegraph any incident of importance.

43418. Has not the District Magistrate in some cases to wire, in duplicate, to his own Government and to the Government of India?—No, I think that has been done away with.

43419. Speaking generally, the information which local officers have to supply is entirely a matter for the Local Government, and what the Government of India want to know is only as to any serious trouble which might raise questions in the Press or in Parliament?—Yes.

(*The witness withdrew.*)

Dr. T. H. HOLLAND was called and examined.

43420. (*Chairman.*) You are Director of the Geological Survey in India?—Yes; I am an Associate of the College of Science, London; a Fellow of Owen's College, Manchester; and a Fellow of the Royal Society.

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In the matter of giving advice on mineral questions, the Director of the Geological Survey bears exactly the same relation to the Government of India as he does to all Local Governments. All Governments and all officials in India may freely ask his advice on any question connected with the grant of mineral concessions, and may obtain any information at his disposal regarding mineral occurrences in the country. The Local Governments may, like the Government of India, accept such advice or reject it as they please, for the Director of the Geological Survey has no executive control in mineral matters over any Government official outside his own department. To extra-departmental officials he is an adviser pure and simple, and his advice is freely given to anyone who requires it. When the Director is on tour, Local Governments are informed of his visit to their provinces, in order that opportunity may be taken for officers to consult him on mineral questions.

The transfer of Geological Survey officers, single or in small parties, to the permanent control of provincial Governments, would remove one of the most valuable means for education that they now possess. The scientific officer may be perfectly equipped with information in one year but rapidly falls behind the times, and his advice becomes dangerous to Government if his knowledge does not progress with the development of his science. In purely executive matters in which prompt action on the spot, no matter how imperfect, is better than no action at all, I have no objection to decentralization; but among a body of scientific officers with whom progress in knowledge is essential, and out-of-dateness is worse than useless, decentralization is possible only when each unit split off is large enough to deal adequately with every phase of the science. Seeing that in India we have to maintain a staff that includes all essentials of efficiency in view of leave vacancies and casualties that can only be repaired by recruitment from Europe, it is impracticable to split off a self-contained party for the geological work of any province without multiplying many times our present cost to the taxpayer.

If the mineral industries of any province warrant the financial outlay necessary to maintain a department equipped with sufficient men and machinery to deal with all essential aspects of geology, I would readily consent to shed off a section of the Imperial Department for the purpose, but it is impossible at present to establish for any one province in India a reasonable claim for the maintenance of a separate Geological Survey Department. To hand over to a provincial

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Government a single expert as its adviser on all geological questions would be a prelude to absolutely certain failure.

All Government officers in a province should be under the direct control of the Local Government; but our geological work is purely advisory, and our officers can always be consulted by the Local Government or district officials. The arrangement under which the Geological Survey officers are engaged on oil questions in Burma sufficiently illustrates our general policy. One officer was deputed in 1905, on my own suggestion, to assist the Local Government in questions connected with the disposal of concessions on the oil-fields. He was instructed to attend to any requests for advice from all local officers concerned with his work—the Local Government itself, the Financial Commissioner, the Commissioner of the division and the Deputy Commissioner of each district concerned. He was instructed to carry out the wishes of the Local Government in every way possible, and, instead of sending his reports through me, he was empowered to submit them direct to the local authorities, merely sending duplicates with his diaries to me for information. In effect he served every purpose required of an officer directly under the Local Government; but the fact that his reports would come to me in duplicate increased his value to the Local Government by reason of my position as critic, with power to remove him if there were the slightest sign of slackness or danger of collusion with the oil companies. The value of his work also was enhanced by his training at headquarters during the monsoon recess.

In 1906, in order that the continuity of policy should be unbroken, a second officer was deputed to assist the first, with the intention of taking his place when the time came for the senior officer to take up a wider field of work, or to guard against a possible casualty. In addition to advising on oil questions, these officers are engaged in a geological survey of the oilfields, and their work, both scientific and practical, will be the more efficient on account of their continued connection with the central office, with its library, laboratory, and expert control. That this arrangement has been satisfactory is generally conceded, and the excellent work done in Burma by the first officer has already been recognised by a special increment of his pay sanctioned by the Secretary of State.

The provincial Governments are guided by the general rules prescribed by the Government of India regulating the grant of licenses to explore and prospect for minerals and the grant of mining leases in British India. These rules were drafted and sanctioned by the Secretary of State, and consequently cannot be modified or exceeded without his previous approval, except in certain defined particulars and to a limited degree by the Government of India. It was recommended by the Government of India in 1899 that these limited powers also should be delegated to Local Governments, but the Secretary of State objected to the proposal.

The question of the possibility of our rules being discouraging to mining enterprise has been raised at different times since 1899, but most of the objections made have not been maintained on examination. I have myself taken every opportunity of consultiug the numerous prospectors and investors that I have met in the course of my official work since taking over the office of the Director of the Geological Survey, and have found, as a general opinion, that the rules as a whole are most generous. A certain number of minor complaints have been found to be due to misunderstanding the exact terms of the rules and the system of procedure in obtaining prospecting and mining concessions.

The complaints of a general kind made against the rules are due largely to a survival of the justifiable objections against those that were in existence before the revision took place in 1899. It is only recently that the real nature of the concessions made during the last revision has been fully appreciated by the public in India, while there is still a large amount of ignorance prevalent about these among people at home.

A review of the mineral concessions granted for minerals in Government lands during the past ten years forms a partial demonstration of the beneficial effects of the revised rules. The mineral concessions granted in Government lands—in 1898, 86, in 1899, 60, in 1900, 72, in 1901, 104, in 1902, 105, in 1903, 100, in 1904, 151, in 1905, 189, in 1906, 252, and three-quarters of 1907, 254.

The statement made in Burma that the mining rules are framed so as to give an unnecessary amount of trouble and to discourage the development of the mining industry, is utterly at variance, as a general conclusion, with the opinions I have collected from professional mining men. The statements I have received more often suggest increased restrictions and greater precision for the protection of the real investor as opposed to the speculator. Increased stringency is required in defining boundaries of concessions applied for to prevent unscrupulous pirates from "jumping" the claims of real prospectors; the clause requiring vigorous and continuous work might be enforced with effect against those who do not blush to ask for concessions larger than they ever hope to work themselves; the holders of mining leases should be forced to commence operations within one year at most, instead of within two years as now allowed.

These are a few of the increased restrictions that have been suggested by qualified men. But, at the same time, there are objectionable features in the rules that might be removed, and necessary privileges, like the protection of water rights and right of road access, which though now included in leases, should be defined in the rules also, for the encouragement of those who contemplate real work. Possibly, also, the covenant for renewal might be granted by the Local, instead of being reserved to the Imperial, Government; the system of sanctioning transfers might be made more simple; and the rule requiring a certificate of approval with each application for a prospecting license might be modified as suggested below. But the one objection above all others made by prospectors is *delay*; the cause and cure for this is mainly in the hands of the Local Government officials; it is not due to the Government of India, or due entirely to the nature of the rules, but is due mainly to the way in which they are worked.

The principal complaint of a serious kind that has been maintained is that of delay in obtaining replies from the district officials and Local Governments delays due to the necessity of obtaining a certificate of approval from the Local Government before the grant of a prospecting license; and delays due to the necessity of obtaining sanction for the transfer of licenses and leases. Some of these delays have been due unquestionably to the imperfect way in which the applicants have themselves supplied the necessary information and maps regarding concessions applied for. Other delays have been due to want of readiness on the part of district officials who may have had no previous experience of such cases; for instance, a Collector who has spent most of his services in one of the districts on the alluvial tracts of Lower Bengal might find it difficult readily to deal with applications for mineral concessions on his transfer to a district like Hazaribagh or Singhbhum in Chota Nagpur, where the questions connected with the grant of mineral concessions are complicated by the various rights and peculiar financial conditions of the numerous smaller Native States and zemindaries, some of which possess mineral rights, while others have only a claim to the surface.

Some of the delays complained of are, however, certainly due to the nature of the standing rules, and a certain amount of revision is practicable. According to rule 11 (3) "every application [for a prospecting license] shall be accompanied by a certificate that the applicant has been approved by the Local Government, under the signature of one of its Secretaries." It has been pointed out in evidence offered in Madras that the working of this rule involves delay without commensurate addition to the precautions desired, and the Madras Government accordingly recommends that the certificate of approval may be dispensed with. The Local Government, however, should have some means for rejecting the prospector who takes up land under the easy terms allowed in India merely to float companies on a bare rumour of the occurrence of valuable minerals; but a check of this kind can be maintained without requiring a certificate of approval with each application. Instead of the present system I would propose the grant of a general certificate or license to a prospector, the certificate being valid for a calendar or financial year, and the Local Government retaining

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the power, at any time within the recognized year, to cancel such certificate by general or special order. The names of those to whom such prospector's certificates are granted should be published in the Local Government Gazette, and the prospector, when applying to a Collector for a concession, should be required merely to quote the number and date of the Gazette notification of his certificate. All certificates should expire on the 31st March or 31st December according to the year adopted, and should be granted only on payment of a fee of, say, Rs. 15.

The system I propose is similar to the Free Miners' Certificate in British Columbia, where an individual may obtain a Free Miners' Certificate for one year on payment of a fee of £5, while a Joint Stock Company having a capital of £20,000 or less, pays a fee of £10 per annum, and Joint Stock Companies, capitalized beyond this amount, pay a fee of £20 for their certificate. All these certificates expire at midnight on the 31st of May, but they can be obtained for any part of the year terminating on the 31st of May for a proportionately smaller fee. If we charge a nominal fee (and I consider Rs. 15 nominal in the matter of prospecting), the latter provision will not be necessary; but it is advisable to stick to some definite year, either fiscal or calendar, which will enable the Collector to determine exactly whether a prospector has renewed his certificate or not. The certificate naturally will not be granted unless the Local Government is satisfied as to the suitable character of the applicant.

The existing rule requiring a certificate of approval to accompany every application for a prospecting license has been even emphasized by the Government of Burma by the following two special notes issued for the guidance of District Officers:—(1) "The certificate of approval shall be used to cover a single prospecting license only, and it shall be attached to the application." (2) "Applications for prospecting licenses which are not supported by a certificate of approval under rule 10 should be rejected by the Collector and need not be submitted for the orders of the Local Government" [as required by rule 13 (1) for ordinary refusals of licences].

Whatever may be the justification for the extent of the delays complained of, the Government of India in a general order issued in October 1905 required all Local Governments to submit to them and to my office direct, once in every quarter, a detailed list of the applications made for mineral concessions, with a second list showing those granted during the quarter. In all cases where six months have elapsed between the date of the application and the date of granting the concession applied for, Local Governments are requested to make a special explanation of the delay. Local Governments are also required, in order that any cases of delay may be brought prominently before their own Secretariats and that of the Government of India, to give the list of applications, not by districts, as was formerly done, but in order of seniority. This regulation has probably already begun to have its effect in removing the causes of complaint.

As the system of submitting quarterly statements of the concessions applied for and granted tends to remove one of the sources of delay so much complained of, I am not in favour of the proposal made by Bengal to submit such returns half-yearly or yearly. Apart from the moral effect of the order on the District Officer, it is important that the Geological Survey should have information as promptly as practicable regarding concessions granted, in order to avoid the chance of our officers prospecting on lands already granted to private companies, who would have a reasonable grievance if we published unfavourable conclusions, and would use our reports, or as much of them as appeared to be convenient, if in any way they were favourable. The quarterly returns have been of the very greatest practical value in enabling me to keep in touch with what prospectors are doing and what they are after when they come to me for information.

The Madras Government wishes to cancel that part of rule 13 which requires a special report by the Collector who finds it necessary to refuse an application for a prospecting license. I do not think that the rule should be abolished altogether, but the Local Government might be granted power to exempt the Collector of a district like Nellore or Hazaribagh, where large numbers of applications for prospecting and mining in mica-bearing lands are dealt with each year. Generally, the rule provides a very reasonable precaution. The staff of the Collector in a district where large numbers of licenses and leases are dealt with will usually act as a safeguard against mistakes that might be made by a Collector who is without previous experience of mineral questions; but serious blunders would probably occur in districts where licenses and leases are rare, unless the Collector were forced so to understand the reasons for his action as to explain the rejection of an application to the satisfaction of the Local Government.

The Government of Burma wishes to abolish the restrictions contained in rule 19 regarding maximum areas of blocks and total areas held under mining leases. No relaxation of the proviso to this rule can be granted with safety. Although it is true that Local Governments have the power to consult the Director of the Geological Survey whenever they feel inclined, there is nothing to force them to act on his advice; and, when one recollects the fact that Lieutenant-Governors vary greatly in the views they entertain regarding what is enterprising, what is generous and what is judiciously conservative in the grant of mineral concessions, it is essential that any lease covering an area greater than 10 square miles should be submitted to the judgment of a higher authority. The powers granted to Local Governments in the matters of areas for mining leases are greater than those granted in most self-governing Colonies, and when the minerals of the country are more fully developed there will be a tendency here, as in some of the colonies, to curtail rather than to increase these maximum areas.

An examination of the latest laws in force elsewhere shows that our mining rules in India give the Local Governments wider powers than those granted to the Executive Governments of the self-governing Colonies. The conditions being widely different, it is difficult to reduce all the laws limiting areas and lengths of term to a common standard for comparison. But the following examples from Australia will show that the power to grant 10 square miles for 30 years is an unusual liberty:—

	Gold.		Coal.		Other Minerals.	
	Maximum area of lease.	Term.	Maximum area of lease.	Term.	Maximum area of lease.	Term.
	Acres.	Years.	Acres.	Years.	Acres.	Years.
New South Wales (Acts 1874–1902) ...	25	15	640	20	80	20
Victoria (Acts 1890–1897)	100	15	640	30	640	30
Queensland (1898)	50	21	320*	21	160	21
South Australia (1903)	20†	42	640†	21	40†	42
Tasmania (1900)	20	21	320	21	160	21
Western Australia (1904)	48	21	320*	21	96	21

* In the case of new discoveries the area leased may be 2 × 320 acres.
† Any number of leases may be held by one person.

The Government of Burma is the only one so far that has asked for an extension of powers beyond the ten-square-mile maximum for mining leases, and it is in Burma that conspicuously large concessions have been granted. In 1901 a prospecting license was granted for five years over 12 miles of the bed of the

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Irrawaddy river in the Myitkyina district; this was relinquished in 1904 for a mining lease for 30 years over 88 miles of the river-bed. The nearest approach to a concession of this size that would be granted elsewhere is the five-mile maximum fixed in British Columbia for dredging leases that may be held for 20 years. In June 1903 a prospecting licence for five years was granted in Burma over the bed of the Sittang river in the Toungoo district, and later for its continuation through the Pegu district, giving a total length of about 200 miles. In September, 1903, a stretch of 35 miles of the Shweli river was granted for five years on a yearly rent of Rs. 500. In March, 1904, a prospecting license for 177 miles of the bed of the Chindwin between Masein and Homalin was conceded for five years on a yearly rent of Rs. 500.

The first of such large concessions referred to the Geological Survey for an opinion was an application, recommended by the Government of Burma in June, 1905, for a prospecting license over 143 miles of the Uyu river. In view of the extraordinary concessions already given, I advised the grant of exploring licenses only until it was possible for the Geological Survey to inquire into the conditions under which these large dredging licenses were being worked. This survey was conducted during the field season of 1905–06, and, as a result, the officer who undertook the work, and was a specialist in this class of mining, recommended that the limits of two-year alluvial licenses should be 1,600 acres in area, and ordinarily not more than five miles along the course of a river. For leases limited to terms of 30 years he recommended the grant of areas not exceeding one square mile and ordinarily not longer than two miles, special leases not exceeding four miles in length being given for narrow strips. The contrast between the policy of the Burma Government and that recommended by our specialist adviser is sufficiently striking to warrant the imposition of restrictions as regards area of concessions at the disposal of Local Governments.

It is a significant fact that in Burma, where conspicuously large concessions have been granted, the proportion of mining leases to prospecting licenses is lower than in the other provinces that are comparable to it in the number of concessions granted in Government lands. The following table compares the ratio of mining leases to prospecting licenses in Burma, Central Provinces, and Madras during the years since the records have been kept by the Geological Survey:—

	Total numbers of concessions granted.			Proportion of mining leases to the total number of concessions.		
	Burma.	Central Provinces.	Madras.	Burma.	Central Provinces.	Madras.
				Per cent. Mining Leases.	Per cent. Mining Leases.	Per cent. Mining Leases.
1904	28	24	28	3·6	12·5	46
1905	43	53	51	4·6	9·5	33
1906	50	75	100	2·0	8·0	47
Three quarters of 1907	41	69	74	7·3	5·8	34
Grand Total of concessions granted	162	221	253	—	—	—
Average per cent. of mining leases	—	—	—	4·8	8·1	40

The Burma Government urges that the fixing of rents provided for in schedule B of the mining rules might be left to the discretion of the Local Government. The schedule is already about as lax as it can safely be: only a maximum is fixed for the surface rent claimed under prospecting licenses and mining leases, while the minimum laid down for dead-rent under mining leases is insufficient to compel a company to limit its demands, or to force it to select land with intelligence, which should be the leading feature in such controlling regulations.

In 1906 the Burma Government granted a prospecting license over 350 square miles of the Tavoy district to a Syndicate, founded, I understand, by Colonel Foss, and known as the Golden Stream Syndicate. For this concession the Syndicate pays a rent of Rs. 1,000 a year, that is, Re. 1 for 224 acres. If a Government regards Re. 1 for 224 acres a fair interpretation of schedule B, it is desirable to impose a minimum as well as a maximum rate for surface rents. Such a concession obviously cannot be tested adequately within the period permitted by the license, while its large size and indeterminate character merely give an opportunity for gambling rather than prospecting. I regard the policy that encourages such concessions as inimical to the best interests of the country, and calculated to delay, not to encourage, the development of its mineral resources.

I have referred to the maximum areas obtainable under licenses and leases in the Colonies as being more limited than those permitted in India; and a comparison of the terms generally charged will show that our rents also are far too low to compel a company to select land with discriminating care. In New South Wales (1874 and amendments to 1902) the yearly rent charged for gold-mining leases is 20*s.* per acre, while for ordinary metalliferous minerals the charge is 5*s.* per acre. No royalty or tax is, however, charged on metalliferous minerals, while for coal a royalty of 6*d.* to 1*s.* per ton is charged. In Victoria gold-mining leases are charged a rental of 2*s.* 6*d.* per acre, while leases for other minerals are charged an annual rent of 5*s.* per acre. The royalty in Victoria varies from 2 to 5 per cent. *ad valorem* on all minerals except coal, which is taxed at the rate of 3*d.* to 6*d.* per ton. Gold-mining leases in Queensland (1898) are rented at 20*s* per acre, and for other mining leases, except those for coal, at 10*s.* per acre; for coal the rent is 6*d.* per acre with 3*d.* to 6*d.* per ton royalty. In South Australia gold-mining leases are rented at 10*s.* per acre; leases for other minerals bear a minimum charge of 10*s.* an acre with a royalty of 2½ per cent. on the net profits. In Tasmania (1900) ordinary gold-mining leases are charged a yearly rent 20*s.*, and leases for other metalliferous minerals from 5*s.* to 10*s.* an acre, while coal-lands are leased at 2*s.* 6*d.* an acre with 6*d.* a ton royalty on the coal raised. In Western Australia (1 04) the annual rent charged for gold-mining leases after the first year is 20*s.* an acre, for other metalliferous minerals 5*s.*, and for coal 6*d.*, with a royalty of 3*d.* to 6*d.* per ton.

The one feature most prominent about the Indian Mining Rules is, not their exacting character, but their simplicity and the great latitude they permit in area of concession and terms regarding royalty and rent. Whilst I should be prepared to recommend the removal of some unnecessary features they now present, there is no doubt that the rules require stiffening in some respects, in the interests of the mining community as much as out of consideration of revenue requirements; the royalty obtained from the manganese ore recently raised in such large quantities in the Central Provinces has been insufficient to pay for the damage done by the additional heavy road-traffic.

The Government of India are now contemplating the revision of the rules for granting mining and prospecting concessions, and I have been empowered to obtain the opinions of as many as possible of those who have experience of the rules now in operation. In addition to the direct invitations already given, it

was announced in my last annual report that the members of the mining community interested in this question are invited to send to this department any suggestions which they think should be considered before the revision is undertaken. Every reasonable opportunity, therefore, is given to the mining community to lodge their complaints if any exist. So far, the communications I have received from professional men suggest increased restrictions as frequently as relaxation of the conditions now observed. This move towards revision was undertaken before any proposals of the kind were made by a Local Government, but the usual plan will be followed of inviting the opinions of Local Governments before submitting new rules to the Secretary of State for sanction.

To summarize the above conclusions :—

The Geological Survey is purely an advisory department, and can be utilized by Local Governments as well as by the Government of India. Private individuals may also obtain all information (not confidential) that is at the disposal of the Geological Survey.

The department is organized at present (*a*) for the preparation of a general geological map of India, (*b*) for the collection and dissemination of information about the mineral resources of the country, (*c*) for the preparation of statistics of mineral production, (*d*) for the control of a Geological Museum, (*e*) for the teaching of geology in the Presidency College, Calcutta, and (*f*) for the training of a limited number of prospectors and post-graduate students.

It is considered that the mineral questions before Local Governments are insufficient at present to warrant the formation for any one province of a Geological Survey Department that will provide efficiently for all varieties of mineral questions, while the appointment of one or two specialists under the control of a Local Government would result in a serious loss of efficiency. Direct assistance to the Burma Government is, however, provided for by the perpetual maintenance of officers to advise on questions connected with oil and tin, beside the general geological work in the province. These officers, although under the orders of the Director of the Geological Survey of India, are instructed to report direct to the Local Government, and their work is checked by the Director, who examines duplicates of their reports and controls their recess work at headquarters during the monsoon season.

I have already proposed to increase the independence of the geological party in Burma by the appointment, as soon as practicable, of a local superintendent, who will be able to superintend the other officers' field-work and to advise the Local Government in questions connected with the grant of mineral concessions. Similar assistance will be given to other Local Governments as their mineral problems increase.

I dissent absolutely from the conclusion of the Burma Government that the existing rules for granting mineral licenses and leases are framed so as to give an unnecessary amount of trouble and to discourage the development of the mining industry. The general opinion of professional mining engineers is in favour of the conclusion that the rules, as a whole, are generous and simple; that they need revision in certain features only, some of which would make them more precise and restrictive, while others would tend to remove the causes of delay, which is now the chief grievance on the part of those who apply for mineral concessions.

I propose to deal with the proposals made by the Local Governments as follows :—

(*a*) The certificate of approval required to accompany each application for a prospecting license might be replaced by a general certificate of approval for each person or company; it should be valid for one year only, and should be notified in the Local Government Gazette for the information of Collectors. The number and date of the certificates should be quoted by the applicant when applying to a Collector for a license.

(*b*) The standing order requiring submission to the Government of India of a quarterly list of concessions applied for and granted should be maintained, partly to prevent delays in district offices, and partly to enable the Geological Survey to keep in close touch with the work of prospectors.

(*c*) Local Governments might be empowered to exempt certain Collectors only from the operation of rule 13 (1), which requires a special report of each license refused by the Collector.

(*d*) The present powers of the Local Governments to grant mining leases over a maximum of 10 square miles for 30 years should not be increased, but Local Governments might be empowered to insert a clause for the renewal of a lease without prior reference to the Government of India.

(*e*) Power to fix rents more favourable to lessees than those now limited by schedule B should not be permitted, and, if anything, the scale of rents should be made more severe in order to enforce the judicious selection of land for mining purposes, thus favouring the real miner as opposed to the speculator who attempts to secure large concessions of an indeterminate character for the purpose of company promotion.

I am of opinion that the low rents and large size of concessions granted most conspicuously in Burma have tended to retard rather than to accelerate true development, and more efficient control of mineral exploitation is necessary in view of the fact that rapid developments are taking place in connection with those minerals which are either exported in their raw state or are consumed without contributing to those subsidiary industries that add so much to the wealth of a country.

During the revision of rules, that has been under consideration during the past two years, it is necessary to introduce precise clauses to discourage the speculator and to protect those minerals which will be essential to the progress of India when the industries approach a higher degree of complexity and are able more fully to absorb the natural products of the country.

43421. You say that you bear the same relation to the Government of India as you do to Local Governments?—Yes. My position is purely advisory. The Government of India refer cases to me for opinion in questions of granting unusual concessions for mining and I give what advice I think best; they act on or reject my advice as they please.

43422. With regard to Local Governments does the same thing apply?—Yes, but they do not consult me to the same extent. Many Local Governments do consult me; in fact all have consulted me at some time or other.

43423. Do you stand on the same footing with regard to the Government of India as you do with regard to Local Governments?—Absolutely. I am paid by the Government of India, and I merely give an opinion when it is asked; I have no power to press my opinion either on the Government of India or on the Local Governments.

43424. Who do you correspond with in the Government of India Secretariat?—The Commerce and Industry Department.

43425. In writing to the Local Government whom do you communicate with?—With whatever department is concerned with the work.

43426. Has there not been some little difference made in the policy as to survey of late years?—Our policy now is rather an extension of the policy followed in the old days. We push our work a little more than was done in the past, when my predecessors devoted their attention mainly to the making of a geological map and the recording of scientific results. The minerals of economic value were recorded, but the figures were not worked out in the same way, and the information regarding them was not put before the public in the same way as we attempt to do now. Whenever there are discoveries of minerals of economic value we attempt to find out in what way they bear on the industries of the country, and we distribute the information to the public as much as possible.

43427. Then your increased activity is *qud* the public rather than *qud* the Government?—Yes; we distribute our records, in which we publish everything of value to the public, to all the Local Governments and principal officials of the Governments, and send copies as well to the public libraries, to the newspapers of the country, and exchange with a large number of scientific and technical Societies throughout the world.

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43428. *Qud* the mere survey, is it very much better that the whole of the operations of the Geological Survey should be conducted by one central authority rather than by local authorities?—At present I think so, because a certain variety of specialists would be required to deal with all phases of our work, and it would mean an enormous increase in cost if we developed Geological Surveys for the provinces on a standard which we think essential for efficiency.

43429. Will that centralization, in your judgment, have to continue for some time?—I see no hope at present of obtaining a separate Geological Survey staff for each of the provinces; the only plan I can think of is the one I have suggested for Burma, namely, that a portion of the Geological Survey should have headquarters in Burma, the officers composing that party to be in constant touch with me, and that, say, once in two years they should come to Calcutta in order to obtain the benefit of the opinions of other officers and the advantages of the library and laboratory which is well organized for the work. I do not think it would be well, even in the case of a small party, to allow men to remain too long in one province; they should return to Calcutta for a recess at least once in two or three years.

43430. During that time would you give them a free hand?—Whilst the party was at work in Burma, I would arrange that a senior officer should be in charge and he would have a free hand with regard to the men under him, and also be available to the Local Government to give advice concerning mineral concessions, or decide, in consultation with the Government, on reported discoveries of mineral deposits. A District Officer thinks he has discovered a mineral of value, and requests me to send an officer to inspect the supposed discovery; I have to judge from the evidence whether it is a reasonable request or not, and if a man is available spare him for the investigation. Sometimes it turns out that it is quite obvious the discovery is one which has been made many times before, and that it is not worth while upsetting the systematic work of the survey for the investigation suggested.

43431. With regard to Burma, to which your attention has been particularly directed with regard to three different subjects, have you sent officers to that province?—Yes. In the case of oil I sent first of all one officer, who made a preliminary survey of the oil-fields; he made his reports in duplicate to me and to the Local Government, and in the following year I sent a second officer to assist the first and to replace him in case of accident. Those two officers have been in Burma ever since and have come here only for the monsoon.

43432. What are their relations with the Government of Burma?—The Government of Burma has been permitted to consult them freely.

43433. Did the Government of Burma ask for these officers, or did you send them yourself?—I suggested that on account of the difficulties connected with the granting of oil concessions it was necessary for us to put an officer on special duty to obtain further data regarding the oil-fields.

43434. What has an officer of the Geological Survey to do with the granting of mineral concessions by a Local Government?—He simply gives advice; he reports on the way in which the concessions are being worked and gives the Local Government advice as to how they should deal with further concessions.

43435. Does he report to the Government of India or to the Local Government?—He reports to both; I always get a duplicate report.

43436. Supposing a provincial Government wanted to grant a mineral concession would they have to go to the Government of India?—It depends on the concession; they can grant prospecting licences or mining leases within the limits prescribed by the rules.

43437. And the proposals that go to the Government of India are criticised in the light of the information given to you by the officer sent, in this particular case, to Burma?—Yes. I keep in touch with each officer's investigations in Burma so that when I have to advise I have the necessary data.

43438. With regard to the tin, was the same method adopted and for the same reasons?—Yes, exactly the same.

43439. In order that the Government of India might know what sort of concessions the Burma Government were going to grant?—It was in order to assist the Local Government really. No tin concessions ever go to the Government of India; they are comparatively small, and are granted mainly to native workers.

43440. Therefore it was not for the purpose of dealing with the proposals of the Local Government, but for the purpose of assisting the Local Government in coming to a final decision?—Yes.

43441. Does the same thing apply with regard to alluvial dredging?—That arose in the same way; Burma sent up proposals for the grant of large concessions in excess of those they could grant according to the rules; and as several large concessions had been granted already, I recommended that we should send an officer on special duty to investigate in what way they had been worked. Meanwhile I recommended the Government of India to grant exploring licences covering the interval of time until the officer could report.

43442. It has been represented by the Government of Burma that their powers are too small; is that your view?—No; I think the Local Governments already have very much more power in granting concessions than any Parliament in the world would allow its Government to grant. Their powers ought not to be enlarged in the matter of area. The only other points would be as to rent and royalty. Royalties are already so low that I see no reason for making any change with regard to them, while for surface rent only a maximum is fixed.

43443. So that in no particular ought the restrictions laid upon provincial Governments to be removed?—I think the rules might be revised in certain particulars, but I see no reason for giving fuller powers to Local Governments. I would give them certain powers which might not be considered fuller, such for instance as power to insert clauses for the renewal of a lease; I think that should be left to the Local Government. The Government that gives the lease ought to have the power to renew. There are small matters of that sort in which additional powers might be given to Local Governments, but with regard to the great question raised by Burma, the question of area for mining leases, there is not the slightest necessity to increase that power or to give power to grant more than 10 square miles for 30 years.

43444. Do you also dread a possible exhaustion of mineral products?—With regard to the grant of large areas I fear more gambling with the concessions granted. The question of exhaustion is a matter which affects the subsequent working of the leases. Unfortunately the granting of a big concession does not lead always to the working of the deposit.

43445. With regard to what you say as to the lesser powers of the Australian Governments, would that apply to the provincial Governments of India?—The Australian Governments are more independent of the Commonwealth than our Local Governments are of the Government of India. In the matter of mining legislation Australia is utterly different; each State legislates for itself.

43446. And in Canada too?—The rules vary very considerably.

43447. Have not the provincial Governments in Canada complete freedom of action?—I am not quite certain whether they have with regard to minerals, but they have in Australia.

43448. Do you think that the responsibility in the matter of mining and mining concessions and possibly gambling transactions on the Stock Exchange which ought to rule the action of the Government of India must continue without diminution?—I think so, and I would restrict the powers even of the Government of India in the matter of granting concessions.

43449. You represent that the power exercised by the Government of Burma has led to a greater proportion of prospecting licenses being granted to subsequent working concessions than in any other province in India?—Yes; I have given the figures on that point, and I think that the fact is significant. I am not prepared to say absolutely that it is due to that only; there may be other causes giving rise to the smaller proportion of mining leases in Burma than elsewhere, but Burma is the only Government which

is giving such large concessions, and, by chance it may be, it happens to be the one in which mining leases are fewer in proportion than elsewhere. On the contrary Madras takes the lead in the proportion of mining leases, and there the areas granted are extremely small.

43450. You lead us to believe that there is some unnecessary delay in the granting of prospecting licenses which is removable?—Yes, I think so.

43451. Would you give the Local Government, and possibly the District Officer even, power to act more frequently than they do at the present moment?—I would abolish the certificate of approval which is attached to each application, and instead I would give what corresponds to a miner's right in Australia, or a free miner's certificate in British Columbia, that is to say, a license granted and tenable for one year, expiring automatically in the same way that a dog license or a gun license expires on the 31st December or 31st March, so that the local officers would know exactly whether a license was current or not; it should be necessary only for the applicant for a license to attach the number and date of his certificate of approval as notified in the Gazette. That would simplify matters a great deal and would remove probably one of the most fruitful sources of delay. There is a possible scheme which I have not quite worked out in detail, but I would suggest that instead of the Collectors of districts dealing with mineral concessions as they now deal with every other form of work in the district, there should be several districts constituted into a so-called mineral field, and that there should be one Collector for the whole to deal with mineral cases; he might be an expert or an ordinary Civilian, but that is not important so long as one knows that he is dealing with that class of case only, and he might be called, as they would call him in Australia, a Warden. He would grant prospecting licenses in the same way, for instance, as Collectors do now, and he would see that the concessions were worked honestly and efficiently, which, after all, is far more important than the details of the original grant. He would grant the so-called miner's right, that is, the prospector's certificate of approval, instead of allowing it to be granted by Government, because he would be the one man who would be a competent judge of the suitability of a prospector.

43452. Would you have the borders of the mining areas depend on the Government, or upon the provincial Government?—I would group the Wardens under a Mineral Commissioner. Then the question arises as to whether there should be one Commissioner for a province, or whether he should be a Mineral Commissioner for the Government of India, and it seems to be unimportant. I do not care whether he is Commissioner for the provincial Government or for the Government of India as long as he has power to decide mineral cases only. If the Warden of a mineral field were an expert, he would give advice when forwarding applications for mining leases to the Mineral Commissioner of the Local Government or of the Government of India.

43453. (*Mr. Meyer.*) Do you intend to make the adviser you propose to give to the Government of Burma a permanent official there?—Not at once; I do not see, however, if he became important enough and mining work in Burma progressed, why one should not constitute the post into a permanent one, but I doubt whether for a long time it would be practicable.

43454. Are there not certain objections to localizing officers who are concerned with mines; might they not get out of touch with scientific work and progress?—My reason for saying that ultimately local parties would be permanent was that if the work grew sufficiently in any one province it would warrant the Government in developing the whole organization of a Geological Survey, and we should then probably have no reason to suppose that the officers would get rusty, but at present it would be impossible to establish the organization of a Geological Survey in any one province, one of the reasons being that a suitable reference library could not be equipped like that at Calcutta.

43455. Is not an officer who has to deal with mining concessions in any part of the world subject to great temptation?—Yes; if I transferred an officer, say to Burma, or to any province beyond my control, and he was the officer who governed the granting of mining concessions, I have not the slightest doubt that within a year, if he had ordinary intelligence, he would discover that his salary need be only a fraction of his income.

43456. Is there not possible danger, if you provincialize the Mining Department, in having an officer kept in one province?—Yes; and his work would deteriorate accordingly.

43457. For the present the control exercised by the Government of India is absolutely necessary?—Absolutely necessary.

43458. And the Geological Department must be Imperial?—Most certainly.

43459. As regards general mining rules, are they very difficult to understand?—I think not.

43460. There are three kinds of licenses—the exploring license, the prospecting license and the mining lease?—Yes.

43461. The exploring and prospecting licenses rest entirely with the Local Government?—Everything rests with the Local Government.

43462. Has nothing to go to the Government of India with regard to exploring licenses?—Nothing whatever.

43463. As to prospecting licenses, are they granted by Collectors subject to certain rules laid down?—Yes; ordinary prospecting licenses do not go to the Government of India.

43464. And prospecting licenses last for one or two years?—One year, renewable for a second or third year.

43465. The only case in which a prospecting license would have to go to the Government of India would be when it lasted more than three years?—Yes.

43466. In which case there is a reasonable presumption that it has not been made proper use of?—Yes.

43467. In regard to a mining lease, has that to go up to the Government of India when the concession is more than a certain size?—Yes, or of a particular shape.

43468. With regard to the relation between length and breadth—that has been objected to. Can you explain why the regulation is necessary?—I think it is necessary that we should have some control over the shape, because certain ore deposits are found in narrow bands and under rules so generous as those sanctioned by the Government of India, it would be possible to map out the whole of a very rich deposit and include it in a lease although it would only cover an acre or two of ground. Obviously, it would be unfair to allow one person to take up the whole of a narrow rich reef. In most countries limitations as to shape have been laid down not merely by regulation and Government order, but by Act. Our rules allow a length of four times the breadth, and in most countries only twice would be permitted.

43469. So that our rules are really more liberal?—Yes, and they are purposely made more liberal.

43470. Has the Government of India a certain amount of marginal power beyond that exercised by the provincial Government?—The Government of India can grant up to 20 square miles on lease, and they can reduce the royalty and the rent. Anything above 20 square miles would have to go to the Secretary of State.

43471. Could the Government of India enhance the royalty without the consent of the Secretary of State?—There is nothing in the rules about that.

43472. The rules having been drafted by the Secretary of State, may it not be assumed that anything in which the Government of India is not given power is reserved to the Secretary of State?—I presume so.

43473. As regards surface rents, is there any restriction on the Local Government except that they may not exceed a particular maximum?—As regards surface rents only a maximum is prescribed, but as regards dead rents there is a small premium provided in mining leases only.

43474. And the complaint you have against the rules is that the maximum is not higher?—My complaint is that there is no minimum; I think that a minimum

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should be fixed and a fairly high one; rent is fixed elsewhere by Act, and it is not a case of allowing the latitude permitted in India.

43475. As regards delays in dealing with mining applications, can you say whether there are any provinces in which they occur?—Yes, for instance in the case of Bengal at the end of last October there were 127 cases outstanding, of which 117 were more than six months old.

43476. Therefore do you think it desirable that the Government of India should continue to impose the check it does upon delay by requiring the present quarterly and half-yearly statements?—That is most important, partly because it enables me to keep in touch with what is going on in the country, and partly because having to make an explanation of cases more than six months old makes a difference in clearing off arrears.

43477. With regard to the question of giving Local Governments discretion as to the granting of mining areas—apart from the matters you have referred to, there is also the fact that a Local Government is sometimes subject to local influences?—I presume they must get local colour; it is quite impossible for an officer of a Government to be unaffected by his surroundings.

43478. With regard to Colonial Governments, have not restrictions been very rigidly laid down by Parliaments?—Yes, and the mining rules are all fixed by Act.

43479. Do they not lay down specific figures?—They fix the rents and areas. The areas are fixed in maximum, and the rents absolutely without any maximum or minimum.

43480. Then, as a matter of fact, a Colonial Government has really much less discretion than an Indian Local Government has?—Very much less.

43481. A question has been raised occasionally with regard to the control exercised by the Government of India over mining concessions in Native States; was not the genesis of that a very considerable scandal in Hyderabad?—I have seen that case often quoted, and there is no doubt that that scandal did lead to a more rigid control as to the granting of concessions in Native States.

43482. Which was approved, if not initiated, by the Secretary of State?—I have an idea that the Secretary of State confirmed the action of the Government of India in exercising that control.

43483. The object in view being to protect Native States against being exploited by monopolists and speculators?—Yes.

43484. And some of those monopolists and speculators might be Indians as well as Europeans?—No doubt.

43485. I ask the question because one particular Government considers that it would be sufficient if the sanction of the Government of India were required for the granting of concessions to Europeans in Native States?—The Hyderabad scandal was of native origin.

43486. If there was such a rule in force there would be nothing to prevent an Indian coming in under a European name?—No.

43487. Mining concessions are really very important economically, and therefore a matter of imperial concern which may legitimately extend to the Feudatory States as well as to British India proper?—Yes; minerals are essential to the economic life of the country as a whole, and I am personally of opinion that the mining in Native States should be under careful control.

43488. (*Sir Steyning Edgerley.*) Supposing your mining rules are reasonable and are adopted, is there any particular necessity for centralization in regard to granting concessions?—I think so, because there is a certain amount of expert knowledge required in the granting of a concession, and it would require a special organisation to keep in touch with the work. Take, for instance, the case of Bombay, where last quarter they had a sudden rush of 312 applications, whereas previously their average number was only about 22. The rush was principally with regard to manganese.

43489. At present Local Governments can give exploring and prospecting licences, but you think that it is absolutely necessary that mining leases within the rules should go up to the Government of India?—No, certainly not, they do not go up at present; the leases are granted by the Local Government.

43490. Then there is no absolute reason that they should go up to the Government of India?—I see no reason why they should.

43491. Is there any provision that they should come to you before being granted?—There is no provision of any kind for their coming to me.

43492. Then so long as a local authority keeps within the rules, which you approve, there is no necessity for mining leases going up to the Government of India?—No.

43493 (*Mr. Dutt.*) You have given some figures as to the gradual increase of mineral concessions; were most of those concessions given by provincial Governments or by the Imperial Government?—They are practically all given by the provincial Governments. They include all forms of mineral concessions, and only a very small number of them are mining leases under exceptional terms requiring the sanction of the Government of India.

43494. Were there a large number of cases in which the provincial Governments had to go to the Imperial Government because the terms were beyond the rules?—No, such cases are comparatively rare, but I cannot give a figure.

43495. So that you would suggest that the rules, as they stand, now enable provincial Governments to deal with these cases as they come up?—Yes; take, for instance, Bombay—there has been only one application in five years from Bombay for sanction to depart from the authorized kind of concessions. That had to go to the Government of India according to rule.

43496. At present the Collector grants licences?—Yes, except where the Local Government retains the power by its own rule.

43497. Does the grant of a prospecting licence require any expert knowledge?—It ought to require expert knowledge if it is granted with discretion; it should be granted by someone who has either expert advice or is an expert himself.

43498. Does the granting of a mining lease require expert knowledge?—Certainly.

43499. When the provincial Governments grant these licences and leases, do they consult you?—Very seldom indeed.

43500. Whom do they consult?—I am afraid they consult no one as a rule.

43501. Is it desirable that some expert advice should be taken before these licences are granted?—It is desirable to get advice, but it is still more desirable that they should be granted by an expert in charge of a particular area—a Warden of a particular field.

43502. Does it not come to the same thing?—Not exactly; the Warden would only have power over a limited area, and he would only be appointed for a field where mining concessions were frequently granted; but in other parts where there are few applications the ordinary Collector would have the powers.

43503. What is the number of officers in the Geological Department?—Twenty, including myself.

43504. Are they all trained in England?—Yes, they are all graduates of some University.

43505. So that obviously it would be impossible to distribute them amongst all the different provinces; and unless their number was added to very largely you would not have enough men to go round?—Obviously not, by arithmetic.

43506. (*Mr. Hichens.*) Is there any latitude with regard to the mining royalty which can be imposed by provinces?—No; the royalties are fixed according to rule; but there is a latitude in the interpretation of the rule; for instance, a percentage is charged of 2½ on the spot value of manganese ore, but the Local Government has the power in settling a prospecting or mining lease of determining whether it should be charged in the form of so many annas per ton as an equivalent of the authorised percentage on its local value. Generally they accept so many annas a ton on the estimated local value.

43507. Ordinarily speaking, the royalty which can be charged in respect of each mineral is the same?—No, the royalties differ.

43508. Is there a uniform rate for India?—There is a uniform rate for India, but it is not uniformly applied.

43509. Is the variation of importance?—Yes. A case has occurred in Bombay where they had been charging 1½ annas per ton royalty on manganese ore, when they ought to have been charging at least 10 annas at a time when manganese was as high as sixteen-pence per unit. They have wasted a large amount of revenue there owing to the fact that they did not appreciate the high rise in the price of the ore.

43510. Does that emphasise your opinion for the necessity of an expert on the spot?—That strengthens my argument. It has been more than 12 months since the same question was raised in the Central Provinces, and, so far as I know, orders have not been passed yet; meanwhile the price of manganese has gone down, and there is no present occasion for any further discussion on the subject.

43511. Would the Local Government be more ready to consult an expert if he was their own officer than they are now because he is an officer of the Government of India?—The Local Government in that case consulted me promptly; the then Chief Commissioner of the Central Provinces wrote to me himself about it in 1906.

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43512. Then where did the delay arise?—In the Central Provinces. After receiving my recommendations the Chief Commissioner consulted the District Officers, the Commissioner, and the Deputy Commissioner, who had to send their reports backwards and forwards. Finally, a conference was held; the result of that conference went to the Commissioner, from him to the Chief Commissioner, who consulted about it in August 1907; what the result has been I do not know yet, but all the delay was due to the fact that they had not an expert officer who could take action on the spot.

43513. Is the mining revenue shared between the Government of India and the provinces?—I understand that the whole of the revenue is absorbed by the province within which it is collected; of course, the contribution due to imperial revenues is determined by the provincial financial settlement.

(*The witness withdrew.*)

Adjourned.

THIRTY-EIGHTH DAY.

CALCUTTA, *Monday, 3rd February*, 1908.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Mr. E. GILES was called and examined.

43514. (*Chairman.*) You are acting as Director-General of Education?—Yes.

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In addressing the Secretary of State in their letter No. 313 of 3rd October 1901, the Government of India explained the position and duties of the Director-General in the following terms:—

"We do not fear that the creation of such an office will involve any sacrifice of the elasticity necessary to provide for the peculiar features of each province, since if its incumbent be a man of the type whom we desire, he cannot fail to realise that centralization would be the most certain means of thwarting his own efforts and of preventing improvement. We think that by means of visits to the different Local Governments and by occasional conferences with the Directors of Public Instruction in the different provinces, it will be in his power to establish a better understanding on educational matters between ourselves and the Local Governments and Administrations, whose views we have sometimes failed to appreciate because of our insufficient acquaintance with local needs."

The first incumbent of the post, Mr. H. W. Orange, C.I.E., was appointed in January 1902. I have officiated in the appointment since March 1907.

Among the direct results of the creation of the office of Director-General have been:—the organization of a Bureau of Education; the publication of occasional educational reports; the appointment of an English correspondent; and a conference of Directors of Public Instruction held in Simla in September 1905.

In March 1903 the Secretary of State sanctioned the creation of a Bureau of Education attached to the office of the Director-General. The object of the Bureau, it was stated, "would be to collect information as to the organization of schools in India, their curricula and the methods of teaching practised in them; and to collect and classify similar information regarding schools in other countries with reference to those points which, due allowance being made for the difference of conditions, are likely to throw light upon the problems of Indian educational administration. Such information would be intended primarily for the assistance of the Government of India in deciding practical questions of policy upon which they desire to be advised, and an endeavour would also be made to render it useful to the Local Governments and their officers." Besides collecting and supplying information for the Director-General, the Bureau has been made use of to some extent by the Local Governments and other authorities.

In 1903 the Director-General proposed, and the Government of India approved, a scheme for the publication of occasional volumes of special reports dealing with educational problems as they affect India.

In 1903 the Secretary of State approved the suggestion of an education correspondent in England, and appointed Dr. Heath the Director of Special Inquiries and Reports, Board of Education. The following extract is taken from the Board of Education report for the year 1904–05:—

"The Government of India in connection with the reorganization of their system of education requested the Board, through the India Office, to nominate one of their officers to whom they would be willing to entrust the duty of acting as education correspondent to the Indian Government. Their wish was that the officer in question should supply them with periodical reports upon various aspects of educational activity in this country and abroad or in the Colonies, which might be of service in dealing with the problems that are presenting themselves for solution in India. The Board were very glad to accede to the proposal of

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the India Office, and their Director of Special Inquiries and Reports was appointed to the new office. This officer has, during the past year, been able to assist the Director-General of Education in India by the collection and arrangement of information on a number of important matters, and by giving advice and suggestions to the Educational Officers of the several Presidencies and provinces who have visited Europe and America with the object of studying different types of educational institutions, or of making specific inquiries into particular aspects of education here or abroad."

The Directors of Public Instruction present at the Simla Conference of 1901 passed the following resolution :—

> "That the Directors of Public Instruction have found such advantage from the present conference, in being able to ascertain the position of education in all the provinces of India and the results of the different methods of work, that they wish to record their opinion that it is desirable to have periodical conferences of Directors. Conferences every second or third year would appear to be sufficient, the place of meeting being varied from time to time."

The first conference was held at Simla from 14th September to 23rd September, 1905. The following points were discussed :—

Universities.—Recent reforms and proposals for the inspection of colleges. *Secondary Education.*—Plans for a school final examination. Recognition of schools. Qualifications of teachers, their pay and pension. *Primary Education.*—Recent expansions. Rural curricula. Modes of Control. *Inspection.*—Methods of inspection. Grants-in-aid. *Training Schools and Colleges. Female Education.*—Inspectresses. Co-education. Muhammadan girls' schools. *Technical Education.*—The selection of technical scholars. Industrial schools. Schools of Art, &c. *Educational Exhibitions. Text-books.*—Work of Committees. *Bureau of Education.*—How it may be best made useful. *Furlough Studies.*—How they may be best turned to advantage.

The position of the Director-General is generally summarised in the quotation from the letter of the Government of India to the Secretary of State of October 1901. That position has, so far as I am able to judge, been studiously maintained since the appointment was created. Mr. Orange has on several occasions visited the Bombay Presidency, and his visits have always been welcomed. He has confined himself to the work of observation of the Bombay system and to friendly consultations with the educational authorities. I have endeavoured in my tours to follow the same course.

The actual duties of the Director are—

(1) To advise the Government of India on all educational questions which come before them, whether from the Secretary of State or from Local Governments or from societies or individuals. That constitutes his main and most important duty.

(2) To acquaint himself, as far as possible, with the educational systems prevailing in Local Governments and Administrations. This he has to do mainly by visits to various provinces and by occasional demi-official (not official) references to Directors.

(3) To consult with local educational authorities on the various phases of their system. It is thus possible for him to occasionally make suggestions or to bring to their notice what is being done in another province, but this is not done officially. The main object of such consultations is that the Government of India and the Local Governments may understand each other as far as possible.

In educational matters, the influence of the Government of India does not tend to excessive rigidity or uniformity. On the contrary, it appears to me that there is every desire to comprehend local conditions and to facilitate local developments. The Government of India properly lays down general principles to be observed, and so far guides general educational administration, but it does not insist on uniformity for all provinces and fully recognises the desirability and necessity of development in accordance with local needs and conditions. It is not always possible to prevent misunderstandings nor can the Government of India claim infallibility. Thus delay in dealing with questions and occasional disappointment are inevitable. But the tendency is towards elasticity, and the position will be improved as the Director-General gradually gains a more intimate acquaintance with local objects and necessities, and as the Local Administrations realise more clearly the views and principles which guide the Imperial Government. I give an example to illustrate my meaning. The Government of India differed lately from the Government of Madras on a question of the agency of inspection. My recent visit to Madras and consultation with the local educational authorities have led me to somewhat modify my former view and have, I believe, led the Madras Government to understand more clearly the view of the Government of India. The result will, possibly, be a solution of the question which both sides can accept. The appointment of a Director-General will in that case have been fully justified. In the past there was a tendency on the part of the Government of India towards rigidity. Such tendency was often due to misapprehension of local aims and conditions. The post of Director-General was created to supply the Imperial Government with an expert adviser in touch with the provinces, and the tendency to rigidity on the part of the Government of India will relax in proportion as the Director-General adequately performs his functions. I can bear testimony to the fact that it is at present the desire of the Home Department to hamper Local Administrations as little as possible and to give them a free hand so long as they do not depart from standard principles.

I am confident that the position must not be altered in the direction of authority to be given to the Director-General of Education. The proper sphere of work for that officer is to advise the Government of India, to inform himself of local conditions by tours and friendly consultation with local authorities, to inform local authorities of the general views held by the Imperial Government, and to endeavour to create a mutual understanding between the Governments. He can, of course, indirectly assist local Directors by knowledge gained in other provinces, but he should have no power of initiative and should exercise no authority.

In some cases, no doubt, the Government of India can claim the credit of initiating reforms in administration. Thus the educational conference of 1901 led to large and general educational changes. The credit may be claimed by the Government which convened the conference and which backed the conclusions arrived at by liberal subsidies. But on the other hand, the deficiencies in the existing system were indicated by the evidence supplied by the representatives of Local Governments. Thus to some extent the credit for improvement may be shared between the Local and Imperial Governments. But I admit that, under the Government of Lord Curzon, the initiative may be said to have proceeded generally from the Imperial Government.

It is most desirable to allow provincial Governments to develop their educational administration on lines which are specially suitable to their own local conditions. Broad principles must be decided by the Government of India and the Secretary of State and must generally be adhered to, but, subject to this limitation, the provincial Governments should be allowed as free a hand as possible. I can see no possible objection to their adopting at discretion suggestions of reform which may come to their notice from other provinces. I am not quite sure how it is intended that such suggestions should be communicated, but, in the case of education, there is the agency of the Director-General, who may be able to suggest to the authorities in one province what has been done in another. Personally also, and speaking as an ex-Director of Public Instruction, I am of opinion that it would be of great benefit if Directors were occasionally allowed to go to other provinces and see for themselves the methods there followed. The Director of Public Instruction, Madras, agrees with me in this opinion and, while I do not wish to minimise the utility of occasional conferences of all the Directors, I am strongly of opinion that this might be well supplemented by direct intercourse between Directors. It is not possible always to understand an

educational scheme without seeing its working, and the intercourse suggested might go far to produce that general assimilation of methods which is in itself desirable. Local conditions must always guide administration, but, subject to this limitation, it is obviously advantageous that what is good in one province should be known to, and considered by, other provinces.

43515. Are there any regulations or codes which govern education, generally speaking, all over India?—There is no code which governs the whole of India; the utmost you could say would be that there was a Resolution laying down educational policy in 1904, which is generally followed by the Local Governments; the Government of India has never attempted to do more than that. In the matter of the European Schools Code there is an article in the code which states that the code itself may be modified to suit local conditions with the consent of the Government of India, and in the Bombay Presidency the code has been modified considerably. In all other respects the Local Governments have their own educational codes.

43516. Then the Government of India beyond issuing the general lines of policy have never attempted to make those hard and fast lines into regulations?—No, I do not think they have. I do not remember anything in which the Government of India have laid down an absolute rule on any particular point.

43517. The General Bureau of Education first of all collects information as to the organization of schools, and then disseminates it amongst the provincial Governments?—Yes, only when information is asked for.

43518. It is never sent round at the instigation of the Director General without being called for from the provinces?—Not in my experience.

43519. A witness expressed an opinion that it would be very desirable if the Director General of Education did send round circulars with information upon educational subjects; would that be within the province of the Director General?—If he meant upon educational subjects generally or upon any specific parts of the educational system, I think it would be most undesirable.

43520. That would not be of help or assistance to Local Governments?—I should be very sorry to do it myself.

43521. Would you, as a provincial officer, like to receive such information?—Suppose the Director General collected certain information from other countries which might be of use, and that he compiled something like a report, it might be of use to a Local Government to have it; but the Director General should certainly not have any power himself to send round a circular letter, or to despatch a compilation, giving his own experience to the Local Government with the view of guiding them as to what they were to do in their administration.

43522. But with regard to information on purely educational subjects?—It is very difficult to say. For instance, occasional reports are published at the expense of the Government of India; they are sent out for general information, and they are extremely useful.

43523. Have occasional conferences of Directors of Public Instruction taken place often since 1901?—Only once, in 1905, when Mr. Orange, the Director General, presided.

43524. Might conferences well be held at regular intervals?—The conference in 1905 was rather of a general description; we discussed a large number of things. A triennial conference would be useful, but the next time there is a conference I should prefer it to be confined to specific questions. I do not say that the conference of 1905 was without value; but we ranged over a very large field, perhaps larger than was necessary.

43525. Do you know at all what was the result as regards the provincial Governments who were represented there?—Speaking for myself, I do not think there was any great result to us in Bombay.

43526. The duties of the Director General being to advise the Government of India on educational subjects, what happens when proposals come up to the Government of India from a provincial Government?—They come to the Home Department, and they are noted upon in the usual way, and then they come from the Deputy Secretary to me; I give my opinion on the papers, and they then go from me to the Secretary, who, if he thinks fit, can discuss them with me or return them back again for any further explanation that he thinks is necessary; they are then taken by him to the Honourable Member.

43527. Do you do much of the discussion upon such questions as reach you by notes, or is some considerable part of it by personal discussion?—Mostly by notes; it is only in difficult cases that sometimes the Deputy Secretary and Secretary and I discuss the matter together. but where there is a fair consensus of opinion it is all done by writing.

43528. Do those notes run to considerable length as a rule?—It depends a great deal on the subject; it may be a very difficult subject that one is noting upon, and then we have to note at very considerable length; it may be a quite simple subject and one is able to note very shortly. I do not think there is much waste of time in the Home Department.

43529. How do you acquaint yourself with the educational system in other Governments?—As far as possible by visiting the Governments—by visiting the different provinces—it would take some time to acquaint oneself entirely with the educational systems of all the provinces of India; I should say five years.

43530. By that time, I suppose, the appointment so far as the individual is concerned is finished?—No, the Director General is appointed as a permanent officer. He was appointed originally on a three years' term; he was then confirmed by the Government of India and, as far as I am aware, he will remain until he retires from that position.

43531. Do you know whether the same thing applies to other Directors General?—The cases of other Directors General are quite different, in that they have always been selected from senior men of the department, and are therefore approaching the end of their service. In the case of the Director General of Education, he was brought out from home as a comparatively young man, and presumably will hold the office for 20 years.

43532. Have you no official correspondence with the provincial Governments?—No, that could only take place through the Government of India—through the Home Department.

43533. Do the provincial Governments refer frequently to the Director General for advice?—No, not frequently. References have been made in the ten months that I have held the appointment. In one case where the Member for Education in Bombay referred to me, he was perhaps referring to me more as an ex-Director of Public Instruction in Bombay than as Director General. As a rule, the Governments do not refer to me. The Directors of Public Instruction occasionally refer to me, and I have a certain amount of demi-official correspondence with them which is not very frequent, and which merely refers to questions of actual fact.

43534. Do provincial Governments ever write to the Home Department of the Government of India and say, "What does the Director General of Education think of this proposal of ours"?—They never do that in my experience.

43535. You consult with the local educational authorities upon the various phases of their systems; is that after you have made some reference to the provincial Government?—No. To take the case in which I went on tour this year. I stated to the Home Department that I proposed to make a certain tour and that it would take me to the headquarters of the Government of the Punjab, the Government of the United Provinces, the Government of Bombay, and the Government of Madras; I gave the approximate dates and the Home Department circulated a copy of my proposed tour to the Local Governments. I then started on the tour and placed myself in communication with the Directors of Public Instruction in each place. In each place I also saw the members of the Governments who were responsible for education. At Lahore I saw the Lieutenant-Governor and discussed two or three educational matters with him. At Allahabad I saw the Lieutenant-Governor and discussed education with him, as also with the Director of Public Instruction. In Madras I discussed educational matters with the Member in charge of education. In Bombay, as a

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matter of fact, I did discuss two or three things with the Honourable Member in charge of education and with the Governor himself, but it was all distinctly informal; that is to say, if they wished to ask my opinion on any subject I was there to give it.

43536. Did they in practice consult you a good deal? —Certainly.

43537. Was the result of your tour that a certain amount of correspondence and writing and formal consultation and time has been saved?—Yes, certainly.

43538. And questions which might otherwise have entailed a lengthy argument on paper were able to be settled on the spot?—I have no power, of course, to settle anything on the spot myself.

43539. I am talking of it from the educational point of view only?—From the educational point of view I think the conferences were all of some use, and tended towards a clearer understanding between the Government of India and the provincial Government. I have instanced a special case in reference to my visit to Madras. In that special case I am certainly in a position to understand the views of the Local Government better than I was before, and I hope when this question comes up the views of the Local Government will be accepted by the Government of India; they will be modified to a certain extent by what I was able to say to them, but I have had my mind modified to a certain extent by what they were able to say to me.

43540. Do you think the appointment of Director General is of advantage to the provincial Governments as well as to the Government of India?—I think the appointment is of use, distinctly.

43541. You think, however, there ought not to be any increase in the direction of authority being given to the Director General?—No, he is not an officer who should wield any authority; he should be an adviser, not in any way an officer with authority.

43542. Is there any danger of his acquiring administrative authority?—I do not think there is the least danger. Speaking personally, I should object altogether to attempting to exercise any authority.

43543. It is merely a warning, a *caveat*, which you put in?—Yes. It was suggested in the questions that there might be a tendency towards an officer in the position of an Inspector or Director General gradually assuming authority which he had no business to assume. I do not think there is the least danger of that.

43544. (*Sir Frederic Lely.*) Can you tell me whether in his visits and consultations the Director General has given attention to the co-operation of Revenue Officers with the department?—Certainly. In an interview I had with Sir John Hewett and also with Sir Denzil Ibbetson I stated my opinion that the only possible way in which education in the district could proceed on sound lines was when the Educational and the Revenue Departments were co-operating and working hand in hand.

43545. I am not referring so much to village schools as to places of higher education—normal schools, high schools, and colleges. As a matter of fact, does the department get any help from Collectors and Commissioners in watching their interests and maintaining a good tone and discipline?—As a rule, Commissioners and Collectors have not much time for looking after high schools and normal colleges, but if they wished to do so the department would be only too delighted to have their assistance.

43546. Are they invited to do so or expected to do so?—If I may go back to the time when I was an inspector, I should not have ventured to invite the Commissioner to take an interest in a high school or college, because I regarded him as the Head of the whole division, and if he wished to take an interest in them he would do so.

43547. But does Government ever expect or invite him to take an interest in high schools or colleges?—I think the orders of the Government (speaking for the Bombay Presidency) were more directed to the duties of Revenue Officers in connection with primary education than in connection with secondary education.

43548. Have you ever received communications suggesting defects or improvements in colleges or high schools from District Officers or from the Commissioner?—As regards colleges, the Collector of Ahmedabad is the President of the Board of the Gujarat College and the Commissioner in Sind is the President of the Board of the College at Karachi.

43549. Those are rather special cases?—That covers colleges.

43550. Has the District Officer any responsibility in connection with the normal training college at Ahmedabad?—No, but should he wish to take an interest in it he can. I should think that every Revenue Officer in Ahmedabad was well acquainted with the normal college there. I do not think he is expected to take an interest in it by the department or by the Government.

43551. Would it not be advisable in regard to every educational institution to have a Board of Visitors who should be expected to keep an eye on the course of instruction and generally on the institution?—As regards our training colleges in the Bombay Presidency the products of those training colleges are scattered all over the district and the Revenue Officers have every possible opportunity of seeing what those products are like. I was 22 years an inspector of schools, and in the whole of the time I never had a complaint made by any Revenue Officer as to the condition of our training colleges.

43552. That was because perhaps they knew nothing about them?—It is not for me as a subordinate Educational Officer to direct a Revenue Officer as to what he should do; if he wished to see the work of a training college he would go and see it. Government could hardly lay down rules for Revenue Officers that they were to associate themselves with the management of training colleges, and if the department was managing them properly, it would be a pity to have two sets of managers. A Visiting Board I should not object to, but if you want the department to administer, you must trust it to administer.

43553. The only question is whether in a matter so closely connected with the people such as education, it is not advisable to enlist the help of the officers who are also in other matters most closely connected with the people?—I should have been delighted to have myself, say, the Collector, and possibly even the Commissioner—though I do not think the Commissioner would ever have found the time—as members of a Board of Visitors to the normal college.

43554. Is your opinion that you have no objection, but you do not see any particular need for it?—I lived eighteen years in Ahmedabad side by side with the Collector and Commissioner and they never expressed to me any view one way or the other; I knew them all personally very well.

43555. They practically ignored these institutions? —I would not say that. I have been all over the training college at Ahmedabad with one of the Collectors certainly; I cannot say at the moment whether I have been there with more than one.

43556. But they did not recognise any responsibility in connection with them?—No, they had no responsibility in the matter.

43557. You mention the desirability of the Government of India facilitating local developments and getting more into touch with local conditions. Has there been of late any corresponding effort on the part of Local Governments to consult local feeling and enlist local help in the matter of education? What would be your previous experience in Bombay?—As far as possible we consulted local opinion. For instance, before we devised our technical developments we got together a conference of all the people who we thought could give us any wise advice.

43558. During the last few years a scheme for introducing agricultural education has been introduced; that is as closely connected with the welfare of the people as almost any matter that could be mentioned. When that scheme was being framed were the District Boards approached for their opinion or advice?—I cannot tell you because the scheme of agricultural education was formulated by the Agricultural Department, not the Educational Department.

43559. I am speaking of the introduction of village gardens and the introduction of agriculture as a subject in the normal training school and so on?—I am afraid that that was a good deal dictated to us by the Government of India.

43560. But when it came down to you, did you take no steps to ascertain the opinion of the District

Boards, for instance?—We do not teach agriculture in Bombay. The establishment of village gardens has not been proceeded with in Bombay any further than it was 25 years ago. In Bombay we did not attempt, and have never attempted, to introduce the teaching of agriculture; all that we have attempted to do is to endeavour that such simple agricultural lessons as the Department of Agriculture might supply us with should be rendered by the village schoolmaster in an intelligible way to the children; we did not consult the District Boards in the way you suggest.

43561. Did you consult the Commissioners?—I do not think the Educational Department consulted them.

43562. Were the Commissioners even informed that the subject was under consideration?—I think the orders of the Government of India went to the Commissioners.

43563. Do you not think it would have been well to have consulted the Commissioner on a question like that before incurring expense and making a new departure in village education?—Anything that was done was done with the full consent of Government; it would have been rather for Government to have consulted the Commissioners than for the Educational Department to consult them.

43564. I am only asking as to the action of Government in the matter?—I cannot say whether Government consulted the Commissioners; I think not.

43565. Suppose they made no reference to the people who could speak for the raiyat, do you think that that would be likely to promote a mutual understanding between the Government and the people, such as the Government of India wishes to establish between itself and the Local Governments?—I have only dealt with what happened in Bombay. There we were hand in hand with the Agricultural Department in all we did; we did not move a step without consulting them.

43566. (*Mr. Dutt.*) It is no part of your duty to control or guide the educational systems of the different provinces?—Most certainly not.

43567. You say that the broad principles of education are settled from time to time, either by the Government of India or by the Secretary of State; are these broad principles generally settled after educational conferences held at Simla, or elsewhere?—The Government Resolution of 1904 may be said to have practically settled for the time being the broad principles on which education should be followed.

43568. Do these broad principles generally emanate from the Government of India themselves or are they generally the outcome of conferences of officers of the different provinces?—In that particular case it might be said that the Resolution of 1904 was the result of the conference of 1901.

43569. Would the Director General feel it part of his duty to lay down such broad principles either for the consideration of the Government of India or for the guidance of the provincial Governments?—If he saw that there was a necessity of certain broad principles throughout India, he might suggest to the Government of India that this was a thing in which there was a deficiency at present, but he could only suggest to his own Government; he serves the Government of India—he could not suggest to the Local Governments.

43570. For instance, greater attention is now paid to technical education and to manual training in our schools and colleges; has that been under instruction or direction of the Government of India?—I could hardly say that it was the result of the action of the Government of India. Technical education has grown up very irregularly in different provinces; in Bombay we have to a certain extent developed almost a scheme of technical education; it does not go very far; it goes as far as our means permit. Some other provinces have done hardly anything in that matter.

43571. (*Mr. Hichens.*) Do the provincial codes, after they have been prepared by the provincial Governments, have to go to the Government of India for sanction?—No. They are submitted for information.

43572. In practice have the provincial Government got the freedom that they have in theory?—There are certain things which under existing regulations have to be referred to the Government of India.

43573. Which are not matters of principle?—Exactly. There might be relief in those matters certainly.

43574. As a matter of educational policy is it desirable that the consent of the Government of India should be obtained before a new college is built in a province?—It is not necessary at all. For instance, if the Government of Bombay chose a new building for the Elphinstone College, which is at present in not a very satisfactory building, and if they had the means at their disposal, I should let them build a new college; but of course we touch upon financial subjects there: it might be in excess of 10 lakhs and in that case the Government of India might interfere.

43575. Have the Local Governments got the power to convert grant-in-aid schools into Board Schools without the consent of the Government of India?—Certainly, if the people who are managing the schools agree.

43576. Apart from the financial restrictions are there any striking points that have to go to the Government of India?—Nothing except financial; there are a large number of things which are financially necessary now in regard to which I should like to see relief given.

43577. I mean from the educational point of view?—From the educational point of view, I think not.

43578. (*Mr Meyer.*) Having regard to what you have told us as to your functions, your title is perhaps rather a misnomer?—Personally I object to the title; I think the title suggested by the Secretary of State, when the question of appointment was under discussion, namely, "Educational Adviser to the Government of India," was, though rather cumbrous, better than that of "Director General of Education."

43579. It might dispel possible misconceptions on the part of the provincial Governments, if you were called either "Adviser" or "Inspector General"?—I do not think "Inspector General" would be any improvement; it is not good to call a man "Inspector" if his inspection is to end in nothing.

43580. I gathered from what you said just now that your inspections were very fructifying?—If I went down to a Local Government and said "I have come to inspect your system," that would suggest the idea of some authority.

43581. Are the provincial educational codes generally on uniform lines?—Certainly not.

43582. The only bond of union is as to the general principles that have been laid down in the Government of India Resolution that you have spoken of?—Yes.

43583. The European Schools Code is an exception?—An attempt has been made to have a uniform code for European schools; it has not been a very successful one.

43584. The Government of India having laid down general principles, might not the Local Government be allowed to frame and alter their European Schools Code as they chose?—Certainly, as provided for in the code in which it is stated that any modifications that appear suitable may be made with the consent of the Government of India: I would strike out the words "with the consent of the Government of India."

43585. Are all educational matters that come up to the Home Department referred to you, or only such matters as are of a technical character which it is thought you could advise upon with advantage?—It is a difficult question to answer because if certain subjects were not referred to me I should not be aware of their existence; but my impression is that every single thing is referred to me; drafts are sent to me to see before they are issued very often.

43586. Is that advisable?—Certainly, if I am to have any position at all, for it would be intolerable that the Government of India should have an expert adviser and should keep back from him certain things and only let him see certain things; what would be his position then?

43587. On the other hand it may be alleged that you thus become a *quasi*-administrative officer with the Government of India and are able to enforce your views on Local Governments?—I do not think so—I just express my opinion; it is for the Hon'ble Member to accept my opinion or not as he likes; he is responsible.

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43588. You express the opinion that the appointment of Director General has been of distinct utility to Local Governments. You were speaking I suppose very largely from your own impression as Director of Public Instruction in Bombay?—No, I do not think I was.

43589. Do you speak as Director General or as an educational expert?—The position is a very peculiar one. The Director General when he came out from home necessarily had to spend some time before he could obtain any information as to what the actual system, we will say in Bombay, was. Personally, I myself have derived assistance from the discussions with the Director General; I should have derived much more had he had five years' longer experience, and been able to tell me more of what was going on in the other provinces.

43590. Then in future is the Director of Public Instruction in Bombay likely to reap increasing advantage from the assistance of the Director General?—I think so, if both men are reasonable.

43591. And therefore we may say that the Local Government would also, through its own Director, obtain advantage?—I think so, it depends very much upon the men.

43592. It has been suggested to us that it might be of advantage if, when a provincial Government had got some educational scheme on the anvil, it should be at liberty to consult you about it; you would give your ideas to them without, of course, committing the Government of India; would that be a useful method?—It would be very difficult to carry out; it is done to a certain extent. I am attending a conference of the Bengal educational authorities to-morrow; this is about the fifth conference that I have attended since I have been here in Calcutta, with the view, if I can, to make any suggestions or to help them in any way by my experience. That is in the case of schemes that have not come up to the Government of India. That is, I think, the ideal position; but as the Director General cannot go to all the Governments exactly when they are considering certain proposals, it would be impossible for that to be carried out always.

43593. They might write to you?—I do not think it would be a good thing for a Local Government to write to the Director General separately apart from the Government of India and say to them, "This is our scheme; what do you think about it?" I think there would be objections to that. It might be rather putting the Director General into a position in which he was more or less independent of the Government of India. Suppose that the Director General saw considerable reason to differ from the Local Government in the scheme that they sent up, and he wrote and said, "I do not think this scheme is complete or sufficient in this or that respect," and they wrote back and said, "But you do not understand the scheme; we want so-and-so and so-and-so;" and he wrote back and said, "Still I do not think so;" you would have a correspondence growing up that I do not think would be desirable. Whereas should he meet the Local Government they can talk as much as they like and listen to what he has to say, but it would be a very different thing to having a long correspondence springing up, both sides differing.

43594. It has also been suggested that in cases where you advise the Government of India against some scheme sent up by the Local Government, the Local Government should have an opportunity of knowing your views and possibly replying to them before final orders are passed; would that be practicable?—Speaking as Director General, if my views are accepted by the Home Department, those views are included in the letter which they address to the Local Government.

43595. But the proposal was that you having recorded your view, there should be a stay in the proceedings until your view was communicated to the Local Government and the Government of India had learnt what the Local Government had to say in reply?—That is assuming that the Government of India accept my views. If the Government of India do not accept my views then it would only add to the confusion if my views were sent off to the Local Government as the views of the Director General.

43596. There would be nothing to be gained by it?—I think not.

43597. It has also been suggested in Bengal that the Government of India, in educational matters, interfered too much with questions of detail; the matter of a play-ground attached to the College at Sibpur was instanced?—I cannot understand the evidence. The Government of Bengal had a very large scheme to create an Arts' College at Ranchi and at the same time to remove the Sibpur College to Ranchi. The cost of this scheme will be very great. The area of land taken up at Ranchi is very considerable. When the whole question came up before the Government of India it appeared that there might be a saving if scientific laboratories for instance were made common to the two institutions. Also it was suggested (the suggestion did not come from me) that possibly it might be a good thing to have common play-grounds, and the Government of India suggested to the Government of Bengal that that might be discussed conveniently when the Director General came to Calcutta. I think the Government of India's suggestion was made in October, and it was known that I should be in Calcutta in December. We held a discussion and we decided upon a certain course which was most desirable in regard to these play-grounds and laboratories. As a matter of fact, when one saw the whole site of the two colleges one decided that each should have its own play-ground and its own laboratories. I do not call that a matter of detail. It seems to me that they ought to consult in a large scheme of that sort. If the Government of India had said "You shall only have one play-ground," it would have been interference.

43598. In any case the scheme could not have been carried out for some time to come?—No, the scheme will not be carried out for some years.

43599. So that there was no blocking of the scheme?—No blocking whatever.

43600. Do District Boards and municipalities in Bombay, maintain schools of their own?—There is this slight difference. In the case of the District Boards they have an income of their own from which they maintain schools; it is made up of their own cess income, the provincial grant and fee receipts from which they maintain Board schools throughout each district. There is a sum of money, not very large—I think it is Rs. 60,000 a year—which is paid from provincial funds to aid primary schools in the same area; so that the District Boards do not actually aid any schools in their area; they spend all their money in maintaining Board schools. In the municipalities it is very nearly the same, except that there is nothing to prevent a municipality from giving a small grant-in-aid to a school.

43601. We have been told, in Eastern Bengal and Assam for instance, that where a Local Board does maintain a school, it has to maintain it under the rigid rules of the provincial code which regulate the number of masters to be employed, and their salaries, and so on; is that the case in Bombay?—In Bombay the Education Department admininisters the District Board schools direct, not the municipal schools.

43602. And the District Board has the privilege of paying for them?—The Board makes its budget; it has a free hand in deciding where the school shall be opened and what fees shall be charged. I am including in District Boards, *taluka* Boards, and so on. The actual administration—that is to say, the appointments and removal and punishment of teachers—is left to the Educational Department.

43603. Is it the same in regard to municipalities?—Municipalities manage their own schools. The department only inspects the schools of municipalities, except in the case of one or two very minor municipalities, which give over the administration to the department; all the larger municipalities manage their own schools entirely.

43604. Speaking generally, might the local bodies in Bombay, including both Local Boards and municipalities, have a freer hand in education?—I think it would be fatal if the District Boards in Bombay attempted to actually administer the schools; people do not often realise what actual administration means; my own experience tells me that if the District Boards had to decide on the appointment of a master to a school on Rs. 12 a month, it would take them perhaps five months to get the order out.

43605. (*Sir. Steyning Edgerley.*) The ground of the objection in the matter of the playground to which you referred was that the Bengal Government thought that they were expected to report on the suggestion and to defend their position; was that so?—They must have known that in any case they had to come up again, because the whole question of the removal of Sibpur has not yet come up in a detailed form.

43606. The idea was that that might very well have come to them as a suggestion, but that as an enquiry it led to great and unnecessary correspondence?—I do not understand how it led to any correspondence whatever.

43607. The idea was that they were expected to take up that particular suggestion and argue it all out at length in order to convince the Government of India about it?—But it was the Government of India that suggested that it should all be done in conference here.

43608. The Bengal witnesses complained that the European School Code went into very great detail in regard to the curricula of study; is there any reason why the Government of India should concern itself with the curricula in European schools?—Personally I think there is no reason whatever why the Government of India should have written those particular paragraphs.

43609. Apparently they also went into great detail as to the method of inspection of institutions applying for recognition. Did such matters require to be settled with the approval of the Government of India or might they have been left to the Local Government?—The Bengal Government thought it was necessary that in any case where a European school applied to be placed on the registered list for a grant-in-aid there should be a Board of three to decide what sort of school it was. The Government of India replied that they did not see that there was any necessity for that; that if they had an efficient school inspector, the Director ought to be able to decide without the help of other people.

43610. If the Bengal Government chose to have a Board, was there any objection?—I think it would be most mischievous myself; I see no reason for it.

43611. As far as the curriculum goes there ought to be freedom?—Entire freedom. All the European schools of the same class should aim at the same final standard. There should be some kind of standard at which a boy will leave the European school, because European boys are being constantly moved from all parts of India, and it is very useful that each boy should carry with him a certificate that he has passed the final standard in a European school, and that certificate should be available throughout India. Below that I would give all the authorities absolute freedom, and practically there is freedom in Bombay.

43612. You have had experience now of the Government of India system by which you note on all educational matters. Do you think that that system would work at all for the Director of Public Instruction in the provincial administration?—I do not think so, speaking from my experience in Bombay.

43613. You do not think it is a good system?—No, it would only make the Director another Secretary.

43614. You do not think it would save reporting and a good deal of official correspondence?—No, I do not think it would save anything. In Bombay I have always (as I saw that Dr. Bourne said in his evidence he always had) the power of going to see the officer in charge of education, and discussing matters with him; I think that that is a most important thing.

43615. Does not credit for the initiation of modern technical education rest almost entirely with Lord Reay?—I think Lord Reay deserves a great deal of credit, but we are now coming to a stage when it has gone much further.

43616. (*Chairman.*) We have had some evidence as to the management of primary, middle, and secondary schools; do you think that you could entrust a body, such as a village community, with the conduct of the primary schools?—Certainly not. We do have a local committee in each of our villages in Bombay. Personally, when I went round, I always used to collect them together and ask them what they thought of the condition of the school, and I would listen to any complaints they had to make. But to hand over the administration to them would be impossible, because they might be dismissing the master at any moment, and they have not got the necessary qualifications to enable them to administer a school.

43617. Who do you think ought to have the administration of the primary schools; do you think the District Board should have it?—I think the Bombay system in the present conditions of India is the best. In Bombay the District Board votes the supplies, passes its budget which is prepared by the Educational Department, and there is in each district an inspecting staff with a head who is called a deputy inspector, and one, two, three, or four, as the case may be, assistants under him; they are responsible to the Educational Department and also to the Revenue Department for the proper administration of those schools. The District Board is connected with them in this way; that any member who thought that the management of the schools or the inspection of the schools was not being conducted on the proper lines could bring it to the notice of the President of the Board, or at the meeting of the whole Board, but the actual issuing of orders is done by the inspector in the district, and that issuing of orders means an immense amount of petty detail which it would be impossible for a Board, which only meets occasionally, to carry out.

43618. Could the enormous amount of petty detail of which you have just spoken be best managed by a single officer in a large district?—The single officer has under him three or four assistants who are equally well qualified with himself. Our men in Bombay are all graduates; most of them trained men, and above them there is, for each division, (a division consists of six districts roughly speaking) an inspector, who is either a member of the Indian Educational Service or a member of the Provincial Service, and who is selected on account of his qualifications. He keeps his districts in order. If he does his work properly he goes from district to district in the cold weather and he sees that his staff are working on proper lines, and he has, to help him, all the Revenue Officers and all the members of the District Boards.

43619. You think that the administration of the primary schools should be in the hands of one officer with the assistance of other officers of equal experience with himself, instead of being in the hands of the members of the District Board?—The only possible way the District Board could manage the schools would be if they delegated their powers to a School Board which might consist of three or four members; they would probably all live in different places, and could only meet very occasionally. It is not possible that they could carry on the administration of the schools in a proper and efficient manner.

43620. Has the Board any officers of its own in educational matters?—It has in some parts; in Bengal the Board has its own educational officers, but in Bengal the Boards do not maintain schools; they only aid them; that is quite a different matter.

43621. In places where the Boards maintain their schools, might not the Boards control their own Educational Officers?—Even in Madras the number of schools that the Boards maintain are very small compared with those that they aid. It would be a waste of money to allow them their own Educational Officers, because the Government must maintain the system of inspection; just as in England the County Council maintains Educational Officers, but the Board of Education maintains the power and right of inspection, and has to maintain the staff to do it. In a poor country like this, you must either give up the right of inspection, which I think Government should always maintain, and leave it entirely to the Board to manage its own affairs, or you must double the number of officers and waste money.

43622. You advocate a system under which the Board of Education both administers and inspects?—Yes. This educational and inspecting officer—what we call in Bombay a district deputy inspector—is not only supposed to be under the orders of the inspector of the division, but he is also supposed to be the assistant to the Collector of the district; that is to say, the Collector can always write to him, and the Collector represents to a certain extent the District Board; the Collector can write and ask him to do this or that, and in fact order him to do it; he is the servant at once of the Education Department and of the Revenue Department.

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43623. Then you would lead us to believe that, from the educational point of view, it would be undesirable to entrust the administration of schools to municipalities and District Boards?—Not to municipalities; the municipalities manage their own schools.

43624. But with regard to the primary schools?—The municipalities manage their own schools, because they have a limited area, and they have educated men in that area and they can easily visit all the schools; the cases are entirely different.

43625. Then in the case of the *mufassal* municipalities?—The *mufassal* municipalities can all—except the very small ones indeed—if they like, efficiently manage their primary schools, and they do manage their primary schools on the whole, in Bombay, very well.

43626. Then the middle schools?—By middle schools, I understand you mean the Anglo-vernacular schools; as a rule very few municipalities maintain middle schools in the Bombay Presidency; in other parts of India they do maintain them; I see no reason why they should not manage them efficiently.

43627. Are Educational Officers when they come from England, required to have any knowledge of the Indian dialects?—No.

43628. Would it not be advantageous that there should be a rule requiring that?—I do not think it is possible; suppose a man was selected for service in Bengal, he would pick up the dialect more quickly here than he would in England.

43629. Does an inspector on arriving here have to issue the orders you have referred to?—No man ought to be sent out from home and be at once appointed an inspector. He would, if he was appointed to do so, but he ought not to be.

43630. Is he so appointed?—It is the case in some provinces; I think it is quite wrong.

(*The witness withdrew.*)

Mr. O. T. Barrow was called and examined.

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43631. You are the Comptroller and Auditor General?—Yes. I am the general auditor and also financial adviser of the Government of India, as regards technical rules governing audit and account matters.

43632. One of the witnesses told us that the rulings of the Accountant General had built up, as it were, a wall round the freedom of the provincial Governments in respect of Courts of Wards; is there any justification for that statement?—I do not understand how the rulings of the Accountant General could have an effect of that sort; unless I can understand exactly what matters were under discussion at the time, it is impossible for me to deal with any observation of that kind.

43633. The reference was to the Accounts Code in Public Works matters?—No one would have any authority to make any code, which would bind any provincial Government, except the Government of India.

43634. Your attention has never been called to anything either by the Accountants General or by the provincial Governments?—Never.

43635. (*Mr. Hichens.*) Do you find that you get a large number of references from Accountants General in regard to infractions of the Civil Service Regulations?—I do not personally get many such, because it is generally understood that the Accountants General refer to the Government of India in connection with the Civil Service Regulations; it is upon questions connected with technical accounts that I get references—matters which are provided for in the Account Code; sometimes Accountants General do refer to me as to the interpretation of the regulation, but as a rule they go to the Government of India if there is any doubt about the interpretation of the leave and allowance rules and so forth.

43636. Have you been an Accountant General?—Yes, for many years.

43637. Was it your experience then that these regulations caused a great deal of reference to the Government of India?—Yes; they do cause a certain amount of reference; they cause more trouble in the way of references between the Local Governments and the Accountant General. The rules are rather long and complicated, and officers are constantly contesting the decisions of the Accountant General, in which case the matter has to go up to the Local Government.

43638. There are a substantial number of points that are argued out and settled between the Accountant General and the Local Government?—Yes. The cases which go to the Government of India are comparatively rare, but there are a certain number of them. A case only goes to the Government of India if the Accountant General is himself in doubt as to the interpretation of the rule, or the Local Government differs from the opinion of the Accountant General; otherwise it does not go to the Government of India at all.

43639. (*Mr. Dutt.*) Can you suggest any way in which the necessity for these references to the Government of India could be decreased?—The only way is by delegating greater powers to the Local Governments.

43640. A suggestion has been made that the Local Government should have more liberal powers of interpreting rules than it has at present; what is your opinion as to that?—I think that would be impossible; you may make your rules as wide as you like, but you cannot relax the audit, once it is established.

43641. The rule being there, the Accountant-General is bound to act as strictly as possible?—Absolutely.

43642. (*Sir Steyning Edgerley.*) Take a case in which under a rule a reference has to go up to the Government of India, would it be possible to give the Local Government, in cases where the result is pretty fairly clear, power to decide, subject to monthly or quarterly returns of cases so treated?—Yes; you might do something more than is done at present. You would have to restrict it. At present the Local Government has two authorities; one is contained in one article of the code, and the other in another article; one is for exceptional expenditure, the other is as to the time-limit. If you extended the rule as to the time-limit by abolishing the Accountant-General in certain cases you might do something in the line you suggest. For instance, the Accountant-General at present is allowed to write off expenditure up to a limit of Rs. 25, if he is satisfied that the Government of India would sanction such a course if the matter was referred to them. You might increase the money limit, and allow the Local Government some power of that sort without much danger, provided you confined it to cases where the money had been drawn under a reasonable belief that the money was due. The Accountant-General's powers could be somewhat extended without the necessity of going up to the Government of India. That might be done, but it would have to be carefully restricted by a money limit and report; it must be confined to cases where the money has been drawn under a reasonable belief or apprehension that the officer was entitled to it. I should doubt whether you could do much more than that without doing away with the good of audit altogether.

43643. If these sanctions were given and reported in a return, the Government of India would still be able to say, "We object to this tendency, and you must stop it"?—That is on receipt of a statement, but statements have got into a way of being not scrutinised too carefully, especially as the Government of India would not be aware of the circumstances of every case; such a rule would be likely to be abused without much attention being drawn to it.

43644. Do you consider that the auditors you have got are absolutely independent of the Local Government?—Absolutely.

43645. Are you responsible for the Public Works audit too?—No, except in the way of a test audit; the Public Works audit is not under my immediate control.

43646. Is it under your ultimate control?—In the way of periodical inspections it is; it only comes under our notice during the inspections, which are very infrequent.

43647. The Local Governments have some voice in the matter of the promotion of officers ?—I cannot tell you.

43648. If that be so, is that quite consonant with sound independent audit ?—It is not of very serious importance : you can of course look at it in that light, but, after all, the audit of the Accountant General is supposed to be to that extent independent of the Government of India that he is supposed to check anything that the Government of India does beyond the powers which have been delegated to it by the Secretary of State, and yet the Civil Accounts Department are entirely dependent on the Government of India for promotion and reward.

43649. A complaint made to us very frequently is that selection in the Indian Civil Service ought to begin rather lower down and be more complete than it is at present, and it is generally suggested that, with that must go the power to require officers to retire on proportionate pensions ? Have you ever thought how the question of proportionate pensions could be worked ? There is of course the medical certificate pension ; has any scheme ever come under your notice ?—No, not exactly for proportionate pensions. No doubt it is contrary to good policy to pension an officer who is still able to serve the state, and I should think the tendency would be too much in that direction, if you gave too much discretion. As to the stoppage of promotion, it is a difficult thing to say whether it ought to go very low ; I myself should have thought it should not.

43650. That would be a question of policy ?—Yes. I have never thought of any scheme of pensions proportionate to the length of service of an officer who is not obliged to go on medical grounds. I do not think the principle is a good one. Anything which tends to increase the non-effective charges of the State must be to some extent unsound ; because if you cannot put the officer into high employment, he is surely capable of filling some lower one.

43651. Assuming that the Government came to the conclusion that on the whole a particular officer, A.B., had better go instead of stay, you have never thought out any scheme of pensions for such cases ?—No.

43652. Would it be a necessary corollary of that to improve pensions at the other end ?—Yes ; if you did the one you would have to do the other. As it is, the system of Indian Civilians' pensions is entirely, to my mind, on an unsound basis. The pensions of Indian Civilians are not framed upon ordinary pensionary principles at all, but upon the idea of promotion during the officer's service, which is not a right principle. It now consists of a fund.

43653. If anything like proportionate pensions were given, it might so far prejudicially affect recruitment, and that might need counterbalancing ?—Yes, I quite agree with that view.

43654. We have had a suggestion made that one way of diminishing transfers would be to allow officers to accumulate their privilege leave for a little longer time than at present, so that officers in outside Services, where the pay is less, would probably be able to go on leave for, say, a year, where they now go for six months, and would not be so frequently absent. Is there any objection to allowing accumulation of privilege leave for more than three months ?—I have never thought of any.

43655. There was another suggestion made by some witnesses, that every officer should have a sort of ledger account with Government—an open leave account—and that he might take whatever leave happened to be to his credit in the ledger, whenever there was no objection on the part of Government to letting him go. Do you see any objection to that ?—None at all. I am strongly in favour of it. Of course there are objections, in that it will increase the difficulties of the Local Governments ; the objections would probably come from that point of view ; that is to say, owing to the fact that the leave was not restricted, as at present, by intervals ; still, it would increase the number of officers who could ask for leave. If you have a large number of officers asking for leave at the same time, it will be difficult for the Local Government to decide between their particular claims. At present you diminish all that by not letting an officer go on furlough until he has had three years' service after returning from his last leave, and he cannot take combined leave until he has had eighteen months' service from his last privilege leave. All these matters require consideration.

43656. There are rules as to the percentage of officers who may be on leave, and there is the rule giving the principle how to decide between competing claims ; would that not be a sufficient safeguard ; you think the Local Government might be too soft-hearted ?—It strikes me that there would be a great deal of difficulty ; one man might have more urgent business than another, although the other man might stand higher on the roster ; there might be difficulties in deciding between the two. That would be the danger of the scheme.

43657. A suggestion talked about is that it might help to stop changes in the charge of districts, if you had a certain number of supernumerary Collectors or Deputy Commissioners, and filled your leave vacancies from them, instead of by promotions from below ; is there anything in that idea ?—It would be rather an expensive scheme ; I have never thought of such an idea.

43658. Certain witnesses in Burma and elsewhere suggested that it would be a very good thing to relieve the Collector of the charge and responsibility of the treasury, the idea being that relief should be given to the Collector wherever his duties do not bring him into actual contact with the people, in order that he may have more time for getting into actual contact with the people. Would there be any difficulty, from your point of view, in relieving the Collector from charge of the treasury ?—I do not think it would be a good thing. You must have some local authority responsible for the management of the treasury, even though he may not take an active part in it. The Collector at present takes very little part in it, but the Head of the district must be responsible ; you could hardly exercise efficient control from a distance, which is the only way the Accountant-General could do it, or merely by periodical audits. The whole of this question was threshed out years ago several times. In 1873 the Accountant-General was generally understood to be responsible for the efficient work of treasuries ; he was supposed to inspect them once in three years, from 1861 to 1873. Then the whole question was raised because the Accountant-General found that he had so much other work to do that he could not efficiently perform that work, and the Government of India decided, after considerable argument, that the District Officer must be entirely responsible for the management of the treasury, and that any inspection by the Accountant-General only weakened responsibility and ought to be avoided. It was also decided at the same time that Commissioners must exercise a supervisional authority by periodical visits to the treasury, which came down practically to once a year. Against that order the Government of Bombay appealed, and the matter was brought up before the Government of India again. The Government of Bombay represented that the Commissioners had not time to do the work ; a great many opinions were taken and a large number of officers were consulted ; the large weight of opinion was in favour of the Collector still being held responsible. Personally, I think there is nothing between making the Collector responsible and transferring the whole charge of the treasury to the Accounts Department. I think myself that the latter course is the only practicable one ; otherwise you have divided responsibility. If you allow the Collector to be responsible, and yet to cast off his responsibility as regards inspection and so on to the Accountant-General, he will take no interest in the matter whatever himself. The other plan of transferring the whole of the work to the Accountant General is stopped by many considerations. It would mean a prohibitive expense ; you could not have anyone except an officer of pretty high standing whom you could trust ; you would have to have a Gazetted Officer of considerable standing. There are other objections. The management of the treasury in a district depends on the Collector's own authority : there would be disputes between our Accounts Officers and the officers of other departments. At present, although the Collector does no part of the work, the Treasury Officer is well recognised as the direct subordinate of the Collector ; the friction that would exist there if you had an independent officer would be great. The police and Public Works people all work cordially with the Collector ; whether they would with an alien outsider, I am not sure ; it might be tried, but it would be expensive, and I doubt whether it would be satisfactory. My fear is that if you once made the Accountant General responsible for

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the inspections, the sense of responsibility with the District Officer and Commissioner would be much weakened; that is the objection to it, otherwise it might be done. It would be quite easy, at a slight expense, for the Accountant General to inspect the treasury through his local staff.

43659. It might create friction in the case of *taluk* treasuries?—I do not see why.

43660. In the matter of establishments, and so on?—No.

43661. (*Mr. Meyer.*) The *taluk* treasury is in charge of the tahsildar as a rule, and, *quâ* Treasury Officer, he is under the orders of the Deputy Collector?—Yes.

43662. They are both under the Collector?—Yes.

43663. Suppose the district treasury was under one of the Accountant General's officers, would the tahsildar be likely to render such loyal obedience to his treasury instructions?—I think that would be a difficulty. A great many bills are passed by the district treasury on the Collector's instructions: it is, practically, a sort of post-audit, while there is a pre audit in the Accountant General's office.

43664. Suppose you had a trained auditor, would he not be likely to introduce a system of pre-audit at the beginning, which might lead to delay and possible friction?—It might possibly lead to more frauds. If the treasury establishment were well acquainted with the Accountant General's office methods, there would be more likely to be frauds than at present; if you had trained officers from our department doing the two things there would be that risk, because they would be well able to avoid those pitfalls which an ordinary man would not know how to avoid; that is to say, they would know the methods of the audit staff at headquarters. That would not be quite so safe as the present system, where our Treasury Officers have no means of knowing exactly how we carry out our check. There would not necessarily be fraud, but there would be some danger of it.

43665. All that the Collector is required to do at present is the counting of the treasury balances and stamps when he takes over charge, and occasionally monthly verifications of them?—He is supposed to verify every month, but, as a matter of fact, he is out a good deal and does not do it. He has to verify every two months; that is the minimum.

43666. Would it be sufficient if he had to verify once a quarter, and otherwise let the verification be done by another officer altogether?—It would be sufficient, probably, but I have rather an objection to anything that tends in the direction of not enforcing the Collector's responsibility; the more he knows he has to deal with the treasury the better; at present he does very little.

43667. You say he should verify once in every two months?—I believe that is the present rule. When he is out on tour another Gazetted Officer, one of his assistants, may verify once; I have forgotten the exact rules; I think myself that once in two months is sufficiently seldom.

43668. You would not like to make it wider still?—I do not know that there is any very strong objection, except the one I have mentioned, but I would prefer to keep it as it is.

43669. The Accountant-General has to go up to the Government of India in any case of overdrawings; do you see any objection to giving the Accountant-General power to wipe off such overdrawings, always assuming that he is satisfied that the payments were originally made in good faith?—I am not sure that he does in practice go up; my memory is that he does not go up to the Government of India *suo motu*; the officer himself raises the case; I do not think the Accountant-General is bound to refer to the Government any recovery effected more than six months old.

43670. Suppose you find that A. B. has been drawing Rs. 560 a month instead of Rs. 550, the proper calculation, for the last three years, and you think it is rather hard to recover it from him when it was due perhaps to the negligence of your own office, you would have to go up to the Government for sanction. Might the Accountant-General be granted any powers there?—I think it would be a pity. I do not think that anything of that sort ought to be placed upon the Audit Officer. It might lead to negligence on the part of the Audit Officers.

43671. Would you be in favour of extending the discretionary power of the Local Governments under section 278A of the Civil Account Code?—There would be danger in abolishing the rule that they may not sanction recurring expenditure.

43672. The present rule is that the expenditure must not be recurrent, that it must not exceed Rs. 1,000, and that it must not be contrary to the general principles of the code?—I have thought that, with certain safeguards, it might be abolished, but it could not be done without some danger; it would probably necessitate the introduction of other provisoes. You could not prevent the Government giving an officer more than he was entitled to. I do not see any objection to a Local Government, for instance, saying, "This officer is entitled to only Rs. 50 acting allowance; we do not think that is enough for the job, and therefore we will allow him Rs. 80." There does not seem any great objection to that, as long as you have a money limit.

43673. That would be recurring?—That would be recurring, and therefore contrary to the present rules; I do not see why the rule should not be widened, but it is difficult to do it without getting into some danger.

43674. If you widened it in that way, you would considerably whittle away your code?—That is so, but you have your money limit, and you have also the second rule, that it must not be in abrogation of any rule of the Government of India, but must be justified by exceptional circumstances. Of course, the danger is that the cases would become too numerous.

43675. Could it be met in this other way—by keeping the restrictions as to recurring expenditure, but increasing the money limit, and saying that the Government must not act in absolute contradiction to any existing restrictions?—That is, provided it is not worked so as to increase acting allowances beyond the amount allowed in the regulations, or something of that sort.

43676. Yes, that it shall not be used to drive a coach and four through the existing restrictions?—Something might be done, but it is very difficult to say how it could be worked; I have not been able to think out any plan.

43677. In regard to references that come up on audit questions, salaries, and so on, are the great majority of them finally disposed of by the Local Government, so that the number that have to be referred to the Government of India is a mere fraction?—Yes; only a small minority go to the Government of India.

43678. In regard to Courts of Wards and municipalities, and District Boards and local bodies generally, the Government of India have laid down no general code?—No.

43679. It is entirely a matter for the Local Government, in regard to the particulars as to vouchers that shall be brought up, and so forth—details of audit, in fact?—Quite so; that rests with the Local Government.

43680. Consequently, if in any province it is the fact that these bodies are unduly worried about petty vouchers, and so forth, the Local Government could relieve the pressure at once by telling the Examiner of Accounts that he was not to insist?—So far as I know, the rules are provided for in the Acts, and the power to make rules is reserved to the Local Government.

43681. They may be drafted by the Accountant General, but they are sanctioned by the Local Government?—Yes

43682. Suppose that the Accountant-General thinks that in some particular case audit stringency ought to be enforced, say in the matter of vouchers, and the Local Government disagrees with him (I am now speaking of a municipality or a Court of Wards), has the Accountant-General to submit?—He has to submit entirely, unless it is contrary to some regulation of the Government of India. For instance, if a Local Government suggested that they should not pay all their receipts into the Government treasury, and wished to pass a rule permitting them not to do so, the Accountant-General would be bound to go to the Government of India then.

43683. Of course there are a few general instructions laid down by the Government of India, but they are really of a general nature?—Quite so.

43684. Apart from those, the Accountant-General would have to accept the decision of the Local Government whether he thought it a wise one or not?—Absolutely.

43685. You have been Accountant-General in Bombay, and what other places?—The United Provinces and Bengal.

43686. Was there any difference in your position in Bombay compared with your position in the other provinces?—Perhaps a little. The Bombay Government make more use of their Accountant-General than the Bengal Government does. They refer to him more for financial advice.

43687. They let him take, in fact, part of the work of the local Financial Secretary?—There is no doubt that the Accountant-General in Bombay bears the same relation to the Bombay Government as the Comptroller-General does to the Government of India. All technical questions are referred to him, and he is made great use of as an assistant to the Financial Secretary; whereas in Bengal he is very rarely referred to.

43688. Does the Bombay system tend to sap the independence of the Accountant-General?—I should not think so.

43689. As regards the question raised about a self-contained *cadre*, might that not also bring difficulties with it? You require 30 Deputy Commissioners; the Local Government is provided with (say) 36 to meet leave vacancies and so forth, this would also logically involve the principle that they would have to do with the 36; that they could not appoint more?—At present, out of the 30 they might have 10 away, and they could put in 10 senior Assistants to fill their places; under the proposed system, they could not have more than six away at one time?—I do not know how far the proposed system is to be restricted. I do not understand the proposal very clearly. If that is so, it would cause considerable inconvenience. There are certain times when you cannot help allowing your officers leave. At present you have got your Civil Service recruitment based upon principles which you are aware of, and those principles in themselves are rather doubtful; that is to say, you limit the number of your officers, and perhaps in a direction which is not quite justifiable.

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43690. We have it from one witness that he dislikes the present recruitment system under which everything is based on the number of superior appointments; every superior appointment practically carries another inferior appointment with it?—I was referring to that. You limit the number of appointments which you can make in the Civil Service by the number of your superior appointments. It is done with the purpose of allowing every officer to get sufficient promotion; but it must have a bad effect if it starves your administration in the lower ranks. I do not know that it does it; some provinces complain that it does.

43691. Personally, would you be in favour of doing away with that regular rule, and allowing, as in former times, recruitment to be based upon the number of actual appointments made?—The rule is a perfectly sound and a very scientific one, and it prevents blocks of promotion. There is no other way of preventing them; you would have the old difficulties if you once departed from the rule.

43692. The new rule has its inconveniences, but it was brought in to obviate still more serious inconveniencies?—I quite agree.

(*The witness withdrew.*)

Adjourned.

SIXTY-THIRD DAY.

SIMLA, *Friday, the 3rd April*, 1908.

PRESENT:

C. E. H. HOBHOUSE, ESQ., M.P., Under-Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Mr. B. ROBERTSON, C.I.E., I.C.S., was called and examined.

43693. (*Chairman.*) You are Secretary in the Commerce and Industry Department?—Yes, I have just joined the appointment; I was acting last year. I file a memorandum* showing the constitution of the department.

43694. Your appointment has now been confirmed?—I have been temporarily appointed again; I am still acting.

43695. You say that the department is under the charge of the Hon'ble Member; is there any difference between the constitution of the Department of Commerce and Industry and that of the Home Department?—There is not, so far as I know; I think there is none.

43696. The Secretary in the Home Department describes that department as under the special care of an ordinary Member of Council, but states that the Secretary is at the Head of the Department; you rather seem to say that the Commerce and Industry Department is under the charge of the Hon'ble Member of Council; there is no real distinction?—There is no real distinction.

43697. The Member of Council is responsible for all that is done in the department?—Responsible to the Government of India.

43698. The Secretary is merely the Head of the office, as it were?—Yes.

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43699. You do business with regard to the various matters mentioned throughout British India and in all Native States too?—We advise the Foreign Department of the Government of India on matters which arise under these heads in Native States. We are merely the advisers of the Foreign Department on matters falling within these heads about which we are consulted

43700. Do you correspond direct with these Native States?—No, we have no direct correspondence.

43701. It all goes to the Foreign Department?—Yes.

43702. Are port dues and pilotage charges uniform throughout India?—No, they are not uniform.

43703. Are they left to the discretion of the port authorities?—The port authorities fix them. There are special Acts applying to each port, and according to the powers given by the Acts the port authorities fix the dues, which vary throughout India.

43704. Does your department leave the various authorities free to fix their own charges, or do

* *Vide* Appendix Ia.

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they suggest a general scale?—There has been nothing of that kind to my knowledge.

43705. As to the light dues, you think there should be uniformity?—Yes, they affect the shipping all round India.

43706. The office establishment consists of 58 clerks; is that an increase of late years?—The department is a new department; it was formed in 1905.

43707. Did it not shed certain subjects to the Revenue Department?—I do not think so; there has been nothing shed since the department was created. There has been a question of increasing the subjects taken over by the Commerce and Industry Department; one is electricity, which is at present dealt with by the Public Works Department, but there has been nothing shed to my knowledge.

43708. Then you say there is a certain amount of routine work which is disposed of by the two Under-Secretaries. What exactly do you mean by routine work?—Questions more or less of office procedure that come up, and perhaps answering a question from another department, or sending a reference which another department asks for; that would be disposed of by the Under-Secretary—not a matter upon which any opinion of this department is required, but merely forwarding information or supplying papers, and matters of that description.

43709. Do the two Under-Secretaries dispose of any references made by Local Governments or Local Administrations?—No, none whatever.

43710. They all come to the Secretary?—Yes.

43711. Does he dispose of any of those cases himself?—No, all references from Local Governments go to the Member.

43712. In the office itself do the two Under-Secretaries note on all cases?—These 22 subjects are divided into two sections; there is an Under-Secretary in charge of one section, and another Under-Secretary in charge of the second section; each notes on individual cases coming up in his own section.

43713. What is the lowest official whose comments or notes appear on a file of papers after a subject is raised in the department?—There is the Assistant Superintendent, the noter.

43714. What does he note about?—He notes about previous references that may have been made on the same subject, and he also generally gives his opinion on these previous references as affecting the subject under consideration; then it passes through the head of the sub-section—the Superintendent. He is not allowed to put up a fresh note; he merely alters in any respect that may be necessary any statement made in the noter's note; there is one note only. Then it goes to the Under-Secretary in charge of the section, and he makes his note. So that there are one note by the office and one note by the Under-Secretary, and then it goes to the Secretary, and he makes a note.

43715. It then goes to the Member?—Yes. He passes orders.

43716. Do a great number of these papers go on to the Governor-General?—Not a great number.

43717. A considerable number?—A considerable number. He passes further orders.

43718. Are all these five distinct notes, of a more or less lengthy character, necessary upon each paper?—I hardly think they are necessary. Probably a single note from the department, drawn up by the Under-Secretary, might be sufficient as a foundation. The only question is whether that would be a more expeditious manner of disposing of the case than the present. If there were only one note that came up to the Secretary, it would certainly be much more easy when you had to dispose of a case, to read the single note than it is at present to read the office note as well. It would be very advantageous in looking over past files to have one note only, but I question whether that would not lead to actual delay in the disposal of cases. The office note would come up first of all; the Under-Secretary would have to work it up to represent his own views; the note would probably have to be re-written, which of course would mean delay, and the matter might not come up for disposal until another day or two; so that possibly the present system leads to actual expedition in the immediate disposal of work. It certainly does not lead to expedition, when you get a large number of previous files put up and you have to read through the lengthy notes of each individual. You might dispose of some of those notes by making the Under-Secretary's note the only note appearing on the file.

43719. Of what standing is an Under-Secretary?—About 7 or 8 or 9 years' service.

43720. Speaking generally, are his opinions upon a question that has necessitated a reference from a Local Government, and from experienced officers in the Local Government, really of very much value?—They are of value in this way; the precedents and the previous experience which has been gathered, and which we can collate with the Local Government's present suggestion, are of undoubted value, and his note is of value in making that collation.

43721. How long is an Under-Secretary permitted to be in a department?—Three years is the ordinary rule.

43722. Until he has had at least a year's service in the department, even upon the question of precedents, can he do little more than collate facts?—He collates facts; but you get a clever young man with ideas of his own.

43723. Do the ideas sometimes spread into length?—They do.

43724. You not only write your opinions, but you subsequently print them?—The notes are printed.

43725. What is the reason of that?—That is to afford facility in reading up the back references.

43726. Have you any knowledge of the working of the Civil Departments at home?—No, I have no knowledge.

43727. You have no knowledge whether any of them find it necessary to print these notes?—I have heard that at home it is not considered necessary.

43728. That system is never used?—I understand it is not used at home; I have been told so.

43729. What happens to the original opinions or notes; are they filed for reference?—They disappear; they are all thumb-marked and messed about in the press, and they disappear.

43730. After what period?—I am not sure; I imagine they are destroyed straight away, once they are printed. It is only the important cases that are printed, what we call the A proceedings—cases that will require to be referred to.

43731. Is it necessary to have all these notes printed?—It is most convenient when you come to refer back to previous cases. Take this case about customs, instead of searching back through previous files, you have this note which collates the facts and the previous suggestions and ideas on the subject; it is most useful to be able to refer to that note, which is a *précis* of what has gone before, instead of every time hunting up the files afresh.

43732. Does the formation of this *précis* in itself involve a very considerable amount of clerical work?—Yes.

43733. And it might be possible that the extra amount of work so involved would more than compensate for the trouble of looking up the original files?—It might do so, as clerical work.

43734. The mere putting together of files is a purely mechanical matter?—That is so.

43735. The Government of India moves twice a year from Simla to Calcutta. Have these double sets of notes to be carried about from place to place?—We keep Calcutta records and Simla records; some of these printed compilations are left in Calcutta and some in Simla.

43736. There are duplicate sets?—Yes.

43737. What happens to the original manuscript proceedings?—They are destroyed. When the notes are finally printed off and the complete proceedings are put up for the perusal of the Secretary, the manuscript is destroyed.

43738. Does not the examination and proof-reading of all these notes entail extra labour?—Undoubtedly.

43739. Has this system been long in vogue?—I have seen it on back files, I should think, for certainly 20 years at least; it has gone on for a very long time.

43740. What happens in the case of the B proceedings?—They are kept in a similar way, but they are not printed; the notes are still there.

43741. Are they kept in duplicate?—No, they are kept in original.

43742. Then have they to be transported backwards and forwards?—Yes.

43743. Does that entail a great deal of clerical labour, or any clerical labour, apart from the manual labour of packing?—We only take the B proceedings of what might be called current subjects—about some appointment or something of that sort—which is likely to come up again within the year; otherwise, we leave them behind—we do not transport them.

43744. Where are they all stored?—I imagine they are stored partly at Calcutta and partly at Simla; I think they eventually go to headquarters at Calcutta.

43745*. Has the demand in the Commerce and Industry Department for returns and information from Local Governments increased of recent years? If so, is this due to the requirements of the Secretary of State or to those of the Government of India?—The only new periodical returns which have been called for from Local Governments of recent years are the following:—(1) Annual confidential report on Collectors and Assistant Collectors of Customs. (2) Reports of accidents in the storing and in the transport of explosives. (3) Statement showing the quantity of dangerous and non-dangerous petroleum produced in and imported into British India. (4) Statement showing the wages of different classes of skilled and unskilled labour in factories. These returns were called for at the instance of the Government of India and not of the Secretary of State. It is in contemplation to abolish (4). In matters of administration affecting Merchant Shipping, Merchandise Marks Acts and Customs, the Government of India have frequently had to call for reports on specific points to which attention has been drawn by the Board of Trade, the Secretary of State on representations made in England by parties affected, and by Chambers of Commerce or individual merchants in this country. In this respect the references to Local Governments have probably been more frequent than in the past, but this increase can only be attributed to normal causes. The demand for information from Local Governments in connection with the annual return of expenditure on stores purchased in India has increased in recent years. The increase is due to the requirements of the Secretary of State for India. Similarly, under instructions issued by the Secretary of State in 1901, the Government of India and Local Governments are required to report to him any cases in which a departure from the rules for the purchase of stores from England has been made, clear evidence being furnished that "such a step is unavoidable and will not entail any large increase of exenditure."

43746*. Will you kindly give the Commission a list of the periodical returns which your department (*a*) calls for from provincial Governments, or (*b*) furnishes to the Secretary of State, with a column showing which of these (if any) are in your judgment unnecessary?—I hand in a †statement.

43747*. What is the extent of the recent centralization of the Customs Administration, and is it intended to carry it further in regard to administrative appeals or in other matters?—The recent centralization of the Customs Administration apparently refers to the formation of the Imperial Customs Service in the beginning of 1906. The reasons which led to the imperialization of the superior grades of the Customs Service are stated in full in paragraphs 1 to 3 of this Department's Resolution No. 154—161-57, dated the 9th January, 1906. The effect of the measure has been to bring the *personnel* of the higher appointments of the Customs Department under the direct control of the Central Government. The officers of the Imperial Customs Service are liable to be transferred at the discretion of the Government of India from port to port, such transfers being made generally with a view to securing the services of the best men for the most important posts, and also in order to assimilate, as far as possible, the Customs Administration throughout India. Questions affecting the the appointment, promotion, leave, transfer and punishment of these officers are dealt with by the Government of India, but their control does not go beyond this, and it is not intended to restrict or interfere with the administrative powers conferred on the Local Governments by the Sea Customs Act. The orders of the Secretary of State preclude the Government of India from any such interference and there is at present no intention of carrying out any further centralization in regard to the administration of the Customs Department. The Government of India will continue as heretofore to exercise the general control which is essential in order to secure a reasonable amount of uniformity of practice at the various ports; but it has been decided that appellants against Customs decisions should always be referred to the proper local authority.

43748*. What are the general restrictions on the power of the provincial Governments in the grant of mining concessions? How far are these due to the Secretary of State? Could they be relaxed in any material respect?—The provincial Governments are guided by the general rules laid down in the Notification in the "Gazette of India," dated the 20th May, 1899, reproducing a Resolution of the Government of India. No. 18—17-2, dated the 20th May, 1899. The main restrictions laid down by this Resolution on the powers of the Local Governments may be summarised as follows:—They are not empowered to sanction leases for precious stones: the term of any lease is limited to 30 years and no covenant for renewal may be inserted in the lease without the sanction of the Government of India: the area of a mining lease which a Local Government can sanction is limited to 10 square miles, and they have no power to reduce rents or royalties. These restrictions, save that regarding the limitation of the powers of the Local Governments in the grant of leases for precious stones, have been maintained by the express orders of the Secretary of State, who declined to agree to a proposal of the Government of India in favour of delegation to Local Governments. The revision of the mining rules is now under consideration, and a report was called for from the Director, Geological Survey. He has proposed, as a preliminary step, that an informal committee should be convened whose conclusions will be circulated to Local Governments, commercial associations and other public bodies. It would be premature to state whether any relaxation is either possible or desirable. The sanction of the Secretary of State will be required to any modification.

43749*. What is the position of the Director of the Geological Survey as an adviser of the Government of India in regard to mining matters Is it open to provincial Governments to consult him?—In the matter of giving advice on mineral questions the Director of the Geological Survey bears the same relation to the Government of India as to all Local Governments. The Government of India ask his advice when they think it necessary; the Local Governments can do exactly the same. No Government is bound to act in accordance with such advice. The Local Governments have frequently consulted the Director, Geological Survey; no request for assistance of this kind from a Local Government has ever been refused or treated lightly.

43750*. You have been furnished with schedules or memoranda showing the proposals made by

† *Vide* Appendix II*a*.

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certain provincial Governments in regard to the relaxation of specific instructions now imposed upon them by law, by rules having the force of law, by imperial codes (such as the Civil Service Regulations), or by executive instructions which they desire to have relaxed. Would you object, so far as your department is affected, to any of such proposals and, if so, on what grounds? Can you suggest similar relaxation in any other matters?—It is understood that the question only refers to proposals affecting delegations of powers to Local Governments which are now vested in the Government of India or exercised by the Government of India. Generally speaking, the proposals to this effect contained in the memoranda and schedules received from Local Governments do not appear to be open to objection except such as are referred to in the accompanying schedule.† In regard to the proposals so excepted reasons have been given for the retention of control by the Government of India. The Bombay Government's memorandum contains a general suggestion providing for the assignment to Local Governments of functions not specifically reserved to the Government of India. Among these functions is included the control of Scientific and Minor Departments. To the latter class belong such Departments as Explosives, Mines, the Geological Survey and that of the Reporter on Economic Products. The assignment to the Local Governments of the control of these Departments is open to objection. There must be uniformity in the operations of the Mines and Explosives Department. The Geological Survey Department is engaged in a survey of the Geology of India. These are all technical departments, and there would be loss of economy and of power in allowing the functions of these departments which are now centralized to be distributed over a number of minor agencies. Administratively difficulty must be experienced with the small establishments which the Local Governments could afford to maintain. A relaxation of the rules regarding the supply of typewriters, books, and the purchase of petty articles of stationery has recently been sanctioned, and the Local Governments have now authority to delegate their powers in this respect to selected officers. A proposal has also been sanctioned by the Secretary of State giving heads of Scientific Departments power to purchase stores direct from manufacturers outside India.

43751*. How far will the recommendations of the recent Stores Committee, if accepted, do away with the necessity of reference by provincial Governments and Heads of Departments in minor matters brought to notice in the memoranda and appendices submitted by provincial Governments?—The recommendations of the Stores Committee, if accepted, will have only an indirect effect in the direction indicated. The conditions to which local purchases of European stores are now subject will be materially relaxed, and it will be possible to remove some of the restrictions now imposed and to relax others. It may also be possible to do away with the present statement of expenditure on stores purchased in India which is prescribed by the Secretary of State.

43752. (*Sir Frederic Lely.*) Have you not had a great deal of experience of mining leases, in connection with one of the Local Governments?—Yes, in the Central Provinces

43753. Generally do you think that any change is to be advised in the way of encouraging mining enterprise?—I personally do not consider that the mining rules are capable of much change in that direction. They are very liberal at present in most respects, and I do not think there is much amendment that can be made in the way of encouraging mining enterprise. The chief matter complained about in the working of the rules is the delay which frequently takes place before an applicant obtains a prospecting license or a mining lease.

43754. Have you read Mr. Holland's suggestions?—I have read his written statement laid before the Royal Commission.

† *Vide* Appendix III.

43755. Do you agree with that?—I generally agree with what he says. For instance, I note that he says "The statement that the rules are framed so as to give an unnecessary amount of trouble and to discourage the development of the mining industry is utterly at variance, as a general conclusion, with the opinions I have collected from professional mining men." I agree with that opinion.

43756. He says, "I consider, however, that the Local Government should have some means of rejecting the prospector who takes up land under the easy terms allowed in India, merely to float companies on a bare rumour of the occurrence of valuable minerals; but a check of this kind can be maintained without requiring a certificate of approval with each application. Instead of the present system I would propose the grant of a general certificate or license to a prospector, the certificate being valid for a calendar or financial year, and the Local Government retaining the power, at any time within the recognised year, to cancel such certificate by general or special order. The names of those to whom such prospector's certificates are granted should be published in the Local Government Gazette." Do you think that a general certificate could be given?—Rule 11 of the Prospecting License Rules says that "Every such application" (that is, for a prospecting license) "shall contain the following particulars..... and shall be accompanied by a certificate that the applicant has been approved by the Local Government under the signature of one of the Secretaries."

43757. That is to say, each application should be accompanied by a certificate?—Yes. Mr. Holland has told me that in Burma this is interpreted as meaning that if a man applies for a prospecting license in district A, he has to file with his application the original certificate signed by the Secretary of the Local Government; he then wants to apply in district B, and he has to go to the Local Government and go through the formality of getting a second certificate. In the Central Provinces we never thought of such a thing; all that is done is that a man puts in his application for a prospecting license with the certificate in original as required by the rule; the Deputy Commissioner merely notes "Certificate seen," and returns it; we never thought of interpreting the rule in the way the Government of Burma has done.

43758. If that plan is followed elsewhere Mr. Holland's proposal about publishing the certificate in the Local Government Gazette is scarcely necessary?—It is hardly necessary; it is merely another way of getting at the same end.

43759. Mr. Holland's general opinion is that on the whole the rules require stiffening rather than relaxing; do you agree with that?—In some cases they undoubtedly do require stiffening. For instance the terms upon which a prospector can take up a very large area of land for the purpose of prospecting, or perhaps for the purpose of keeping other people out, are extremely lenient at present. In the Central Provinces all that he has to do is to make a deposit of a certain sum not being less than Rs. 100, and he can take up under a prospecting license as much land as he pleases. Another rule says that a moderate rent, not exceeding one rupee per acre, shall be paid for the land covered by the license, but that rule has been held to apply only to land which is the property of Government. As in the Central Provinces the land is not the property of Government but the property of private owners, a man can go in gaily and ask for thousands of acres, paying nothing but the Rs. 100 deposit. Another matter in which the rules require stiffening is this: the holder of a prospecting license obtains his license for one year; the license is renewable for a period not exceeding two years, whenever the Collector is satisfied that the licensee has been prevented from completing his search by any cause other than his own fault. In practice that rule of renewal has been loosely worked, and it has enabled prospectors in some cases, especially in the case of manganese, to work out a very large deposit on mining lines without any of the conditions which are imposed upon mining.

43760. As a matter of prospecting?—Exactly; he walks in, gets a number of coolies, and digs for manganese; prices are good, and he works the thing out during the one year; or, if he finds a lenient Collector, two years; in that period he may have mined the whole thing out. All this time he is paying no rent; there is only his Rs. 100 deposit. In matters of that kind undoubtedly the rules want to be stiffened; those are two instances of matters in which they require tightening up.

43761. (*Mr. Hichens.*) Does he not have to pay a royalty?—He has to pay a royalty, but it may be very small. Last year when manganese was at the height of the boom, the royalty in the Central Provinces was only 4 annas a ton.

43762. The dead rent comes to more?—It might be more; we want to put on a high rent in the case of a man who is likely to do this kind of thing; the royalty is very light.

43763. (*Mr. Dutt.*) I suppose a prospecting license is only granted with respect to land in which the minerals are the property of Government?—That is so.

43764. Is not most of the land in the Central Provinces private property?—The surface rights are private, the mineral rights are the property of the Government.

43765. When licenses are granted are any arrangements made with the people who own the surface about not disturbing their cultivation and so forth?—When mining or prospecting first started in the Central Provinces such an arrangement was not generally made; the prospector walked on to the land with his prospecting licence and dug up the surface. The *malguzar* or proprietor, to begin with, thought that the new-comer was a sort of Government emissary, and said nothing. Later on, when he saw this man coining money out of a bare hill-side, he of course said "Why should not I have some of this"; but all that he was entitled to was the surface compensation for the bare hill-side, which of course was practically nothing. When the landowners woke up to this, the Land Revenue Code of the Central Provinces was put into force. Section 151 says that the Government can, under the Land Acquisition Act, give access to the minerals under the surface; what had to be done was to acquire the piece of land on which the prospecting or mining took place, and put the licence or lease holder in possession. So that the landowner received compensation for disturbance of his property.

43766. Under the Land Acquisition Act?—Yes, and that is now generally done.

43767. The present practice is that a man gets a prospecting licence, but he cannot go all over the surface of the land without the permission of the owner?—Quite so, and if the owner objects, we apply the Land Acquisition Act.

43768. You tell us that the area of a mining lease is limited to 10 square miles; I suppose that means that all the areas covered by all the leases given to one particular man shall not exceed 10 square miles?—The rule has been interpreted to mean, under one Local Government.

43769. But one lease will allow him only two square miles for coal and one square mile for oil?—Those are blocks, but when he combines those blocks into one lease the total area of all the blocks must not exceed 10 square miles.

43770. Is that for all minerals?—Yes; the 10 square miles limit applies to all minerals; he can take any number of blocks up to the 10 square miles.

43771. We had some evidence to the effect that difficulty is sometimes felt by a Collector or by a Commissioner in giving these mining leases for want of an expert adviser; we were told that probably the help of an expert adviser would be useful to the Collector or Commissioner in granting mining leases?—Yes, the expert adviser is of use principally when something out of the ordinary arises. As to the ordinary minerals which are covered by these rules, as a matter of fact expert advice is hardly required; for instance, in the case of a lease for coal or for iron ore the royalty is fixed, and the maximum and minimum surface rent is fixed so that the expert adviser scarcely comes in; but in matters like gold and silver and precious stones and river dredging, some very difficult questions have arisen, and an expert adviser in these matters would undoubtedly be of use.

43772. When expert advice is desirable can a Local Government always refer to the Director of the Geological Survey?—That is what we wish.

43773. Has that been the usual practice?—It has not been the usual practice hitherto to consult the Director of Geological Survey, but it is now coming into vogue.

43774. But you think it is desirable?—I think it is desirable in matters in which very large interests are concerned.

43775. (*Mr. Hichens.*) The branches under the Commerce and Industry Department, I understand, deal with matters which are of common interest to the whole Empire?—Yes, except in certain minor cases such as fisheries.

43776. And matters where what is done in one province might materially affect what is done in another province?—It is very important that commercial men, say, living in Calcutta should have the same set of rules applying to a particular subject in Bengal and the United Provinces and the Central Provinces; it would be very inconvenient for them if slight variations in the rules were made in different provinces dealing with the same subject.

43777. And is it likely to be inconvenient to the Local Government that there should be uniformity in those matters?—I cannot see that there is likely to be much inconvenience; it requires perhaps a certain amount of reference; if one Local Government discovers a weak point in certain rules, they are not able to correct it themselves, but have to refer it to the Government of India, and the correction is considered desirable, say, in the United Provinces is probably one which would be desirable in other provinces; it is most desirable that as far as possible the rules should be similar for all.

43778. The local conditions are not likely to differ so much as to render uniformity undesirable from that point of view?—That is so.

43779. For example, take a matter such as the rules governing explosives; that is a subject where local conditions would hardly be likely to affect the matter at all?—Just so.

43780. Recently, in regard to customs has not a departure been made by imperializing the department?—The department has been imperialized.

43781. Was not one of the principal reasons for doing that, that under the old régime Collectors of Customs did not remain long enough either in the department or at one place to know their work thoroughly?—That was one reason.

43782. Was that the most important reason?—That was one important reason; another important reason was to a certain extent to standardise the administration of customs.

43783. And that uniformity could be secured by transferring Customs Officers from one port to another port at the discretion of the Government of India?—Yes.

43784. How far has that object of retaining officers for a longer period as Collectors of Customs been achieved?—The trouble arises in this, as in all other departments of Government, of men wanting leave and falling sick, and other reasons also come in, but we have tried to keep the men who have been trained up in customs work, and we have to a great extent succeeded.

43785. How long has the experiment been going on?—Since 1906—two years. Take as an example Mr. Cadell, who was Collector of Customs at Bombay; he did very good work as Collector of Customs in Bombay, but last August or September he was called upon urgently to take up the Private Secretaryship to the Governor of Bombay. That of course was breaking the continuity of his customs work, but in the present month Sir George

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Clarke has been able to relieve him of his duties as Private Secretary, and we have now appointed him Collector of Customs at Calcutta, where his previous Bombay experience will be of the greatest value. He has just joined his appointment as Collector of Customs at Calcutta.

43786. You think that the customs staff is sufficiently large as a whole to enable appointments to be filled from within it, that is to say, you will not continually require to be getting outside assistance?—We shall not continually require to be getting outside assistance. The idea of course is that a Collector is not bound to stay on in the Customs Service, nor is an Assistant Collector, all his time; an Assistant Collector who has been appointed to the Customs Service can revert at the end of four years.

43787. He must stay four years?—Yes; then, if he wishes to do so, he can revert and get experience in other matters of administration for some time. When a Collectorship of Customs falls vacant, instead of having to put in a man who knows nothing about the work, we call up a man who has done his four years as an Assistant Collector and put him in. But it is not an absolutely closed Service.

43788. How long must a man remain as Collector of Customs?—There is no rule about that so far as I remember. The rule is that "Collectors of Customs appointed from the Indian Civil Service will be permitted, subject to the approval of the Government of India, to revert to their own provinces at any time, but such permission will be withheld in cases where it would cause too rapid a change in the customs *personnel*."

43789. (*Mr. Meyer.*) Did you observe that principle recently in Calcutta; was not Mr. M. allowed to go off to be Inspector-General of Police for his own advantage?—We had Mr. Cadell to provide for, and it suited us; Mr. M. had for the last year been told he would be relieved about April, 1908, when he intended taking leave, I think.

43790. It was to the convenience of the department as well as to the convenience of Mr. M?—It was to the convenience of the department to let Mr. M. go on the 1st April, as that had been arranged about a year past, and it fitted in exactly with Mr. Cadell's reversion

43791. (*Mr. Hichens.*) There are certain posts in regard to which a condition precedent is that a man must undertake to stay there five years or a given period; would it be desirable to have any condition of that sort attached here, or do you think that you are sufficiently safeguarded?—We have hitherto been sufficiently safeguarded by the present rule; we withhold permission to return unless we see our way to filling the place satisfactorily.

43792. As I understand, you attach considerable importance to retaining people for as long as possible in the Customs Service?—Yes.

43793. Otherwise you fear that the inexperience of Collectors will prove detrimental?—Yes.

43794. Therefore you want to secure that you will have a continuous Service?—Yes.

43795. In most other countries, as I suppose you are aware, the Customs Service is one in which you remain all your life; a man begins at the bottom and gets up to the top, and has a thorough knowledge of customs matters, though possibly not of other matters; would you think it desirable to have that system here?—Not altogether; I think the present mode of allowing members of the Civil Service to come into the customs, with the arrangements made for gaining experience (namely, four years' service certain as an Assistant Collector, then working as Collector for as many years as the Government of India consider necessary), is a useful arrangement in this way. The man who has been Collector of Customs with this training, eventually becomes a Commissioner of Customs, say, in Bombay, where he has to do other duties as well as customs; he is Commissioner of Excise; in Bengal he would become a member of the Board of Revenue which deals with customs; to have men trained up with this previous customs experience, who can be made Commissioners of Customs or members of the Board of Revenue, is a very useful arrangement in the circumstances of India.

43796. Will not a man always try to get out of the Customs Department when it is to his advantage to go to another post?—He probably might; but there are certain limitations to that. A customs appointment means residence in Calcutta or Bombay, which is very much pleasanter than living in a small and obscure place up-country; most men, I think, would prefer the former.

43797. How long would a man be likely to remain a Collector of Customs before it was to his advantage to revert to his province?—The view I hold is that a Collector of Customs when appointed would certainly remain for a term of four years without wishing for a transfer to another post. The pay he receives compares favourably with the pay of a Collector in ordinary work, and to most men the choice of life in Bombay and Calcutta, with all its amenities, is an incentive to stay on as long as they possibly can. I should put four years as the minimum we might expect.

43798. As regards customs, the Local Governments have still administrative powers?—They have administrative powers under the Sea Customs Act.

43799. (*Mr. Meyer.*) How far are those administrative powers independent of the Government of India?—They are entirely independent. Take an appeal from a Collector of Customs; it goes in the first instance to the Commissioner of Customs in Bombay, or to the Board of Revenue in Bengal; a second appeal would lie to the Local Government, not to the Government of India. During the past year I find that 16 appeals were made to the Government of India, all of them in small matters; all these were referred back to the Local Government who had the power to deal with them. So that the Government of India, last year disposed of no single matter of interference with the discretion of the Local Government in the administration of the Act.

43800. Is there not a third appeal to anybody who feels aggrieved, from the Local Government to the Government of India?—That is so, but none was made in these cases.

43801. But they could be made?—Yes, there is a final appeal on matters of principle.

43802. (*Chairman.*) Were these appeals made in trumpery cases to the Government of India?—Yes.

43803. By whom?—By mercantile people; they had not gone at all to the Local Government, they came straight up to the Government of India; that was last year's record.

43804. Did the previous year differ from it very much?—It was probably very much the same. Mercantile firms think that the Department of Commerce and Industry is there to guard their rights and they send in their appeals straight to the department, and we say, "You must go to the Local Government."

43805. (*Mr. Hichens.*) Are there not certain rules made by the Local Government?—Yes.

43806. Are they subject to the control of the Government of India?—No, they are entirely in the hands of the Local Government, as far as I remember. I think we have no control over the customs rules.

43807. What kind of matters do they deal with?—The Act is a very long one; questions about the manner of import, the declarations to be made, warehousing, and matters of that kind.

43808. They have a free hand?—They have a perfectly free hand; they have got their own manuals.

43809. Would any appeal go up through the Local Government to the Government of India?—Suppose you are the Collector of Customs and you have seized certain merchandise as being contraband; the merchant wants to get it out at once, and he goes straight to the Commissioner or the Board of Revenue on the spot; they uphold the

Collector's order; he can then appeal to the Local Government, and if he is still dissatisfied, he comes up to the Government of India.

43810. But strictly speaking, no appeal lies from the Collector of Customs to the Government of India?—No, not to the Government of India.

43811. (*Mr. Meyer.*) Upon this matter of customs, are there not a great many things in the Act that require the approval of the Government of India?—There are some things.

43812. There is a list of them given in a memorandum which has been put before us by last year's Committee on Decentralization; may we accept that as correct?—Yes.

43813. Then all alterations in tariff have to be made by the Government of India?—Yes, that is of course a different matter; it was details of procedure that I referred to specially.

43814. Is not customs really as imperial a matter as the post office?—I should say it was.

43815. Might it not be imperialized in the same way; might you not have the Customs Officers treated as imperial officers, appeals from outports lying to the Chief Customs Officer of the province, and appeals and references from the Chief Customs Officer lying to the Commerce and Industry Department?—You might have that, but one of the reasons why we support the present arrangement is to enable appeals to be made promptly to the people on the spot, that is to the Commissioner of Customs or to the Board of Revenue, and from them to the Local Government.

43816. You think the trade prefers that?—I think the trade would prefer the expedition of the present procedure.

43817. If they are dissatisfied with the local Postmaster-General they can go to the Director-General of Post Offices with the Government of India?—Yes.

43818. Would you say it is really a matter for the trade to determine; if the trade should desire the complete imperialization of the department, it might be expedient from the administrative point of view also?—It might be.

43819. Now as regards the Headship of your Department; whatever the old constitutional standing was, may it not be said now that the Hon'ble Member in charge of a department of the Government of India is Head of the Department?—Yes.

43820. And that, to use a military analogy, the Secretary is his Chief of the Staff?—Yes.

43821. Any orders the Secretary issues are issued in the name of the Governments; although the Secretary takes the responsibility he cannot issue orders *quâ* Secretary—he issues orders on behalf of the Government?—Yes.

43822. The Secretary is responsible to his departmental Chief for any order that he issues in the name of the Government?—Exactly.

43823. You said that no references from Local Governments or other authorities (you have certain Imperial Departments under you) requiring orders are dealt with by the Under-Secretaries. Are there not a certain number of routine cases, formal sanctions under the Civil Service Regulations and others?—I do not think so in the case of the Commerce and Industry Department; cases always come up to the Secretary as far as I remember; there may be some small details under the old rules that were formerly in force, about the purchase of books and things of that kind, that may have been disposed of by the Under-Secretary.

43824. Subject to a few possible exceptions, everything goes to the Secretary?—Yes.

43825. You spoke in answer to the Chairman about five notes in a case; is that not the ordinary maximum?—That is the limit, it cannot be exceeded.

43826. When His Excellency the Viceroy has to approve of a case, generally speaking the Secretary takes it up to him personally?—Yes.

43827. And usually there is no note at all, except your own, that the Viceroy has approved or disapproved?—Yes, and that is the order of the Viceroy.

43828. Similarly, in a great many cases the Hon'ble Member does not trouble to make a note if he is entirely in agreement with what you propose, but merely puts his initials below?—That is so.

43829. And similarly in a great many cases you find that the Under-Secretary's note expresses your view, and you put your name below?—Yes.

43830. Then as to the question of *précis*; you get cases perhaps with reports from all the Local Governments?—Yes.

43831. And in addition to that, the Local Governments may send you up contributions, occasionally quite valuable, from their Board of Revenue, or other subordinate authorities?—Yes.

43832. Those may make a great mass of material?—A very great mass in important cases.

43833. Is it not better that one man, if he can do it intelligently, should take a few hours in making a *précis* rather than that everybody who has to deal with the matter should have to go through all the details minutely?—It does save time. You must have this *précis* for purposes of future reference, and in any case of such a description for present purposes also.

43834. With regard to the recording and keeping of notes and the printing of notes we differ from the practice at home in this respect, that in the case of the English Civil Service the men stay in their office practically for their lives?—Yes.

43835. Here five years is practically the maximum tenure of office of officers from the Under-Secretary upwards?—Yes.

43836. Consequently every superior officer in the Commerce and Industry Department will be entirely changed 10 years hence?—That will be so.

43837. These notes are particularly valuable in such a case very often to show what were the specific reasons that led the Government of India to adopt course A instead of course B?—That is what I say is the importance of the note.

43838. And with our constantly changing staff do you think it is necessary to have these notes?—I think it is; I have said that it would be difficult to get on without them.

43839. As regards the printing of them, you have shown that the printing is only done in the case of important proceedings?—That is so.

43840. Some of these proceedings may be wanted for reference in half a dozen files that are circulating at the same time?—There are such cases.

43841. Therefore, if you only had the single manuscript set of notes, you would have to delay five files while the sixth file was requiring the use of the notes?—Yes.

43842. Consequently the printing of, say, 60 copies of the *précis* is really a saving of time to everybody concerned, except possibly to the press at the outset?—It is an economy in such cases undoubtedly.

43843. With regard to prospecting, do I understand that you are prepared to give a Local Government full power to grant a concession in respect of gold, say, up to 10 square miles?—I believe that is what the present rules justify.

43844. The present rules say one-quarter of a mile in a particular block?—But any number of blocks can be combined I understand; I have never had to deal with gold and silver.

43845. But each block is a quarter of a mile, and the total number of blocks held by a man may not exceed 10 square miles?—That is it; you can take any number of blocks, provided that the total area of all the blocks together does not exceed 10 square miles.

43846. (*Mr. Dutt.*) The wording here is that the mining lease shall cover only two square miles for

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coal and one square mile for oil; that is schedule A?—The rule says: "No mining lease shall be granted by a Local Government under these rules so as to cause the total area held under mining leases by the lessee to exceed 10 square miles." If he has five leases in a particular province, those five leases must not cover more than 10 square miles. That means that you would make him take out 5 leases where one would do.

43847. Each lease cannot cover more than two square miles?—Yes, and you make him take 5 leases for 10 square miles. The practice hitherto has been, however, to allow one mining lease to cover the whole 10 square miles; that is how it has been worked; the strict wording of the rule might read as you put it.

43848. (*Mr. Meyer.*) Take the case of gold; you may get quite a small gold area; 10 square miles might cover all the good part in a find?—That is so.

43849. The idea is that the prospector gets the first claim?—He gets the first claim.

43850. Take the case of a small gold area which did not extend much beyond 10 square miles; would you desire that the Local Government should give 10 square miles in a ring fence to the man who had prospected?—That is certainly inadvisable.

43851. Then is it not desirable to maintain the present idea, which is that in that particular block he should not get more than a quarter of a mile, though in another block in the next *tahsil*, say, he might get another quarter of a mile?—The difficulty arises then, how do you distinguish your blocks; you can leave a yard of land between each block, and you defeat the object of the rules; that has arisen in actual practice.

43852. But the spirit of the rule is that he should not get more than a quarter of a mile in one particular spot; is it not desirable to maintain the spirit of the rule in regard to such a valuable matter as gold?—It is; at present the object is apt to be defeated by leaving a small piece of land between two blocks.

43853. In raiyatwari land the Government recognizes no right of private ownership in minerals?—In the Central Provinces, of which I know, no right of private ownership is recognized in raiyatwari or zamindari land, except in very exceptional cases where certain villages were given out under waste land rules about 40 years ago.

43854. Does it differ in each province?—It differs in each province.

43855. But, generally speaking, the people who hold from Government on temporary settlements are not entitled to mineral rights?—That is so.

43856. Can you give us any idea when the Secretary of State is likely to pass orders on the report of the Stores Committee?—I cannot say; a despatch went home the mail before last answering certain queries.

43857. You say that if the Secretary of State accepts your recommendations it will only give an indirect relief; surely it will be a very direct relief? If in any number of cases where now a reference has to be made to the Government of India through the Local Government to purchase stores and so forth, the Local Government can do it off its own bat, that will be a very direct relief?—At present a Local Government or a Local Administration, as long as it keeps within the rules, has full powers to sanction a local purchase, and its indenting officers apply to the Local Government.

43858. If a Commissioner or a Superintending Engineer had the right to do it himself, would it not save a certain number of references?—No doubt it would. Here is a statement showing the sort of thing that at present has to go up justifying the departure from the present rules in matters of urgency. This of course will practically disappear. It is a return which goes at present to the Secretary of State; it contains examples of cases in which purchases have been made outside the rules, with explanations of the reasons for the local purchase. Last year the Secretary of State added columns 7 and 8 in order to further test the real urgency.

43859. This return goes to a portentous length?—Yes, this is the return of one railway only.

43860. We have heard a good deal in the provinces about the necessity for giving Collectors and other officers greater latitude in sanctioning the purchase of typewriters and books of reference for themselves; you say that orders have recently been issued which have given latitude in that matter?—Yes; the order as to typewriters and rubber stamps is dated the 6th February, 1908; the order about books is dated the 28th May, 1907.

43861. Would you be prepared to go a step further and allow the delegation of these powers to Collectors within certain limits?—I should. The orders allow such delegation as regards books, if the Local Government chooses to grant it.

43862. Now as regards ports, may we assume that your opinion is that the Local Governments should have the power to deal with port and pilotage and shipping dues, within the maximum prescribed by the Port Acts or other Acts which deal with these matters?—Yes, I should allow Local Governments a free hand; they have a Port Trust which advises them in all these matters, and the Act limits the rates of duty; within those limits I should allow them a free hand.

43863. At present they have to refer to the Government of India often?—I do not think very often; there is a different Act for each port.

43864. I was speaking more of the general Indian Ports Act under which the coasting port dues are levied; of course there are Acts for the big Port Trusts?—Yes, they all have their different Acts; we seldom get references from the big ports.

43865. Generally speaking, you think that within the limits laid down by the law, Local Governments might have discretion?—Yes.

43866. Then there is another question about which references have to come up, namely, about extending powers to the Local Government in the matter of some small out-ports; would you allow discretion to the Local Government there?—I should.

43867. It was suggested to us that the Calcutta Port Trust might well take over the Hooghly Pilotage Service which is now under the Government of Bengal; have you any opinion upon that?—No.

43868. Is it necessary to maintain the sanction of the Government of India which is required by the Rangoon and Karachi Port Trust Acts for the dissolution and suspension of Port Trusts?—I would not make any differentiation between Rangoon, Karachi, and other places.

43869. Of course there would always be an appeal to the Government of India, but is there any necessity that the formal sanction of the Governor-General in Council should be obtained under the Act?—I think not.

43870. As regards the ports of Karachi and Chittagong, they are rather tied up by their Acts in the matter of passing works and establishments; they are both growing places; would you be prepared to give them larger powers?—I should.

43871. Putting them on a level with, say, Madras?—Certainly.

43872. The Calcutta Port Trust ask for the same powers as the Bombay Trust enjoy with regard to the passing of works; it is one lakh in the case of Calcutta and two lakhs in the case of Bombay?—Yes, I should be prepared to see the Bombay limit extended to Calcutta.

43873. (*Sir Steyning Edgerley.*) In your †statement of returns you include "Annual reports on Colonial emigration." You receive one from the port of Calcutta, which you send to the Secretary of State; you receive one from Madras, which you keep yourself and do not send to the Secretary of State. Bombay formally, and Karachi informally, are also emigration ports, and yet you receive no reports at all from them. If you do not require a report from Bombay, why do you

† *Vide* Appendix IIa.

need reports from Madras and Calcutta; or if they are essential in the case of Madras and Calcutta, do you not give an incomplete review by not having a report from Bombay?—The emigration from the ports of Calcutta and Madras is colonial emigration under Act XXI. of 1893—emigration to Natal, Mauritius, Fiji, and the West Indies. As to the coolies who emigrate under that Act and the rules thereunder, we require these annual returns. From Bombay and Karachi there is no coolie emigration of that description; I never heard of coolies being taken from the Bombay Presidency, say, for Mauritius, under all the numerous precautions that are taken at the port of Calcutta with regard to emigrant ships.

43874. Why do you treat Madras and Calcutta differently; if the Secretary of State does not want a report in the one case, why does he need a report in the other case?—I do not quite know; we are always getting numerous questions from him about emigrant ships; this is emigration in emigrant ships under this Act to the Colonies.

43875. But the information is either unnecessary or, if necessary, defective?—The two places from which emigrant ships go are Calcutta and Madras, those are the only two; Madras probably sends reports home direct. From Bombay and Karachi emigration by special emigrant ships to my knowledge does not take place.

43876. Are the inland emigration reports entirely necessary?—They deal with a matter about which I know a good deal. Inland emigration means emigration to the tea-gardens of Assam. In the past there has been a great deal of excitement over this emigration, and the Government of India called for these returns in consequence of that. If the reasons which led to this excitement die away, as I hope they will under certain arrangements which have recently been made, the reports might be dispensed with; at present I think we ought to have them.

43877. What have you to say about these two annual reports about stationery statistics and the Indian law reports?—I do not quite know why those are called for.

43878. What use are they put to? The Governments of Madras and Bombay have their own Stationery Offices. Why do you want them?—I do not know why exactly. The reason, I understand, is that the Controller of Stationery with the Government of India wishes to have these reports to keep him *au fait* with what is being done in the separate offices of Bombay and Madras, not for the purposes of control, but for the purposes of comparison. He inspects the stationery offices of Madras and Bombay, and the reports are of use for his information and to enable him to carry out his inspections in a satisfactory manner.

43879. You think he ought to be informed on these points?—I presume so; it is probably as well that he should have this information as he is an inspecting officer.

43880. Is he an inspecting officer?—I understand he inspects and advises.

43881. Can he be called an inspecting officer?—Perhaps he might not be called an inspecting officer, but he is certainly an advising officer.

43882. Is there anything of that sort in connection with the Indian law reports?—In the case of the Indian law reports, the report, I understand, is for audit purposes; the law reports are supposed to pay their own way; the report is called for to see whether the sales meet the cost.

43883. Is it not entirely a provincial head of account?—It probably is a provincial head of account. I understand that the reasons for the report being called for it to see whether the publication is paying its way.

43884. Do you think it is necessary?—I should say it is probably unnecessary.

43885. Then the report about the Lucknow Museum; may we understand that that is going to be knocked off?—I understand so.

43886. Has it been knocked off?—I do not think so yet.

43887. You say "Any relaxation in favour of the Local Governments that may be considered desirable or possible would doubtless be agreed to." I suppose you mean by the Government of India?—By the Government of India.

43888. (*Chairman.*) What is your own opinion; do you think that they ought to agree to it?—My opinion is that the Local Governments should have such relaxations.

43889. (*Sir Steyning Edgerley.*) Then you deal with telephones?—That comes under the heading of telegraphs and telephones.

43890. Does that mean that all questions of sanction for new telephone lines come up to you?—Yes, under the monopoly of the Telegraph Act.

43891. I have seen several cases in which the Bombay Government have had to go to the Government of India to get sanction to allow, for instance, a Ruling Chief to put a telephone in his stables; would those cases come to you?—I believe so.

43892. Are those rules under reconsideration?—I do not think so.

43893. What is the object of requiring anybody to come up for sanction for a telephone communication which does not connect with the general system?—It is because of the State monopoly in telegraphs, and to ensure that no concession is given which may at some future date prove inconvenient.

43894. Even if a gentleman put up a telephone between his house and stables?—There may be some orders which allow the disposal of cases in which a telephone is required for purely private purposes; I think the matter would still have to come to the Director-General of Telegraphs.

43895. Is it not entirely unnecessary; could not the Local Government be allowed to discriminate?—Yes, you might allow the Local Government to come in there. It is difficult of course to exactly schedule the cases in which the State monopoly has to be safeguarded.

43896. I suppose any line which is under the control of the Director-General is periodically inspected by some officer of the department?—Yes, the lines that are under his control.

43897. Would you not have a sufficient voice to protect your monopoly if it was his duty to complain of any infringement in his circle?—I think on the whole you have to be very careful about not allowing any installation to be set up which might in the future prove inconvenient.

43898. Does not the present system look solely to your monopoly and not at all to the convenience of the Chiefs?—It looks to the monopoly entirely; the first point that is considered is the keeping of the monopoly, and allowing no possible chance of the monopoly being infringed, or the thin end of the wedge to come in.

43899. How it affects the Chiefs is a small matter?—That is a small matter.

43900. From the point of view of the Chiefs?—That is rather another question.

43901. In other words it is departmentalism?—It is departmentalism intended to secure the absolute monopoly to the Government of India, and to see that that monopoly is not in any way infringed.

43902. (*Chairman.*) Are you aware that the Telegraph Department in England does not attempt to interfere in the case of telephones on private property?—I do not know what the rule is in England.

43903. Would it alter your opinion if that were the fact, telegraphs and telephones being quite as great a monopoly there as in India?—I should not like to answer that at once without further consideration. The view I hold is that in India we require to be very careful about an infringement of a monopoly, from the cases that I have actually seen come up; I have seen cases in which views were put forward which, when one fully

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weighed them, were not found tenable. I am not sure that the private telephone question has not been recently considered, but at present the rules are very rigid and very stringent

43904. (*Sir Steyning Edgerley.*) You have recently allowed the use of ordinary postage stamps for telegraph purposes; will that effect a considerable saving in expense and trouble?—It will not save much in the way of expense; it will be a saving in trouble.

43905. A saving in the work of the department and in the district offices?—Yes, and that to a certain extent also will save expense.

43906. And a certain amount of saving in the cost of stamps?—That will be small.

43907. Has it ever been considered whether the ordinary stamps could not be used for service postage purposes—I mean the ordinary postage stamps coupled with envelopes stamped O. H. M. S.?—I am not aware of that.

43908. The safeguard in the matter of stamps lies in the O. H. M. S. on the envelope and the frank—the signature of the officer who uses it?—Yes.

43909. Is not the Post Office rule which requires, besides the signature, the official designation of the person sending it really useless in fixing responsibility in the case of a suspected cover?—I could not really say.

43910. With your name once on the cover it does not matter whether your designation is there or not for the purpose of tracing responsibility?—Not perhaps if my name could be read, but it is not always legible.

43911. The person who receives the letter from you could probably say whose the signature was?—Yes.

43912. Have you ever made enquiry from Government printing presses as to the expenditure caused by the rule which requires the official designation to be stated?—No. I do not think the matter has been discussed.

43913. Does not the maintenance of a supply of service stamps in all the public treasuries and other offices cause a big separate register to be kept?—There is a separate register kept.

43914. Do you know of any reason why the ordinary stamps could not cover the ground?—The only reason is that, if it is stolen, the O. H. M. S. stamp cannot be used for private correspondence without arousing suspicion, whereas the ordinary stamp can.

43915. With regard to the question of customs, the Chairman of the Chamber of Commerce at Madras pressed for further imperialization, especially in the matter of appeals; an officer of great experience in Bombay has sent us a memorandum in which he presses strongly for further co-ordination. He says "No effective steps have been taken, so far as I am aware, to secure uniformity of practice at the principal ports of India, and some sort of co-ordination is urgently needed, and also more direct control in matters of principle and law." Is it the case that the decision not to have an Imperial Officer for the hearing of appeals is the result of the decision of the Secretary of State, or is it the result of the decision of the Government of India?—As far as I understand there has been no absolute decision about that yet.

43916. If you had appeals from out-ports coming to the Chief Customs Officer of the main port, and appeals from the Chief Customs Officer at the main port coming to one central appellate authority, would that not co-ordinate practice?—It would help to co-ordinate practice.

43917. And there is some little evidence that that is very necessary?—So far as my knowledge goes of the present and past year, we have had no actual complaints or suggestions to that effect from commercial bodies.

43918. So that the suggestion of the Madras Chamber of Commerce practically stands alone?—Yes, so far as I am aware.

43919. Are there not two ways of securing uniformity; one is to take up a proposition and examine it, and another is to say "You are the only Local Government that has mooted this matter and we do not think it is necessary to examine it at all." Which course does your department usually follow?—We usually consider every suggestion, and if it is a good one we ask the other Local Governments whether they agree to adopt it.

43920. You do examine the suggestion?—We examine it and send it round.

43921. (*Chairman.*) What has been your experience before you were appointed Secretary of this department?—Before I was appointed here I was a Deputy Commissioner in the Central Provinces; I was then Chief Secretary in the Central Provinces Administration for four years, and I was on special duty under the Government of India on two occasions.

43922. For what purpose?—One was in connection with famine relief and the other was in connection with emigration to the Assam tea-gardens.

43923. Do you consider the Department of Commerce and Industry rather a special department?—I would call it a special department.

43924. You tell us that you ought not to put at the head of the Customs Department a member of the Indian Civil Service, however able, who has had no previous training in that kind of work, but as I understand at the head of the Department of Commerce and Industry, both in the case of the Member and the Secretary, they have had no special training in either commerce or industry?—It may be correct to say so. I have personally had special experience in several of the particular subjects which arise in this department; with regard to the mining rules, for instance, I have had special experience, and also with regard to certain other subjects.

43925. In connection with mining you have had experience as what?—As Chief Secretary in the Central Provinces for four years, I dealt with all the mining cases that came up in that province, which was at that time perhaps the most go-ahead province in India in the matter of mining.

43926. Then you tell us that there has not been very much increase in the matter of returns, but one of the Local Governments told us the other day that there had been a great demand for opinions. Has there been an increased output of these enquiries for opinions as against the demand for returns?—I should not say that there has been an increase in such enquiries for opinions; you must always have such enquiries. An important point, say, with reference to the administration of a particular Act, is raised by a Local Government who desire to introduce some important reform; in such a case it is absolutely necessary for the Government of India, who are consulted and asked to decide, to take the opinions of the other Local Governments. So long as important matters of reform are raised by Local Governments and sent up to the Government of India, so long it will be necessary for the Government of India to send the suggestions round for the opinions of other Local Governments. These do not in all cases originate with the Government of India; it would be very difficult to say to what extent the proposals originate with the Government of India or with some Local Government.

43927. With regard to these opinions, has the enquiry about them increased in number in late years?—I should not say that it has; in the last two years the number of these opinions has undoubtedly been less than they were in the previous five years.

43928. When you send round for these opinions, does your department send round a general circular, or does it discriminate between the Local Governments and the Local Administrations which are in a position to have an opinion?—Ordinarily the opinion is asked for by a general circular; the suggestion, which has been made by another Local Government or perhaps is originated by the Government of India itself, is put in a circular and the reasons for it are set forth as clearly as possible, and the other Local Governments and

other Local Administrations are asked whether they agree to accept the suggestion or not. It is generally put in one circular, with a mere verbal alteration in the matter of address.

43929. With regard to cases which concern your department—take the case of petroleum ; I understand there is no petroleum produced in the United Provinces ; would you think it necessary, knowing there was no petroleum produced in the United Provinces, to send a circular to the United Provinces Government for their opinion?—In that case a differentiation would be made.

43930. We have been told by one or two Local Governments that no differentiation is made?—Undoubtedly in that case a differentiation would be made.

43931. May we take it that care is taken in your department to see that that differentiation is made?—Yes ; it very seldom arises, but care is taken.

43932. When did the Secretary of State decline to agree to the proposal of the Government of India in favour of delegation to Local Governments of power to grant leases in respect of precious stones?—It was when the present mining rules were issued in 1899.

43933. With regard to the purchase of stores you say "A proposal has been sanctioned by the Secretary of State giving the Heads of scientific Departments power to purchase stores direct from manufacturers outside India" ; does that cover the Education Department?—It would, in regard to apparatus for use in institutions such as technical institutes and the like.

43934. And Medical Departments?—Yes ; all scientific departments which require to purchase instruments are allowed to purchase direct from home.

43935. With regard to reports from maritime provinces on trade and customs administration and so on, you say they are "furnished by the Local Government concerned," I suppose you mean, furnished to the Secretary of State?—They go to the Secretary of State ; the Local Governments send them home.

43936. Do you think that they are necessary?—I do.

43937. For instance, the annual return of the working of the Merchandise Marks Act?—Yes ; it is very important to know how the Act is being worked, and to see that things are done correctly.

43938. Has the uniform set of rules which you intend to issue to Local Governments under the Indian Petroleum Act been determined upon after consultation with the Local Governments?—Yes.

43939. And in the same way with regard to the Indian Mines Act, have the Local Governments been taken into consultation as to the rules issued?—Yes ; the Local Governments were taken into consultation ; and the actual section of the Mines Act, which enables Government to frame rules, prescribes that the rules shall be published for general objection by private persons as well ; so that Local Governments and the mining industry are both consulted before such rules are framed.

43940. Has the creation of the Railway Board increased or decreased the work of your department?—The Railway Board was created *pari passu* with the creation of my department, so that it is impossible to answer that question, as we were brought into existence together.

43941. I know that a committee has just reported on the Railway Board, but do you think that, speaking generally, the Commerce and Industry Department has delegated to the Railway Board as much freedom of action as is necessary?—It is a very wide question to answer. When the Railway Board was constituted, a committee met to consider the powers which should be exercised by the Board. These powers have in some matters been extended, and any further modification of the powers would depend a good deal upon the actual working of the Railway Board. We do not interfere, of course, in technical matters ; I am talking about administrative matters.

43942. In answer to Mr. Meyer you said that five years was the maximum period of tenure of office by any officer in the Secretariat?—Ordinarily. Three years is the present prescribed rule.

43943. That I understand refers to the tenure of office in the Secretariat of the Government of India?—That is what I referred to in my answer.

43944. What has been your own length of tenure of office here?—I officiated last year for nine months, and I have now just joined, a fortnight ago.

43945. What is the tenure of office of the Honourable Member in your department?—The Member is appointed for five years.

43946. You think that five years is the average tenure of office of any one individual member?—Of the particular office ; that would be the maximum.

43947. Not the retention of the particular office, but the tenure of service in the Secretariat of the Government of India?—That of course I should have to modify. You might get a man who had been Under-Secretary for three years ; after five or 10 or 15 years' service he might go back as Secretary, and might be Secretary for four or five years, and he might again revert to work in the provinces and come in as Honourable Member.

43948. Without dealing with probabilities or possibilities, what is the general practice ; would you say that the general life of a member of the Secretariat of the Government of India is limited to five years' experience?—I could not say that.

43949. What would you put as the general length of his experience in the Secretariat of the Government of India?—That would be a very difficult question to answer

43950. Nearer ten than five?—Nearer five than ten, I should think. Taking it all round, I should say probably five would cover the average. You might have men with very much more prolonged spells of office, but I should say that, taking everybody all round, five years would cover the average.

43951. (*Sir Frederic Lely.*) With reference to the qualifications of the Honourable Member at the head of the department in the Secretariat, would you not say that the headship of a department requires not so much expert knowledge as general administrative experience?—General administrative experience, of course.

43952. The expert knowledge is possessed by specialists under the department?—Yes.

43953. That is in fact the chief safeguard against a narrow departmentalism?—Yes ; but at the same time it is desirable that the man appointed should have some experience in dealing with the more important matters ; the main requirement is administrative experience and knowledge.

43954. (*Mr. Dutt.*) In some provinces officers have been appointed to make enquiries with regard to existing industries and also to see in what way they could be helped. Is your department in any way concerned in collating that information?—It will eventually be employed in collating the information. The view I personally have taken whilst in the department has been that we should leave the Local Governments as far as possible to their own devices ; the practice in the past has too often been to call for reports on this particular matter ; voluminous reports were called for about 1888-89, and the industries and everything connected with them got buried in those papers. What I hold is that we should give Local Governments a free hand in pushing these industries ; do not overwhelm them by making them submit reports and telling us everything they do ; a certain amount of collation will undoubtedly take place later on.

43955. Have you been in correspondence with the Local Governments with regard to the enquiries they have been making?—We have not been in correspondence to any great extent, merely ascertaining the fact that they are taking the matter up ; we have not laid down any particular

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lines on which they should proceed; we have not up to the present given them any general orders, nor have we called upon them for reports.

43956. But the results of these enquiries will eventually be communicated to the Government of India?—Yes, and the Government of India undoubtedly will do what is needful in the way of making suggestions.

43957. (*Mr. Hichens.*) With regard to railways again, it was represented to us in Bombay by a certain witness that it would be advisable if the Local Government had the power to sanction and control the building of light feeder lines. What would your view be about that?—The view I hold is that there is really no objection to their sanctioning and controlling the construction and management of light feeder lines, provided you are absolutely certain that it is a light feeder line. The difficulty that has arisen on some occasions is this; a line is thrown out as a light feeder line, perhaps on rather loose conditions; 10 years elapse, and it is found to be on a track which is a very probable main line; then you are tied up with all manner of troubles and difficulties. I think that with a Railway Board controlling the direction of railways throughout India, it would be very advisable that, before any such light feeder lines are constructed under the authority of the Local Government, a reference should be made to the Railway Board to guard against complications such as I have indicated. The Railway Board have access to previous proposals which may have been made several years ago for a through line, and a light feeder line along what may be eventually a main line is a very inconvenient thing.

43958. But in any case this light feeder line might so develop traffic that it would ultimately justify the construction of a main line?—That is a matter that could not be foreseen, but you have other cases which can be foreseen.

43959. Would it suffice in your opinion, supposing the Railway Board laid down the terms and conditions under which they might resort to compulsory expropriation?—That might perhaps be sufficient.

43960. Would it be possible for them to do that?—The term of years would certainly be a very long one, and I question whether that would be sufficient to do away with the necessity of some sort of outside control.

43961. Would it suffice, for example, if they said, "You may sanction any light line you like, provided that Government has the power to expropriate at the end of x number of years"?—The difficulty is to fix the x number. It would have to be a long period, and, that being so, it is better to retain the power of sanction. The reference would be a very slight one; all that need be done is to ask "Have you any objection to this light feeder line being built?"; if there was no objection, it would go on; in most cases the light feeder lines would be *bonâ fide* light feeders.

43962. Suppose that was done, would the Department of Commerce and Industry still think it necessary to inspect the line to see that it was safe for passenger traffic, and supervise the construction of the line?—It would be necessary to have Government inspection in the interests of the public.

43963. To take it one step further, would you say the same thing would be necessary in a Native State; suppose a line was being built there, would it be necessary for the Government of India to supervise it?—Yes, we do so, and I think it is necessary.

43964. On what ground?—On the ground that our general responsibility for the administration of Native States extends to a matter of such importance as the inspection of railways. All that is necessary is that there should be efficient inspection.

43965. Would you apply the same to coal mines or factories?—We do not interfere with coal mines or factories.

43966. On what grounds?—We leave them to their own devices.

43967. Although safety of life and limb is involved?—It is, but in railways we have adopted this policy in the wider interests of the public.

43968. (*Mr. Meyer.*) About this question of light railways, has there not been discussion with the Local Governments and the Secretary of State, on the question of allowing the Local Governments power to finance or guarantee light railways?—Yes.

43969. And you have been considering a set of simple rules that would give you the necessary control in respect of the connection with main lines and the possibility of future conversion into main lines?—Yes, they are simple rules.

43970. Can you tell us how the matter stands at present?—The matter has been unfortunately rather hung up because of the question as to the best method of attracting capital for such lines. For instance, one proposal is a firm guarantee by the Local Government; another which is considered the more likely to induce capital to come forward is the offer of a rebate by the main line. Between these two conflicting ideas as to which is likely to induce capital to come forward, the rules have been in suspense.

43971. It is necessary in such matters to have absolute uniformity; might you not try the firm guarantee at one place and the rebate in another?—That is how it now stands; the original idea when I was here last year was that the best and most likely manner of attracting capital was to pin your faith to the rebate. Since then I find we have gone back to the idea of having an alternative firm guarantee.

43972. Your idea would be an alternative—whichever the local people preferred?—Yes.

43973. It has been put before us in some provinces that District Boards might be enabled to levy a supplementary cess for railways, or have the power of levying it, and to use the proceeds or the potential asset it gave them, for the purpose of guaranteeing small lines within their districts. The matter has not been looked on, I think, with favour by the Government of India as a whole, but may I ask your personal opinion about it?—I personally am in favour of the suggestion that the District Boards should have this power.

43974. It was made a matter of complaint by the Chief Commissioner of the North West Frontier Province that he was obstructed by the Telegraph Department. He wanted new telegraph stations opened for State purposes, and the Telegraph Department declined to comply unless they were supplied with a guarantee against loss. Does that system meet with the approval of the Commerce and Industry Department?—The ordinary rule is that the Telegraph Department is a commercial department which must primarily pay its own way; in the case of out-lying stations such as there are in the North West Frontier Province, the general rule is to ask the Local Government to back up their belief in the necessity of the new telegraph station by a guarantee for five years; at the end of the five years the telegraph will continue, it is not to be pulled up again. The guarantee for five years is more or less equivalent to saying "You must back your opinion by being prepared to pay any loss for five years." So long as the Chief Commissioner of the North West Frontier Province will do that, there will be no difficulty.

43975. Are not all the Government funds in the North West Frontier Province imperial?—Yes.

43976. So that the guarantee is not material?—No, in the North West Frontier Province there is that distinction; it is imperial.

43977. My impression is that some years ago this matter was discussed, and the conclusion that was come to was that these guarantees were undesirable, and that if a telegraph office was necessary for public purposes, the Telegraph Department ought to construct it?—As far as I remember

the final issue of the discussion was that the guarantee should still be asked for. The point was, at the end of the five years what should happen; at the end of the five years should the line be closed if it could not pay. The decision come to was that it should not, the line must be worked and must not be pulled up, but for five years you have to back your opinion by undertaking to cover loss if any.

43978. In the same province, or it may be in Baluchistan, there were complaints as to the rules under the Explosives Act, prepared by the Chief Inspector of Explosives; it was said that they were such that the District Magistrate could not possibly understand them in some cases?—I thoroughly agree in that.

43979. Does your department propose to do anything towards simplifying these difficult rules?—I am afraid we would not attempt it. The Chief Inspector of Explosives follows the rules of the Board of Trade issued in England, and when the home rules are modified in any important point he follows suit, and there is no one here to say him nay. It is a very technical matter.

43980. After all, a rule is intended to be worked, and if the District Officers do not understand it they cannot work it?—It is no doubt difficult to work some of the more special rules. I may add that these special rules apply as a rule in large centres where the Inspectors of Explosives (of whom there are two under the Chief Inspector) take care to see that the rules are worked. The District Magistrate as a rule, in connection with these difficult and intricate matters, has very little to do.

43981. Except to try and understand the rule and see whether it applies to his district or not?—I do not imagine he would ever try to understand the rule.

43982. We had complaints in Bombay as to information and returns called for by the Director of Commercial Intelligence. Does the Director of Commercial Intelligence give trouble to Local Governments in regard to calls for information?—There was a certain case last year on which presumably that complaint was based, in which the Director of Commercial Intelligence had called for certain returns from the Government of Bombay; the Government of Bombay brought the matter to the notice of the Government of India; we considered that the attitude which the Director of Commercial Intelligence had adopted was incorrect, and we told him so. It was a misinterpretation on his part of his position.

43983. Speaking generally, do you think there is a tendency on the part of that officer to call for unnecessary returns?—I do not think there is; in the case mentioned he acted with the best of intentions, but the view we took of it was that the Director to some extent misunderstood the conditions of his office.

43984. And that if he had wanted this information or thought it essential, he should have come up to you?—It was a matter with which we were not really concerned; it was a matter in which a private inquirer wished for certain information; the private inquirer referred to the Director of Commercial Intelligence; we said on the case that the Director should simply have referred the private inquirer to the Government of Bombay, instead of which he called on the Government of Bombay to supply himself with the information and added certain remarks; it was to that, I think, that the Government of Bombay objected.

43985. I take it that you intimated to him your disapproval, politely but in such terms that he is not likely to repeat it?—Yes.

43986. (*Chairman.*) I asked you a question about the sending of circulars indiscriminately to Local administrations. A case was quoted to us (I think in Baluchistan) where the Director of Commercial Intelligence issued a circular asking as to the operations of Insurance Companies in Baluchistan; would that not appear at first sight to be a somewhat superfluous inquiry?—I should certainly have said so.

43987. Have you no check, then, upon this officer as to what he sends out and what he does not send out?—The office is a new one, and we have got to more or less settle the procedure. Orders exist laying down what the Director-General should do and what he should not do. He can ask for information which is called for in the interest of commerce from Local Governments.

43988. But can he do that independently of the Government of India?—He can.

43989. Is that a wise discretion to place in the hands of an officer?—It is a somewhat difficult matter; such information may be very necessary, and it would be troublesome for the Government of India to be continually asking for details of this commercial information.

43990. But can the Director of Commercial Intelligence ask in the name of the Government?—No; he asks purely for his own purposes of commercial intelligence.

43991. And is the Local Government at liberty to refuse that information?—It would be at liberty to say that it had not got the information, or that it could not supply it.

43992. Would not a Local Government understand a request issuing from the Department of Commerce and Industry at the hands of the Director of Commercial Intelligence as practically an order to furnish the Government of India with the information?—I think not. He is the officer of the Government of India in charge of trade statistics and commercial information, and his office is subordinate to the Department of Commerce and Industry; but he runs his own show, to use a common expression.

43993. Is he a member of the Indian Civil Service?—No; he is a mercantile man.

43994. He publishes a *quasi*-Trade Journal?—Yes.

43995. And he is at liberty there to air his views?—He is at liberty to air his views.

43996. Has not that Journal been under recent criticism?—It has been under criticism since the time it began.

(*The witness withdrew.*)

Adjourned.

SIXTY-FOURTH DAY.

SIMLA, *Saturday, the 4th April* 1908.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Mr. R. W. CARLYLE was called and examined.

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43997. (*Chairman.*) You are the Secretary in the Revenue and Agricultural Department?—Yes, since four months. I have not been in the Government of India before that, except for two months as Under-Secretary, 19 years ago. I hand in a †memorandum dealing with the constitution of the department.

43998. Have you seen Sir Herbert Risley's description of the work in the Secretariat, and may I take it that the description which he gives accurately describes the condition of things so far as your office is concerned?—Yes.

43999. I understand from your statement that all important cases are submitted to the Governor-General; do you mean the Governor-General in Council or personally?—Personally, and it is for him to decide whether a case shall go before the Council or not, unless under the Rules of Business it is a Council case.

44000. Has he the absolute disposal as to the ultimate destination of all questions?—If there is no dispute, and the rules of business do not require that it should go before the Council. Of course, if a Member of Council disagrees with the Governor-General, the Member may require it to go before the Council.

44001. What proportion of the important cases go up for the orders of the Governor-General without going on to the Council?—I could not say. There has been only one case which has gone to Council since I have been here, and that was because under the Rules of Business it was a Council case.

44002. Are the orders of the Governor-General limited to saying "I agree," or does he write a memorandum or note of some length?—It depends entirely on the case. Very often he merely says "I agree," but if he has any views of his own to express, he puts them in the form of a memorandum.

44003. Does that very frequently take place?—I should not say very frequently, but it does take place occasionally. I am of course speaking entirely of my own department.

44004. You state that the Under-Secretary and Deputy-Secretary are employed in noting on cases; do both of them note on the same case?—No; the rule is that every case goes through two officers, it may be the Under-Secretary and the Deputy-Secretary, it may be the Under-Secretary and the Secretary, and it may be the Deputy-Secretary and the Secretary. The work is divided. We do not all three note except in very special cases.

44005. But two out of the three Gazetted Officers always note on every paper before it reaches the member?—Yes.

44006. Are there any previous notes made by the superintendents of the department?—There is an office note always, but that is merely to put up references and, if necessary, to give a brief history of the case.

44007. What sort of length does it extend to?—That of course must depend; in a very long and complicated case spreading over many years, it might be several pages, but as an ordinary rule it is quite a short note.

44008. The Inspector-General of Forests expresses his opinion on business relating to forest administration before the papers are submitted to the Secretary; what exactly is done by other Heads of Departments?—They come up officially; sometimes a file is sent unofficially for a note, but as a rule they write officially.

44009. After seeing the papers?—Not necessarily; very often a file is sent to some Director that he may see the papers, but it is not always done. In a big case which affects the department materially, he would probably see them, but in each case there would be a special order that the file should be sent to him unofficially.

44010. We have been told that Directors-General are the expert advisers of the Government of India in their respective departments; but I gather that it is only the Inspector-General of Forests who habitually sees papers and notes on them before their submission to the Secretary?—He is the only one who invariably sees them; in any big case of course we should always consult the Head of the Department.

44011. What is the reason for the difference of practice in submitting papers to the Inspector-General of Forests and other Directors and Inspectors-General?—I think the reason is mainly historical. The Resolution of 1864, creating the office, appointed him "to assist the Government of India in dealing with the forest business that comes before it," and he was "attached" to the Secretariat for this purpose.

44012. Taking the various Inspectors-General, is the Inspector-General of Forests an expert officer of the Forest Department?—Yes.

44013. What is the Inspector-General of Agriculture?—He has taken an agricultural degree, I think.

44014. Is he a special officer sent to the department?—He was in Bombay first of all; we took him from Bombay; it was a newly-created appointment.

44015. Is he an expert officer and not a member of the Civil Service?—Yes.

44016. Is it the same with regard to the Civil Veterinary Department?—Yes.

44017. And the Director-General of Observatories?—Yes.

44018. And the Director of the Botanical Survey of India?—He has always been an officer belonging to the Indian Medical Service in the past.

44019. Has this particular officer any special qualifications for his post?—Yes. The permanent officer is Captain Gage, who is at present on leave; he went into the Indian Medical Service in order to get the appointment; his natural bent has always been botany.

44020. But what are his general qualifications?—He had a training at home in botany; I cannot tell you what his qualifications are.

† *Vide* Appendix Ib.

44021. How is the Board of Scientific Advice composed?—It comprises the following *ex-officio* Members:—The Surveyor-General; the Director-General of Observatories; the Director of the Geological Survey; the Director of the Botanical Survey; the Inspectors-General of Forests, Agriculture and the Civil Veterinary Departments, the Reporter on Economic Products and the Superintendent of the Natural History Section of the Indian Museum. Also Dr. Morris Travers, Director of the Indian Institute of Science, Bangalore.

44022. What are the particular qualifications of the Director-General of Commercial Intelligence for the post?—The present permanent officer is a gentleman who, I believe, came out to India as Secretary to the Chamber of Commerce in Bombay. He is only connected with this department for the one purpose of agricultural statistics.

44023. Do you regard these statistics as accurate and valuable?—It depends very much on the provinces; they are much more accurate in some provinces than they are in others; I believe in some provinces they are very fairly accurate, and they are valuable in all.

44024. In the case of land surveys you do not in the case of the Imperial Service depart from the order of seniority in the selection of officers?—The Surveyor-General cannot make appointments in the Imperial Service without reference to the Government of India if he departs from that rule; if he wants to depart from the order he must make reference to the Government of India. The words I used were "all other promotions and appointments (provided that in the case of the Imperial Service they do not depart from the order of seniority) rest with the Surveyor-General."

44025. In the case of land surveys is much departure made from the order of seniority?—At present the officiating Surveyor-General is not the senior member of the department. I think the Surveyor-General is always appointed by selection, but that has been the only case which has come up since I have been here in which the order of seniority has been departed from.

44026. Taking the Agricultural Department, need cases occur such as were mentioned in Eastern Bengal and Burma of a staff having been sent to a province a long time before the buildings were ready for them?—That was done at the request of the Government of Burma which said it wanted the men sent in order that they might get a knowledge of the local conditions of the province, and I think they were very wise in doing so.

44027. The fact that the staff was sent down before the buildings were ready was due to the direct demand of the Burma Government?—Yes.

44028. When was that?—I think it was in 1906.

44029. You say that under the Agricultural Department the experts have been constituted an Indian Agricultural Service, which is being brought under a uniform set of rules as regards pay and conditions of service; is that necessary?—The Secretary of State laid great stress on the desirability of their being available for service in all parts of India, and on the whole I think it is desirable with the present strength of the force. A province might be unable to replace a particular officer from its own *cadre*. It might be different if there was a larger agricultural staff, but it is too small at present for each province to attempt to meet its own requirements.

44030. Are these officers interchangeable from province to province?—Yes; by the Government of India.

44031. I see that in the provinces there are what are called Civilian Directors; does that mean that they are recruited from the Civil Service?—Yes.

44032. Is that on the whole a good method?—I think so, because at present the functions of a provincial Director are very largely administrative.

44033. So that these experts who are sent out are not eligible to become the Heads of their Departments in their respective provinces?—I would not say that; at present they are not, but of course that question will be considered later on.

44034. It is a mere temporary arrangement?—Yes.

44035. You say the Board of Agriculture consists of provincial Heads and senior officers of Departments; does that mean of departments of the Local Government?—The Agricultural Department generally in each province, and experts serving directly under the Government of India.

44036. It really is a conference of the various officers in the different provinces?—Yes.

44037. Who presides over it?—It is presided over by the Inspector-General of Agriculture; their deliberations are sent to the Government of India.

44038. Is there any reason why they should not be sent direct to the Local Governments?—I do not think there is any special reason; I have not considered it.

44039*. Has the demand for returns and information from Local Governments increased of recent years? If so, is this due to the requirements of the Secretary of State or to those of the Government of India? Will you kindly give the Commission a list of the periodical returns which your department (*a*) calls for from provincial Governments, or (*b*) furnishes to the Secretary of State with a column showing which (if any) are in your judgment unnecessary?—I hand in a †list of periodical reports and returns prescribed for submission (*a*) by Local Governments and Administrations to the Government of India in the Department of Revenue and Agriculture, and (*b*) by the Department of Revenue and Agriculture to His Majesty's Secretary of State for India. Occasional reports and reports and returns submitted only in times of famine have been included. In the last column of the list I have added some explanatory remarks and I have expressed the opinion that one return, the statistics of cinchona now supplied by the Governments of Madras and Bengal, might be abolished. There has been no increase in recent years in the demand for reports and returns from Local Governments. The whole question was considered with great care in 1901 and again in 1903, and some reports and returns of minor importance were dispensed with. Others however were added either at the time or subsequently, and the total number of reports and returns now received in the department is almost exactly the same as it was in 1901. This statement, however, requires explanation. Strictly speaking only four new reports have been prescribed since 1901. Three of these‡ are due to recent legislation of an experimental character, the results of which needed careful watching both on the part of the Government of India and of the Local Governments concerned. The fourth, the report on the Poona Observatory, which is a provincial institution, is required for the Observatories Committee of the Royal Society which kindly advises the Government of India on meteorological matters. The other reports shown in column 3 of the list are not new reports, and so far as I am aware they do not throw additional work upon Local Governments and District Officers. They were introduced in the interests of simplicity, and generally speaking they present, in a more convenient form, information which was formerly embodied in other reports which appeared to the Government of India to be overloaded. A single instance will explain my meaning. It will be understood that the facts which I mention were in no way peculiar to the Local Government referred to. The Land Revenue Administration Report of the Punjab for the year 1898-99 consisted of 142 pages of letterpress and diagrams and 195 pages of statistics. It included in full the Progress Report of the Survey Department (written by the

† *Vide* Appendix II*b*.

‡ The Report on the working of the Bundelkhand Alienation of Land Act.

The Report on the working of the Punjab Alienation of Land Act.

The report on the working of the Co-operative Credit Societies Act.

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Superintendent of Surveys), the Final Report of the Director of Land Records on the more important crops (written by the Director), and the Report of the Colonization Officer of the Chenab Colony (written by that officer). It also dealt *inter alia* with such matters as Land Records and Settlements. The inconvenience of a voluminous report of this kind both to the Local Government, which had to review it, and to the Government of India which had to read it, will be obvious, and in 1901 it was arranged in consultation with the Local Government that the working of the departments of Land Records and of Settlement and the Administration of the Canal Colonies should be dealt with in separate reports. A special season and crop report was also prescribed, as information regarding the harvest of the year is wanted before the date at which the Administration Report can be submitted to the Government of India. Similar reforms were introduced as far as possible into the reports and returns of other provinces. Opportunity was taken at the same time to apply the pruning knife where practicable to unnecessary statistical tables and to redundant matter generally, and in this direction very real relief was afforded to Local Governments and their officers. By 1903 the bulk of the various reports received in this Department had been reduced from 5,442 to 3,675 pages; and the following table, which exhibits in figures the effect of the reforms of 1901 on the Punjab reports referred to above, will illustrate my point even more clearly:—

Before 1901.				After 1901.			
Report.	Number of pages of letterpress.	Number of pages of statistics.	Total.	Reports.	No. of pages of letterpress (including Financial Commissioner's review).	Number of pages of statistics.	Total.
Land Revenue Administration Report.	142	195	337	Land Revenue Administration Report.	16	46	62
				Report on Settlement Operations.	6	3	9
				Report on Land Records Department.	12	4	16
				Season and Crop Report.	7	28	35
				Colonization Report	32	13	45
1	142	195	337	5	73	94	167

It will be seen therefore, I think, that so far from increasing their demands for reports and returns from Local Governments, the Government of India has done much in the last few years to improve the system of reporting, and to relieve Local Governments as much as possible of the duty of collecting useless statistical matter. Something no doubt remains to be done in this direction, and the question will continue to be examined periodically, but it seems doubtful whether many of the reports now received can be dispensed with, consistently with the maintenance of a complete annual review of administrative progress.

The only new report prescribed by the Secretary of State for India in recent years is the general review by the Government of India of the working of the Co-operative Credit Societies Act.

As regards the question whether there has been any increase in the calls by the Government of India for information from Local Governments and Administrations, the number of circular references for information issued in the last ten years (97) is smaller than the number issued in the previous ten years (119). These figures, however, do not include requests for information addressed to individual Governments, and the question is one which it is impossible to answer satisfactorily without a more detailed examination of the correspondence registers of my office than it has been possible to make in the time and with the staff at my disposal. The business of the Department, however, is increasing every year in volume. Ten years ago the average annual number of receipts and issues was 23,074; five years ago it was 24,054; now it is 28,405. But these figures again are misleading without explanation. The most striking increase of work occurred in the General Branch of the office which has little to do with correspondence with Local Governments, and where the increase in the last five years is mainly due to special and temporary causes, such as the disposal of an immense number of surplus books, the receipt of 1,300 applications for the new appointments recently added to the office establishment and the transfer of files to the Department of Commerce and Industry when that Department was constituted. Even allowing however for temporary causes of increase, the conclusion may safely be drawn that the correspondence between the Government of India and Local Governments has shown a tendency to increase in the last five years. This tendency is most noticeable in the Forest Branch and the Inspector-General of Forests' office and in the Agricultural Branch. In the last-named it is the natural result of the re-organization of the Imperial and Provincial Agricultural Departments which has taken place since, in 1905, the Government of India decided to make a recurring grant of 20 lakhs (subsequently raised to 24 lakhs) for purposes of agricultural improvement in India. In the Forest Branch and the Inspector-General of Forests' office the increase is due mainly to the re-organization of the Department, the revision of the scale of pay, the establishment of the Forest Research Institute at Dehra Dun, and to correspondence connected with revision of the Forest Code. The Government of India, however, are disposed to think that some measure of decentralization in the Inspector-General of Forests' office is possible and desirable, and they requested him in October last to overhaul his office, and to consider whether some classes of references to Local Governments might not be discontinued. In the Famine Branch some increase of work has been caused by the correspondence which ensued on the reports of the Commissions of 1898 and 1901, but now that all Local Governments have newly revised Famine Codes this class of work is not likely to recur in the same volume, and the work of the branch will vary with the state of the season. The only other branch which calls for notice is the Revenue Branch. The slight increase observable in the work of this branch is due partly to the labours of the Irrigation Commission and the Survey Committee, but mainly to the fact that after the issue of the Land Revenue Resolution of 1902 each of the most important branches of Land Revenue Administration was taken up in turn and subjected to detailed examination. Speaking generally I would ascribe the growth in the business of the

Department which has taken place in the last ten years to the administrative activity which marked Lord Curzon's tenure of office.

Calls by the Secretary of State for information from this Department have shown recently a slight tendency to increase, but their number is still insignificant.

44040. You say that the Director of Commercial Intelligence is not empowered to call for new returns; is any other officer, or is your department, empowered to call for any new returns, agricultural statistics, and so forth?—It may be done by an order of the Government of India.

44041. You cannot do it without an order of the Government of India?—No; the Member in Charge, in practice, may do it.

44042. Do you find that although there may be no increase in the actual formal returns there is an increase in what is called the demand for opinions?—I am answering without having the exact figures before me, but I think there must have been an increase in calls for information from Local Governments during Lord Curzon's administration, as so many big questions came up.

44043. Has that thirst ceased or does it continue?—I cannot remember any special call except on one point, as regards forest matters, since I have come into the department.

44044. Do you expect this recent increase of work, as the overhauling of each department is finished, will fall again?—I should think so.

44045*. What is the general character of the restrictions on the alienation of land by Provincial Governments, and on the grant by them of land free of assessment or upon favourable terms?—The general orders regarding the alienation of land by Local Governments and Administrations are contained in a Resolution by the Government of India, dated 6th February, 1872. Briefly stated, these orders require that the previous sanction of the Government of India should be obtained to:—

	Rs.
I. The sale of land—	
(*a*) When sold for full value, if the estimated value exceeds ...	10,000
(*b*) When sold for a public purpose on favourable terms, if the price recovered is less than half the full value, and in any case in which the full value exceeds	1,000
(*c*) In† all cases in which the land is sold for less than its full value to individuals for their private benefit.	
II. The gift or grant of land—	
(*a*) When it is required for the construction, at the cost of recognized local funds, of a Government school, hospital, dispensary, or other public work, if the value exceeds ...	3,000
(*b*) When it is required for any other public purpose, or is granted to a private individual for services to be performed to the State, if the value exceeds	500
(*c*) When it is granted for services to be rendered to the community, if the value exceeds	100
(*d*) In all cases of grants to individuals for their private benefit irrespective of any services to be performed.	

Alienations made under these rules are reported by each Local Government and Administration to the Government of India in an annual return. These rules do not apply to the allotment of lands belonging to Government for purposes of cultivation subject to assessment, which in raiyatwari provinces is a normal feature of the administration. In most provinces again special rules have been drawn up to regulate the disposal of waste lands. In Madras and Bombay these rules are issued without reference to the Government of India, but in other provinces the usual practice is to obtain the approval of the Government of India before issuing or altering them. Separate rules were also framed by the Secretary of State in 1894, in the exercise of the powers conferred upon him by section 1 of the Government of India Act of 1859 (22 and 23 Vic., c. 41), to limit the contractual powers of the Government of India and of Local Governments in respect of "concessions, grants, leases, and contracts" made or entered into with "any person, firm, company, syndicate, municipality, or other public body" for "mining, milling, or any other industrial purposes, or for the purpose of any railway, tramway, water works, or other undertaking of a like nature." Finally, concessions of mining rights are governed by separate rules issued with the sanction of the Secretary of State for India in 1899.

As regards the restrictions on the grant by Provincial Governments of land free of assessment or on favourable terms, it should be noted in the first place that the Resolution of the 6th February, 1872, cited above, refers solely to the alienation of proprietary rights in lands which belong to Government, and that separate orders have been passed regarding the alienation of land revenue.

Revenue-free grants may be divided into two main classes—(1) grants for public or *quasi*-public purposes, and (2) grants to private individuals.

In respect of the former class the following rules have been laid down:—

(*a*) Lands such as roads and sites of hospitals, dispensaries, schools and the like which yield no return to private individuals or local bodies and are devoted to public purposes, should be exempt from assessment to land revenue subject to the conditions (1) that when the value of the land revenue proposed to be remitted capitalized at 4 per cent. exceeds the limits laid down in the Resolution of the 6th February, 1872, regarding alienations of land, the previous sanction of the Government of India shall be obtained, and (2) that the exemption shall continue only for such time as the purpose for which the land was granted is fulfilled.

(*b*) Lands appropriated for markets, cart-stands and similar objects, from which an income is raised, should contribute their share of land revenue.

In regard to revenue-free grants to private persons for the support of *quasi*-public institutions, the general view of the Government of India, as expressed in a Punjab case, is, that where the object is to assist a charitable institution, a money grant is preferable to a gift of land. "The advantage of a donation in this form," it was remarked, "is that it manifestly and obviously comes from the Government exchequer, and that it can be withdrawn directly the ruling power considers that the institution is not so managed as to meet its ends. There is, however, much more practical difficulty in withdrawing Government support when the aid given takes the form of a grant of land. The connection of Government with the institution as a contributor is then lost sight of both by the donor and the donees, and it becomes a difficult and ungrateful task to transfer the land from the occupation of the grantees when they have been in possession of it for a considerable period."

Grants of land free of revenue to private persons for their personal benefit are rare, and, in almost all cases, require the sanction of the Government of India, the general policy being that "the greatest caution should be observed in parting with State property to private individuals otherwise than at its full value and that free grants of land should be permitted only under very exceptional circumstances of political expediency." Local Governments, however, may, without reference to the Government of India, "in recognition of special service rendered to the police or to the criminal administration by a

† This condition was added by a subsequent Resolution No. 1—645–655, dated 31st August, 1877.

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private person, inclusive of a village headman or watchman, make a gift to that person or to his heir of a value not exceeding Rs. 500, or may grant him, or his heir, or widow, an assignment of land revenue not exceeding Rs. 15 a year for one life, or for a term of 25 years, whichever period may be the longer. The grant may be made partly in the form of a gift of land and partly in the form of an assignment either of the land revenue of that land or of other land; but the total estimated value of the grant should not exceed Rs. 500."

The Punjab Government has also been authorized to sanction, subject to confirmation by the Government of India, the grant at settlement of fresh *muafis* or revenue-free holdings, not exceeding in each case Rs. 100 per annum in value, for life or for the term of settlement. The Chief Commissioner of the North-West Frontier Province enjoys similar powers.

Grants of land on favourable terms are usually made to individuals under the rules regarding the disposal of waste lands. Such lands are usually exempted from assessment for a term of years while they are being reclaimed or while they are being planted up with special products, such as tea and coffee, which do not yield an immediate return to the planter. Such grants require the sanction of the Government of India only if it is the practice of the province concerned to submit its waste lands rules for the approval of the Government of India.

Alienations of land revenue are reported in an annual return to the Government of India.

44046*. To whom are these restrictions due?—The genesis of the existing restrictions on the alienation of land by Provincial Governments was a letter from the Secretary of State, dated the 9th July, 1862, in which he gave orders that "there should be no relinquishment of any portion of the Government revenue without previous communication with the Home Government, nor should grants (of land) which involve any loss of revenue, whether for a limited term or in perpetuity, be made, except with the consent of the Secretary of State in Council, to whose control the expenditure of the revenues of India both in India and elsewhere, has expressly been subject by enactments of the Imperial Legislature." These orders were communicated to the Governments of Madras, Bombay, Bengal and the North-Western Provinces for information and guidance, but no further action was taken till, in 1870, it came to the notice of the Government of India that a building site of high value (Rs. 1,30,000) had been granted by one of the Local Governments for an educational institution without any reference to themselves. Orders were accordingly issued impressing upon Local Governments and Administrations that the sanction of the Government of India should be obtained to the alienation of all Government land, whether actually paying revenue or not, except in the case of grants of waste land under approved rules.

Several Local Governments and Administrations having represented the inconveniences arising from a strict adherence to these orders, they were modified in 1872, and the rules cited above were prescribed.

The history of the restrictions on the alienation of land revenue in the form of grants of land, revenue free or on favourable terms, is more complicated. The letter of the Secretary of State for India referred to above applied to alienations of revenue as well as to the alienation of land, but the question was obscured by the discussion that was going on at this time in regard to the policy of allowing the land revenue demand to be redeemed in perpetuity by the payment of a lump sum, and the rules for the disposal of waste lands which were passed about this time provided for their acquisition, revenue free in perpetuity, on very easy terms. There was, however, gradually a change of policy, and in 1873 general instructions were issued that "no rules involving the permanent alienation of Government revenue or the grant of waste land free from payment of Government revenue for a longer period than 20 years may in future be made or promulgated without the previous sanction of the Government of India." These orders have since been modified in the manner explained above.

The answer, therefore, is that the restrictions have been imposed by the Government of India.

44047*. Could these restrictions be relaxed?—I think the limits of value imposed by the Resolution of 1872 might be enhanced. The Government of India have for some time past had this matter under consideration, but its decision has been delayed owing to the necessity of examining various matters of principle in connection with the transfer of lands from the Imperial to Local Governments, and *vice versâ*. Though the matter is not yet finally settled, it is probable that the limits up to which Local Governments may transfer State lands without reference to the Government of India will be raised as follows:—

A Local Government may sell or otherwise dispose of lands or sanction their sale or disposal in the following cases:—

By sale for full value:—

If the market value of the land does not exceed Rs. 25,000.

By sale on favourable terms, not being for less than half the market value:—

If the market value of the land does not exceed Rs. 5,000.

By gift or grant:—

(1) when given as a site for the construction of schools, hospitals, dispensaries or other public works, at the cost of recognised local funds:—

If the market value of the land does not exceed Rs. 5,000.

(2) when given for any other public purpose or to a private individual for services to be performed to the State:—

If the market value of the land does not exceed Rs. 1,000.

(3) when given for services to be performed to the community:—

If the market value of the land does not exceed Rs. 500.

In all other cases the sanction of the Government of India will be required.

These limits or any others that may finally be decided on will presumably be substituted for the existing limits specified above, up to which Local Governments may at present alienate without reference to the Government of India, the revenue on lands held for public purposes and yielding no return to private individuals or local bodies. But I am not in favour of relaxing the restrictions on revenue-free grants to private persons for their personal benefit. Grants of this kind are undoubtedly popular, and they may be justified occasionally on grounds of political expediency. But they are opposed to a policy which has been deliberately adopted for obvious reasons, and special cases in which a departure from that policy may be advisable should continue, I think, to be reported for the orders of the Government of India, otherwise, as Mr. Craddock, Chief Commissioner of the Central Provinces, points out, the 'special' cases will tend to multiply and to become the rule rather than the exception.

44048*. In particular, is it desirable to give local authorities in Burma larger powers in regard to the grant of land for religious purposes and to remove such restrictions as now exist in respect to the grant of land to non-Burmans in Upper Burma?—I see no objection to the proposal of the Lieutenant-Governor of Burma that the Local Government should have power to grant lands for religious purposes up to a limit of value of Rs. 500, instead of Rs. 200 as at present.

The restrictions on the grant of land to non-Burmans in Upper Burma are contained in Rule 56A of the Upper Burma Land Revenue Manual which runs as follows:—"Leases of State

land which is waste may, for the purpose of cultivation only, be made to persons other than natives of Burma by the Collector and for other purposes by the Local Government. Provided that no lease shall be made to any one person, or set of persons, of an area exceeding 10 acres, and that no greater area shall be leased than will make up the total of the land held by the person, or set of persons, under lease, to ten acres." At the time the rule was framed it was considered undesirable to allow foreigners to acquire land in Upper Burma. The exception was introduced in 1895 to meet the case of Chinese and Indian market gardeners, and others in like circumstances. Apparently the Lieutenant-Governor now proposes to remove all restrictions on the acquisition by non-Burmans of land in Upper Burma. The Government of India have received no proposals on the subject from the Government of Burma, and without fuller information I am not prepared to express an opinion on the advisability of a change of policy, which if adopted must obviously produce far-reaching political effects.

44049*. What are the general restrictions on the powers of provincial Governments in respect of revenue settlements outside Madras and Bombay? — The general restrictions imposed on provincial Governments, outside Madras and Bombay, are as follows :—

(*A*) *Inception of Settlements.*

No settlement can be undertaken without the previous sanction of the Government of India before whom a carefully prepared estimate of financial results must first be placed. It was in Lord Ripon's time that orders to this effect were first issued ; the intention being partly to obtain information of financial importance, but chiefly to prevent expenditure and harassment of the people in cases in which there was no substantial reason for a new settlement. These are executive orders which were last affirmed in 1896 (despatch to the Secretary of State, No. 254, dated the 3rd September 1895, which was forwarded to Local Governments with the Government of India's letter, dated the 6th of January 1896). The sanction of the Government of India to the inception of settlements is also required by statutory provision in the Punjab, Central Provinces, Assam, and Coorg.

(*B*) *Confirmation of Settlements.*

The practice regarding the confirmation of settlements is as follows :—

(1) The United Provinces and the Punjab.—The United Provinces and the Punjab are empowered by enactment to confirm settlements.† Under the assessment instructions, however, in force in the Punjab, if the re-assessment of a *tahsil* falls short of the forecast by more than 15 per cent. the sanction of the Government of India has to be obtained before the re-assessment is actually announced, unless the deficiency is covered by a surplus in other *tahsils* already assessed under the same sanction.

(2) Central Provinces.—Under sections 53 and 56 of Act XVIII of 1881, settlements have to be confirmed by the Government of India. A *tahsil* report has to be submitted to the Government of India containing a short account of the salient agrarian and economic features of the tract, the rates of rental enhancement of each class of tenant justifiable upon general considerations, standard rates of rental enhancements which it is proposed to adopt, the standard percentage of assets which it is proposed to take from proprietors, the estimated increase of the new over the old assessments of the tract, and the precise term for which the settlement is to be made. Should the Settlement Officer subsequently have reason to believe during the course of settlements that the percentage of the total rental enhancements will differ by more than 10 from the sanctioned standard, or that the amount of the proposed revenue demand will differ by more than 10 per cent. from the amount which would have resulted from the application of the sanctioned Government share to the assets as finally ascertained, the probability of the deviation occurring, and the reasons for it, must be reported to the Government of India. A modification of the orders which, if carried out, will give the Chief Commissioner greater power to approve of assessment proposals, is under consideration.

(3) Burma.—Under the Burma Assessment Instructions, the Local Government's proposals as to the revenue rates proposed have to be submitted to the Government of India for sanction. The proposals are submitted in the form of a draft Resolution on the Settlement Officer's report.

(4.) Assam.—In Assam under section 34 (*a*) of the Assam Land and Revenue Regulation, settlements require the sanction of the Government of India, but this section was withdrawn from the Assam Valley by a notification issued by the Chief Commissioner in 1886. The Local Government has, however, been requested to continue to submit the final reports of settlements in this area for approval, pending the consideration of the amendment of the Regulation.

(*C*) *Duration of Settlements.*

The Secretary of State in his Despatch No. 117, dated the 24th October 1895, decided that 30 years should ordinarily be the term for settlements in the North-West (now the United) Provinces, that 30 years in some districts, and 20 years in most districts, should be the ordinary term for settlements in the Punjab, and that 20 years should be the ordinary term in the Central Provinces. In backward tracts like Burma and Assam, and in exceptional circumstances such as exist in Sind, the term was to be shorter. The periods of settlements are fixed in accordance with these instructions, in the Punjab and United Provinces by the Local Government, and in other provinces by the Government of India, when confirming the settlement reports. In Assam the period has now been extended to 20 years for occupied lands, and the Government of Burma has recently been asked to consider whether the term of settlements in Burma should not also be extended.

44050*. Could any of these restrictions be relaxed? In particular, would it be possible to give Local Governments generally a free hand in regard to revenue settlements, or irrigation assessments, subject to general rules laid down by the Government of India?—An examination is now being made by the Revenue Department into the question of the possibility of laying down definite rules limiting the amount of enhancement which can be imposed at any settlement. Should this be practicable it would probably be possible to modify considerably the existing rules. For the present, however, it would seem desirable that the Local Governments which now submit settlement reports to the Government of India for confirmation should still announce the assessments as being subject to confirmation by the Government of India, though it seems unnecessary that they should submit as they now do a draft of their orders before issuing them.

Where settlements of land revenue are based on irrigational facilities the same rules apply to their confirmation as those applicable to ordinary land revenue settlements. For example, settlements in Sind are confirmed by the Government of Bombay, without reference to the Government of India. But in most provinces rates for the use of canal water are levied independently of the land revenue. In Madras, Bombay, Bengal, and Burma the Local Governments are empowered to fix such rates without reference to the Government of India. In Madras the irrigation receipts from major works are at present wholly Imperial, but half will be provincialized from 1st April 1908. In Bombay the irrigation receipts are half Imperial and half Provincial. In Bengal they are wholly Provincial. In Burma the irrigation receipts from major works are wholly Imperial, and those from minor works and navigation wholly Provincial. Under section 75 (4) of the Northern India Canals and Drainage Act, rules regulating the charges made under the Act require the previous sanction of the Governor General in Council. This Act applies to the United Provinces, the Punjab, and the Central Provinces. In the Central Provinces there are at present no irrigation canals. Various schemes are under consideration, but the principles on which the water rates will be levied have not yet been settled. In the Punjab five-eighths of the direct receipts from major irrigation works are Imperial, while the receipts from minor works and navigation are wholly Imperial except in the case of two systems. While this arrangement continues, I think the Government of India

† Section 94 (1) of the United Provinces Act III of 1901, and Section 53 (1) of Punjab Act XVII of 1887.

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should retain its control in regard to the water rates to be charged. In the United Provinces under the recent settlement the irrigation revenues have been provincialised except in the case of one canal. I am not prepared at present to say whether this change of system would justify legislation for the purpose of removing the control of the Government of India in regard to the fixing of water rates in the United Provinces.

With regard to specific proposals of Local Governments, taking first the proposals of the Government of Burma, the question of confirmation of settlements has already been dealt with. It appears to be unnecessary that the Government of India should make itself responsible for the details which are given in the draft Resolutions which are now submitted by the Local Government before settlements can be sanctioned. With regard to the other proposals, they seem unobjectionable, except in so far as the Government of Burma desire to have a free hand in fixing the duration of settlements. The question of the term of settlements in Burma is under consideration, and if the Lieutenant-Governor is able to prescribe a minimum term it may be possible to give him a freer hand than he has hitherto enjoyed, but the Government of India must, until this has been done, retain the power to prevent settlements being made for too short periods.

As regards settlement appointments, I would welcome relaxation of the present rules in the direction of giving greater powers to Local Governments.

It is undesirable that the hands of the Settlement Officer and the Local Governments should be tied by too rigid an adherence to the forecast, or that it should be treated as a standard which must of necessity be worked up to, but it cannot be admitted that a forecast is never of any real value. A forecast of the increase of revenue anticipated is often necessary in order to decide whether a re-settlement should be undertaken or not, though it is not the only factor which should be taken into consideration.

With regard to the Local Government's recommendations, I am strongly opposed to the delegation to the Local Government of powers under section 112 of the Bengal Tenancy Act. The section was amended last year with the object of giving Government fuller powers to settle rents in cases where they have been improperly enhanced, and the opposition to the amendment would have been very much greater if it had not been understood that the control of the Government of India in the matter would not be relaxed. To withdraw that control so shortly after the amendment of the Act would, I believe, be regarded as a breach of faith by the Bengal *zamindars*.

44051*. What are the reasons which led to the supersession or restriction of the *thathameda* system in Upper Burma by the system of Indian land revenue assessments?—Under Burman rule the greater part of the revenue in Upper Burma was realized in the form of the *thathameda* or tithe tax, which was a sort of income-tax of comparatively recent origin and was levied on agriculture, trades, handicrafts and even menial labour, the total assessment of the village being fixed generally at the rate of Rs. 10 per household. Land was divided into two main classes, State land and private land. The cultivators or owners of land paid *thathameda* like other people. Cultivators of State land also paid rent to the Crown, but private land ordinarily paid nothing in the shape of rent or land revenue.

The first idea of our administrators after annexation appears to have been to continue these arrangements, and proposals to this effect were made in the first draft of the Upper Burma Land and Revenue Regulation which was submitted to the Government of India in 1886. The Government of India recognized that the *thathameda* tax was suited to the circumstances of Burma at that time, but they pointed out that eventually it would probably be replaced by a land revenue assessment, and they suggested that the Regulation should be so drafted as not to prejudice future action in this direction in the event of its being considered desirable. This suggestion was accepted by the authorities in Burma, and was given effect to in section 27 of the revised draft of the Regulation, which passed into law as Regulation III of 1889. The effect of this section was to declare private land liable to land revenue subject to such adjustment of, or exemption from, land revenue as might be authorized by rule.

The reasons which led the Chief Commissioner to frame section 27 of the Regulation are explained in the following extracts from his letter to the Government of India, No. 265–66R., dated the 9th May 1889, with which he forwarded the draft Regulation for approval.

"Another very important reason for recommending legislation is that at present no land revenue is assessed upon land other than State land, and unless the right of the State to levy land revenue from such land is at once declared, it is apprehended that the right may be called in question—more especially by the class of speculators alluded to already, who will claim to have purchased land on the understanding that it was free from land revenue."

"The *thathameda* is undoubtedly a rough method of taxation, which was rendered necessary by the absence of an accurate or even approximate estimate of the land under cultivation. All that can be said in favour of it is that it is tolerably fair, that it can be checked without extraordinary trouble and expense, and that the power of a thoroughly corrupt body of officials to defraud the State was less, perhaps, under this system of taxation than it would have been under a system of land assessment unaccompanied by an accurate survey. It is, however, an unsatisfactory tax from a financial point of view. A household, for example, may double the area of land cultivated by it without paying an anna more to the treasury. Men live in one district and own land in another, and only pay the share of the *thathameda* assessed on the village in which they reside. For example, there is a very well-to-do European residing in the Ye-u district who holds large areas of land in Shwebo and elsewhere, for which he pays absolutely nothing; and having induced the people of the village where he lives to make him a *thamadi* or assessor, he does not pay even the average *thathameda* rate. Instances of a similar kind are numerous. Again some of the wealthiest persons, ex-officials and others, living in Mandalay own lands in Kyaukse and elsewhere, and pay nothing at all to the State. Moreover, unless the land is assessed to revenue, the spread of cultivation which must shortly take place will escape adequate taxation, as the increase in the number of households liable to *thathameda* need not be commensurate with the increase of cultivation. In effect, the assessment of the land is the only way in which a fair and adequate revenue can be obtained from Upper Burma. It must be done gradually and with care. The adjustment of the *thathameda* will require much consideration. Until the facts are ascertained by survey it is difficult to propose a satisfactory scheme for the solution of the difficulty."

It will be seen from the following extract from the first draft of the Statement of Objects and Reasons of the Regulation that the object of the section was merely to take power to assess private land to land revenue.

"It is not intended to assess any land other than State land at present, but it is desirable to assert the right of Government to assess land in the occupation of private owners. . . . The Chief Commissioner desires to obtain power to do this, though it is not expedient to exercise the power at present. . . . No land revenue is payable on such land now; and when land revenue is assessed, it will be necessary to consider whether an entire or partial remission of *thathameda* should not be made in respect of persons assessed to land revenue."

In 1890 the Chief Commissioner obtained the approval of the Government of India to a tentative and experimental set of rules under the Regulation, but these rules merely declared that "private land might be assessed to the land revenue." The question came up again in 1892, in February of which year Sir A. Mackenzie (who had meanwhile succeeded Sir Charles Crosthwaite) represented that it was "advisable once and for all to settle the principles on which the future land revenue of Upper Burma shall be established." The Government of India replied that it was premature to lay down general rules till the facts were better ascertained, and they directed the Chief Commissioner to submit separate proposals for the assessment of each district as it came under settlement. Five districts, however, were at this time awaiting settlement, and as their conditions were believed to be similar, the Chief Commissioner submitted for approval a draft of directions which he proposed to issue for the guidance of Settlement Officers in Upper

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Burma. In these instructions provision was made for the first time for the assessment of a land tax on all lands, and definite rules relating to the adjustment of *thathameda* were framed; and it was explained that the directions had been drafted in the hope that they would enable "Settlement Officers to prepare proposals for a system of taxation which will be far more equitable than the present system of *thathameda* and rent." After much discussion the directions were approved by the Government of India, and in 1894 they were issued under the title of *Directions to Settlement Officers in Upper Burma.*

The main principles laid down in these directions so far as the restriction of the *thathameda* tax is concerned may be summarised as follows :—

(1) All private land was to be brought under assessment.

(2) In fixing his rates the Settlement Officer was to consider, among other things, the amount previously paid by the holders on private land in the form of *thathameda*, and on State land in the form of *thathameda* plus rent.

(3) All holders of land, whether private or State, who were assessed to revenue on account of it, were exempt from *thathameda* if they lived solely on the produce or income derived from that land.

(4) If, however, they derived half or more of their total income from sources independent of the land, they were to pay *thathameda* in respect of those other sources at rates not exceeding half the average rates which non-agriculturists would pay on account of such sources.

(5) All who held no land, and therefore paid no land revenue to the State, were to pay *thathameda* at full rates.

(6) The existing system of assessing the total *thathameda* demand at a fixed all-round rate per household was to be abolished. In its place the Settlement Officer was to classify the households *by occupation*, and to propose a separate rate per household for each class, based upon the actual assessments of the past five years.

The reasons which led the Government of Burma to introduce a land revenue assessment into Upper Burma in partial supersession of the *thathameda* tax have now been explained, and it seems unnecessary to trace the subsequent history of the question. It may be noted, however, that the directions of 1894 proved unworkable, mainly for the reasons (1) that there were very few pure agriculturists, (2) that the amount of the subsidiary income of agricultural classes varies greatly from year to year, and (3) that the income of the non-landed classes having the same occupations varied from village to village and from year to year. In 1896 the Chief Commissioner went so far as to propose gradually to abolish *thathameda* altogether.

He wrote as follows :—

"Up to the present time the districts noted on the margin have been cadastrally surveyed, and we must, if we wish to utilize the survey, gradually abolish *thathameda* and assess private lands, as indeed Sir Frederic Fryer always intended to do. The Chief Commissioner proposes to abolish *thathameda* at once in Mandalay and Kyaukse, where rates are ready for assessment on private lands, and as soon as the settlements are completed in Sagaing, Minbu, and Meiktila. In Shwebo, Magwe, Myingyan, Pakokku (not yet surveyed), and Yamethin the Chief Commissioner considers it will be better to allow the present system to continue until the settlement operations in Sagaing, Minbu, and Meiktila have been concluded and their results carefully considered. In such districts as the Ruby Mines, Bhamo, Katha, Upper Chindwin, and Myitkyina it will be better to retain the *thathameda* till things are more settled and cultivation has increased, as the Chief Commissioner considers that the *thathameda* will bring in more revenue than any other system of taxation. Sir Frederic Fryer does not agree with the opinion that the *thathameda* is a harsh or oppressive tax; but thinks, on the contrary, that the *thamadis* assess it, on the whole, very fairly. It is, however, a non-expansive form of taxation and leads to endless disputes as to what are State and what are private lands, in which public feeling is always against the Government. Private lands keep growing and raise many awkward questions which will only be settled when they are assessed."

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The Government of India were, however, doubtful whether the time was ripe for any decisive action which would bind them irrevocably for the future to a change so far-reaching as that proposed. They reviewed the history of the question and summed up their conclusions as follows :—

"(*a*) No tax of the nature of *thathameda* can ever be an effective means of securing to Government that share of the produce of land which it may claim as its due. An assessment of land revenue is based upon cultivated area, which is a measurable fact, capable of exact ascertainment. The assessment of *thathameda* is based upon an estimate of income, which must be mainly a matter of opinion. The former expands automatically with the extension of cultivation, and secures to Government its proper share of what is the principal form of wealth in this country; while, under a suitable system, such as obtains in Upper Burma, it fluctuates also with the variation of the seasons, and so adjusts the burden to the means of bearing it. The latter depends wholly upon population, which does not necessarily vary with the cultivated area; while the total demand, at any rate, does not change with the nature of the season, so that it must be so low that it can be paid in a bad year.

"(*b*) *Thathameda*, as at present levied, is exceedingly unequal in its incidence upon one town or village as compared with another; and this, because it is levied at one uniform rate per household throughout a district, so that a poor family living in a village which includes many rich families will pay only a small fraction of what it would have to pay if they were absent.

"(*c*) On the other hand, the distribution of the *thathameda* as among the component families of each individual village is exceedingly equitable, far more so than any assessment would be which Government itself could frame; and infinitely more so than an all-round capitation tax.

"(*d*) Considered from this last point of view, its main defect is that there is a tendency to tax unskilled labour too highly. Probably it is open to the same criticism to which all Government assessments are open; that the assessing officer is afraid to go high enough on the rich, or low enough on the poor, whether persons or lands."

Finally, as the result of protracted discussion lasting for over five years, it was decided in connection with the Minbu settlement to abandon any attempt to adjust *thathameda* in the manner prescribed in the directions of 1894 and to retain the old system (which had in practice never been abolished) of assessing the total revised demand at a fixed all-round rate for households, modifying it however by reducing the general rate of Rs. 10 per household to a rate considerably lower, and varying according to the circumstances of each district, and by distributing the total revised demand at varying rates among the different tracts of the district according to their circumstances. In all the Upper Burma settlements which have been sanctioned in the last six years these principles have been followed, and they have now been embodied in the *Instructions for Original Settlements in Upper Burma* published in 1907. The policy of the Burma Government in respect of *thathameda* is now (*a*) to throw on the land in the form of land revenue or rent practically the whole of the taxation imposed on agricultural profits; (*b*) to retain the existing total taxation upon non-agricultural incomes unaltered, but to re-adjust its distribution so as to relieve the poorer and especially the labouring classes. And the principles on which this policy is worked may be summarised briefly as follows :—

(*a*) that the *thathameda* assessment has hitherto been made on agricultural and non-agricultural income indiscriminately;

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(*b*) that if there are any pure non-agriculturists, the *thathameda* paid by them will be retained unaltered;

(*c*) that if there are any pure agriculturists, no *thathameda* will be assessed on their incomes;

(*d*) that the assessees of a mixed class, *i.e.*, men whose income is partly agricultural and partly not, are examined as to the proportion represented by each of those two sources in their income; and

(*e*) that the total *thathameda* hitherto paid by the assessees of a mixed class may be distributed in this proportion between two heads, agricultural and non-agricultural, the first to be discarded and the second retained.

44052*. Apart from settlement matters, do the Burma Land Revenue Acts and Regulations impose restrictions on the Provincial Governments which might be relaxed?—I think there are certain restrictions on the Local Government in the Burma Land Revenue Acts and Rules which might be abolished; among them are the following:—

(1) Section 60 of the Lower Burma Land and Revenue Act, 1876.

I think that it is unnecessary that rules made by the Local Government under the Act should be sanctioned by the Governor General in Council. It would suffice if the power to make rules were subject to the control of the Governor General in Council.

(2) Rule 33 of the Lower Burma Land and Revenue Rules, and Rule 53 of the Upper Burma Land and Revenue Rules.

I think that the Local Government might have power to grant land free of land revenue for religious or public purposes up to a limit of Rs. 500 without reference to the Government of India.

(3) Section 26 (2) of the Upper Burma Land and Revenue Regulations.

I think that rules framed under this section should be made by the Local Government, subject to the control of the Governor General in Council.

(4) Section 27 (2) of the Upper Burma Land and Revenue Regulations.

I think rules framed under this section might be made by the Local Government, subject to the control of the Governor General in Council, instead of with the previous sanction of the Governor General in Council, as at present.

(5) Section 49 of the Upper Burma Land and Revenue Regulations.

I think the previous sanction of the Governor General in Council might be dispensed with in regard to the framing of the rules for the establishment to be maintained for the service and execution of processes in Upper Burma.

44053*. You have been furnished with schedules or memoranda showing the proposals made by certain Provincial Governments in regard to the relaxation of specific restrictions now imposed upon them by law, by rules having the force of law, by Imperial Codes (such as the Civil Service Regulations), or by executive instructions which they desire to have relaxed. Would you object, so far as your department is affected, to any of such proposals (other than those which have been covered by answers to the previous questions), and, if so, on what grounds? Can you suggest similar relaxation in any other matters?—I have examined the schedules showing the proposals made by certain provincial Governments in regard to the relaxation of specific restrictions now imposed upon them by law, by rules having the force of law, by Imperial Codes or by executive instructions of the Government of India. So far as my Department is concerned, I object to the proposals detailed below. It must not be assumed that I approve of all the other proposals. I see no *prima facie* objection to the proposals to which I do not specifically refer, but I have been unable in the time at my disposal to go into them so fully as to be certain that no reasonable objections might be brought forward.

The Bombay Government desire to be allowed to determine the total limit up to which advances may be made to Co-operative Credit Societies. The question of the best methods of promoting Co-operative Credit Societies has scarcely got beyond the experimental stage and requires to be closely watched. With Local Governments there is the danger of one strong officer getting the whole system on to wrong lines and doing harm which it would take many years to undo, and it seems to me desirable that the Government of India, which has the experience of all India to guide it, should be able, if necessary, to put on the brake. Co-operative Credit Societies will not be on a sound footing till they can attract local capital on business terms, and Government advances on too liberal a scale might prevent recourse being had to local capitalists.

The Bombay Government also desire to be empowered to grant agricultural scholarships from provincial revenues, without reference to the Government of India, to students proceeding to England. It would be inconsistent with the policy of this Government if students were encouraged to leave India for their agricultural training, and if in any particular case there are strong reasons for sending an Indian student out of the country a reference to the Government of India seems desirable.

Turning now to the more difficult question of the proposals contained in the memoranda, I will notice first the suggestion of the Bombay Government. That Government proposes that the functions of Government be brought under two heads, namely, "Imperial functions for the Central Government" and "functions pertaining entirely to the Local Government." The Local Government should as regards "functions pertaining entirely to the Local Government" be subject to control not exceeding that exercised by the Secretary of State over the Government of India. I am not sure of the exact meaning of this proposal as there are no precise and fixed limits to the interference of the Secretary of State with the Government of India, any more than there are definite and well understood principles by which the Government of India is limited when exercising its control over Local Governments.

My Department deals with the following matters which the Bombay Government propose it should control:—

Forests.
Land Revenue.
Scientific and Minor Departments (excluding meteorology).

As regards Forests, the Bombay Government have complete administrative control except as regards disforestation. So far as Land Revenue is concerned, it does not appear that the Bombay Government's proposal would lead to any alteration in the present condition of things. If the effect of the proposal would be to prevent any control over the Government of Bombay by the Government of India, there appear to be strong objections to accepting it. Important changes have been made in the Bombay revenue system of late years, largely at the instance of the Government of India. Settlements of land revenue are no longer left to Survey Officers, the system of granting suspensions and remissions has been put on a better footing, and a record-of-rights is now prepared of which the advantages are, I understand, appreciated by the Bombay Government. These changes are all largely due to pressure from the Government of India. The head "Scientific and Minor Departments" includes the Survey and Agricultural Departments. Cadastral and local surveys are now everywhere carried out by Local Governments. The work of the Survey of India for the next 20 or 30 years will be confined to the revision of the topographical survey and the compilation of new up-to-date maps of the whole country. This is work which must be carried out on uniform lines, and it can be most efficiently and economically dealt with by an Imperial Department. I think, therefore, that in present conditions the Survey of India Department must remain directly under the control of the Government of India.

Each local Government should be allowed a very free hand as to the manner in which its local Agricultural Department should be employed, but the *cadre* is so small that the Government of India must have some voice in deciding where experts are to be employed belonging to the Imperial Service. I may note that the Secretary of State has laid great stress on the power of transfer being reserved to the Government of India. It is also necessary that the Government of India should continue to control the Pusa College, an Imperial College which is to train students from all parts of India for research.

work, and where investigations are carried on of more than provincial importance.

Several Governments touch in their memoranda on their relations with the Heads of Departments under the Government of India. The Government of Bombay have on this as on other questions taken up a more extreme position than any other Government and recommend that "Inspectors and Directors-General should be restricted to advising the Government of India and the Local Governments when their opinions are asked. They should therefore reside at headquarters and not be permitted either to visit the province of a Local Government unless invited, or to correspond with their officers unless approached by the Government concerned and authorised to correspond with such officers for any particular purpose." The Bombay Government also express strong views as to the uselessness of tours by Heads of Departments of the Government of India. I differ on both points. Whether regarded from the point of view of Local Governments, or from the point of view of the Government of India, I hold that, so far as my department is concerned, great value attaches to the tours of the Inspectors-General of Forests, the Veterinary Department and Agriculture. The Heads of those Departments possess the necessary technical knowledge to explain, to support, and if necessary to criticise the proposals submitted by Local Governments, and the information they derive from their tours often enables them to appreciate better the reasons for the proposals made by Local Governments. It is possible that, so far as the Government of India are concerned, the Inspector General of Agriculture will not always be necessary, but he will be required, for the benefit of the provinces themselves, to co-ordinate their work and to enlighten them as to what is being done in other countries. Generally speaking, I hold that an Inspector General should be just as useful to a Local Government as to the Government of India. Months of correspondence may contribute less to the clearing up of some doubtful question than personal intercourse or a day's inspection. There is the danger that in the case of the Head of a Department of the Government of India advice may insensibly pass into orders, but this is a minor difficulty which Local Governments should always be able to deal with. There is, perhaps, more danger that an Inspector General may get the ear of the Government of India, and may induce that Government to press his views on the Local Government. On the other hand, the Government of India must have expert advice in dealing with experts, and though this may occasionally lead to schemes being blocked, it is very difficult to force any scheme on an unwilling Local Government. In practice the Government of India could not force on an unwilling Local Government any measure to which it strongly objected unless with the active support of the Secretary of State.

A minor point is the question of correspondence between Heads of Departments of the Government of India and officers belonging to Local Governments. Personally, I would allow them to correspond freely with Provincial Heads of Departments. This, however, is a matter which each Local Government must be allowed to decide for itself.

Sir Thirkell White suggests in his memorandum that powers conferred by statute upon a Local Government should not be limited by executive orders. The Government of India have not in the past contemplated the exclusion of their control in such cases, and, if this view were now accepted, it would be necessary to go through the Statute Book and see in what cases the existing law might need amendment so as to restore to the Government of India their present powers of control.

44054*. Is it necessary for the Government of India to intervene in such matters as the appointment and recruitment of tahsildars or other officers of like status?—I do not think that the Government of India should ordinarily interfere in such matters, and in practice they never do so unless they are directly brought to their notice by a Local Government or Administration. Even in such cases moreover, if they interfere at all it is by way of suggestion, and I consider it one of the most important functions of the Supreme Government to give Local Governments in this way the benefit of its wider knowledge and experience. As a case in point, I may mention that the Government of Madras recently submitted proposals to increase the number of *taluks* in the Presidency and to revise the grading of the tahsildars. Some remarks in Mr. Meyer's report upon which the proposals were based led to an examination of the existing system under which tahsildars are appointed in the Presidency. The practice of making the pay of these officers depend not only on personal grading but on the *taluks* to which they are posted, appeared to the Government of India to be open to objection, and it was also thought that the system of grading officers of this class on a general provincial list which works satisfactorily in every other province might be equally successful in the Madras Presidency. These suggestions were accordingly made to the Local Government, but there is no intention of forcing them upon the Government of Madras, and as this appears to have been misunderstood, the Local Government has been informed demi-officially that the suggestions are merely for their consideration.

44055*. Would it be desirable to allow the larger provinces the same powers in respect to the appointment of Conservators of Forests as are possessed by the Governors of Madras and Bombay, and complete powers, outside general financial restrictions, in respect to the *cadres* of the Provincial and Subordinate Forest Services?—I do not think it is desirable to allow the larger provinces the same powers in respect of the appointment of Conservators of Forests as are possessed by the Governors of Madras and Bombay. In my opinion none of the provinces, with the exception of Burma, have a sufficiently large *cadre* to be completely self-sufficing for their highest appointments. It is also desirable that officers who have natural aptitude for appointments in the Imperial Research Institute and officers who are likely ultimately to become Inspectors-General of Forests should gain experience in more than one province. As regards the question whether complete powers, outside general financial restrictions, might be given to the larger provinces in respect of the *cadres* of the Provincial and Subordinate Forest Services, I see no objection to such powers being given. At present the Forest Code contains rules regarding such points as—

(*a*) suspension and dismissal of members of the Provincial and Subordinate Services;
(*b*) the institution of prosecutions;
(*c*) the acceptance of resignations of officers of Provincial and Subordinate Services;
(*d*) postings and transfers of officers of such services;
(*e*) their leave;
(*f*) forest office establishments in provinces;
(*g*) examinations.

These restrictions are in the main due to the fact that there is one Forest Code for the whole of India outside Madras and Bombay. I think that each Local Government might be empowered to frame rules for itself regarding the appointment, dismissal, educational qualifications, etc., of its own Provincial and Subordinate Services.

44056*. Speaking generally, does the Forest Code tend to undue centralization? Might not the stringency of a number of its provisions be relaxed?—When the Forest Department was originally established there were very few trained officers, and it was necessary to lay down, in the form of a Code, provisions generally applicable outside the Madras and Bombay Presidencies. Moreover, for many years the whole of the education of the subordinate establishment was concentrated at Dehra Dun. This is gradually ceasing to be the case, but even now the forest education of all Indian officers of and above the rank of ranger is carried on at Dehra Dun, except that in Burma there is a subordinate Forest School for subordinates up to the rank of ranger. The conditions of recruitment and education were also originally uniform throughout India. Conditions are now altering, and a free hand has been given to Local Governments in matters relating to the recruitment of their subordinate establishments, and as their facilities for educating officers increase, they will no doubt get a free hand as regards training. Another reason for uniformity lay in the fact that the audit of forest accounts was in the hands of the Comptroller General, and Local Governments had not the same powers in forest matters as in other branches of the administration. The audit has now been provincialized, and in the last edition of the Forest Department Code the authority of Local Governments as

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regards expenditure on forest establishments has been raised to the full extent admissible under the Civil Account Code. As circumstances have so considerably altered of late years, it would probably suffice if the Indian Forest Code were to deal with general principles applicable to all parts of India (excepting Madras and Bombay), supplemented in the case of each Local Government by provisions in the form of a local manual applicable to local conditions.

Most of the specific proposals of Local Governments suggesting relaxation of the Code deal with matters which concern the Finance Department and on which I could not give an opinion without obtaining its views. The proposal of the Burma Government to amend Appendix II of the Forest Code by authorising Local Governments to sanction condonation of deficiencies in candidates for admission into the Forest College at Dehra Dun, is premature, as the Forest College is directly under the Inspector General of Forests, and the course of training has to be suited to candidates from all parts of India, who must be educationally qualified to profit by the course. The Burma Government proposes to amend Appendix VII of the Forest Code by delegating to the Chief Conservator the power to sanction the preparation of special maps and of two editions of forest survey maps. As these maps are prepared by the Survey Department, which is Imperial, it seems right that the control should remain, as at present, with the Inspector General of Forests, who is in a better position than a local authority to ascertain from the Survey Office what difficulties would be involved in the preparation of the maps. I have no objection to the proposal to delegate powers to Conservators under Article 66 of the Forest Department Code made by the Burma Government.

44057*. Are there any provisions of the existing Forest Acts that contain restrictions upon Provincial Governments which might now be relaxed?—I submit a statement† showing the restrictions imposed on Local Governments by Forest Acts. These might all, in my opinion, be entirely withdrawn excepting in two cases where some relaxation only appears advisable. These cases are the following:—

(1) It is not necessary that the Government of India should sanction all rules regarding the levy of duty or regarding the transit of forest produce, but its sanction should, in my opinion, be obtained where the Native States, whether within or without British India, are likely to be affected, as otherwise political agreements might unwittingly be infringed by Local Governments.

(2) In cases of disforestation, if a Local Government desires to disforest or to exclude any area however petty now included in a reserved forest, it has to apply to the Government of India for sanction. It appears to me unnecessary to insist on this in every case. It cannot, however, be dispensed with in all cases, as the preservation of forests is a matter of more than provincial importance, and I would therefore require the sanction of the Government of India when it is proposed to disforest large areas. It would be a matter for further consideration how large the area should be, and it might possibly vary in different provinces or even in different forests. Cases have actually occurred within the last five years in which the Government of India have received applications, which they have had to disallow, from Local Governments to disforest areas. In one case the application was made with a view to permit *jhuming*‡ by cultivators in an area of 339 square miles, and in the other case the application was to be allowed to give a grant of 721 acres in the middle of a reserved forest to a Native Military Officer.

44058*. Do you see any objection to a general delegation of the powers exercised, as Courts of Wards, by Boards of Revenue and Financial Commissioners, to Commissioners of divisions?—Personally I should deprecate a general delegation of the powers exercised as Courts of Wards by Boards of Revenue and Financial Commissioners, to Commissioners of divisions, if I am right in supposing that the suggestion is that Commissioners of divisions may be appointed Courts of Wards for their own divisions. The highest revenue authority has been appointed Court of Wards in every province, and it is only where Commissioners of divisions are as a matter of fact the highest revenue authority of the province, namely, in Bombay and the Central Provinces, that they have been appointed Court of Wards. Even in these two provinces the power of assuming charge of the property of disqualified proprietors is subject to the sanction of the Local Government, while in Bengal, Eastern Bengal and Assam and the United Provinces the Board of Revenue, which is in those provinces the Court of Wards, has as a general rule the power to assume charge of the properties of disqualified proprietors at its discretion.

The general question as to the proper authority to be appointed Court of Wards was fully discussed by the Government of India in 1899 when the Punjab Government submitted the first draft of the Bill which afterwards passed into law as the Punjab Court of Wards Act, 1903. The Punjab Government in their first draft proposed to continue the system of appointing the Deputy Commissioner to be the Court of Wards for his district. The Member in charge of this Department was then Sir Charles Rivaz, a Punjab officer, and the Government of India were also fortunate in possessing the views of another distinguished Punjab officer, Sir Denzil Ibbetson, on the subject. Both were strongly of opinion that the Punjab system had not worked satisfactorily, and they attributed this result to the lack of effective control over the Deputy Commissioners. In accordance with the views of the above-named officers, the Government of India recommended, and the Punjab Government finally accepted, the view that the chief revenue authority should be appointed the Court of Wards. I entirely agree in this view. In taking over the management of estates belonging to an embarrassed proprietor or a proprietor disqualified on account of age or sex Government undertakes a heavy responsibility. Failure in Court of Wards administration, exposes it to more obloquy than failure in almost any other branch of administration, and experience has shown that if Government fails to save an embarrassed estate, it is often regarded as directly responsible for its ruin. In my judgment therefore there is no branch of the administration where strict supervision and efficiency is more necessary in the interests of Government itself, and I am strongly opposed to any change in the present system whereby the highest revenue authority in each province below the Local Government or Administration is entrusted with the functions of the Court of Wards; the more so because I do not find from the various memoranda presented to the Royal Commission that there is a general demand for any change of the nature indicated. At the same time I am in favour of delegation in matters of details to Commissioners and District Officers so long as the ultimate responsibility of the chief revenue authority is maintained, and his powers of control and supervision are not impaired. I may point out that in provinces where the Board of Revenue is the Court of Wards very free delegation of powers is already legally permissible with the sanction of the Local Government.

44059.* Are you in favour of any limitation of the present rights of appeal to the Government of India and the Secretary of State—(*a*) on administrative measures; (*b*) on questions personally affecting officers of the Public Service?—As regards appeals relating to administrative measures the existing orders are contained in the rules relating to the submission of memorials of the Government of India and the Secretary of State, respectively. The Government of India and the Secretary of State must, of course, retain their general powers of revision and control in all matters relating to the administration of India, but in these rules they have specified certain classes of cases in which they are as a rule prepared not to interfere. In my opinion it is not possible to alter the existing rules to any material extent, or to frame more definite rules to provide for all particular cases in which their interference may be unnecessary. On the whole, the rules appear to have worked well in the past. From time to time Local Governments have brought to notice particular cases, or classes of cases, in which it was

† Vide Appendix IV.

‡ Clearance of forest by fire for temporary cultivation.

doubtful whether appeals were allowed by the rules, or if so, whether it was desirable that they should be allowed. Rulings have been given on these references either by the Secretary of State or the Government of India, and those of general importance have been circulated to all Local Governments and Administrations for information and guidance. In this way a body of precedents has been formed which are generally followed. Having regard to the different laws and different circumstances of each province, I am of opinion that this is the proper procedure to follow, and I do not think that any alteration in the rules is required. So far as my own department is concerned, appeals of this kind are not very numerous.

Appeals on personal matters are on a different footing, and from the nature of the case definite rules can more easily be framed. I understand the position to be as follows:—The right of petition has been judicially declared to be the birth-right of the subject, and neither the Government of India nor the Secretary of State can prevent any officer whatever his pay and status may be from appealing to them against punishments of any kind. In the Memorial Rules however they have laid down the procedure which must be followed before such appeals will be considered, and with the object of preventing their time from being wasted by matters of relatively small importance which have already been disposed of by competent authority as well as in the interests of discipline, they have empowered Local Governments and Administrations to withhold appeals in certain classes of cases. Their right however to admit and examine any appeal remains, and should continue to remain, undisturbed, and for this reason appeals against the order of a Local Government withholding a memorial to the Government of India are always examined in this Department, though it is very rarely that any action is taken on them.

My own feeling is that some curtailment of appeals to the Government of India and the Secretary of State is desirable, and I would be inclined to raise the limit in rule 11 (7) of the Government of India Memorial Rules at any rate to Rs. 150. In the Revenue Department this would be a more suitable limit than Rs. 100, for it would draw the dividing line roughly at tahsildars, and would debar appeals from officers of lower rank against the decision of the Local Government. I have no very strong convictions in the matter, however, and, speaking for my own department only, I do not think that the necessity for curtailment is so strong in the case of appeals to the Government of India and the Secretary of State as it is in that of appeals to lower authorities. Very many appeals are of course received annually in the Department of Revenue and Agriculture, but the great majority are disposed of by routine orders under the Memorial Rules, and if a number of appeals received from officers of the Indian Forest Service in connection with the recent revision of the pay of the department be excluded, the residue requiring examination is comparatively small, and the change I have suggested above would not cause any appreciable diminution of work. Another reason why I do not advocate any far-reaching change in the Memorial Rules in the direction of limiting appeals to the Government of India is that I do not find from the memoranda referred to in Question 44053* that there is any general demand for such a change among the Local Governments and Administrations.

There is one point however which deserves notice. In almost all branches of the public service the higher administrative appointments are filled not by seniority but by selection, but it is a common practice for senior officers superseded for such appointments in favour of their juniors to appeal to the Government of India and even in some cases to the Secretary of State. Rule 11 (10) of the Memorial Rules, if liberally interpreted, seems to cover such cases, but in practice appeals of this kind are admitted. The Government of India and the Secretary of State almost invariably decline to interfere with the orders of the Local Government, which alone is in a position to decide as to the relative merits of its officers, and it seems to me a point for consideration whether Local Governments should not be empowered to withhold such memorials under the rule referred to above. If the principle of selection is extended to appointments of Collectors, it will be very necessary, I think, to confer this power on Local Governments.

I would vest the Government of India with discretionary powers to withhold memorials addressed to the Home Government when they are appeals against orders or decisions of a Local Government which have been confirmed by the Government of India and are made more than six months after the communication of the order of confirmation to the memorialist, unless the delay has been satisfactorily explained.

The Governments of Madras and Bombay are empowered to send memorials addressed to the Secretary of State direct to the Home Government except in the cases specified in paragraph 4 of the Rules relating to Memorials addressed to the Secretary of State. Recently a *mamlatdar* in Bombay who had been dismissed in 1904 by the Commissioner and who had appealed unsuccessfully to the Local Government addressed a memorial to the Secretary of State. He did not appeal to the Government of India, but the Local Government apparently had no authority under the rules as they stand at present to withhold the memorial. No one should be allowed in my opinion to pass over one of the recognized gradations of authority in this fashion, and the rules ought to be amended so as to make anomalies of this kind impossible in future.

44060. (*Sir Steyning Edgerley.*) We have had placed at our disposal some despatches between the Government of India and the Secretary of State in which the Government of India in another department seem to consider that the effect of a Commission, in the direction of the increase of actual correspondence, is to some extent at least permanent. Do you consider that that ought to be so, or that things ought gradually to fall back to the normal position?—It takes a long time in India before anything gets put on a new footing, and it will take some years before the effect of these Commissions dies away. I cannot say that there will be any permanent increase.

44061. Would you, from your own experience, say that the effect of the numerous Commissions and the numerous appointments of Inspectors-General is rather to absorb control in the Government of India?—No; I cannot say that I found that in the Bengal Government, as Chief Secretary.

44062. You do not agree with that view personally?—No.

44063. You think there is no necessity for it?—No; I think not.

44064. You expect that this increase, which has risen in the last ten years by some 5,000 papers in the Agricultural Department, will fall back again?—I think in that department it will fall back; of course there is a constant tendency for work to increase in India—there is a tendency to an automatic increase in administrative work; I think in that department it will probably fall.

44065. Take one particular example as regards forests; you show a considerable increase, and amongst the recent changes made has been the appointment of a Chief Conservator in the Central Provinces and a Chief Conservator in Burma; is there any reason why those two provinces should not now have just the same freedom as Madras and Bombay with the extra skilled advice that is available to them within the province?—There are certain points in forest policy which are of more than provincial importance in which the Government of India should have some voice.

44066. But in the ordinary administration?—There are a great many points in the ordinary administration in which control could be relaxed.

44067. But may not those two provinces be given practically the same position as that of Madras and Bombay?—You mean that the Inspector-General should not be allowed to tour there without reference to the Local Government?

44068. I was not thinking so much of touring. They have their Chief Conservator who is a high officer; I was not thinking of a particular power to tour, but have they not still to submit many matters for orders which they could, with their enhanced technical power, quite well dispose of?—They have to submit working-plans, and so forth. Personally, I think the amount of control exercised could be

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diminished, but I have not been long enough in the department to say definitely that it could be reduced to the same extent as in Madras or Bombay.

44069. Might it not be rather difficult to ask the Inspector-General of Forests to decentralize in his own office?—But it will not be left for him to decide how far it should go.

44070. As regards the annual provincial returns of the alienation of State lands and of assignments of land revenue, which have been prescribed at the instance of the Finance Department, do you know why they are wanted or what is done with them?—There is a long history attached to them; they arose out of the fact that the Government of India found that some very large grants had been made in some provinces without their knowledge; that was about 35 years ago.

44071. Why should the Finance Department exercise control in the matter; is it not a matter for the Agricultural Department?—Permission is given by the Finance Department.

44072. But why do they want the return?—I suppose, because it is a matter affecting the revenues of the country.

44073. So is the creation of any permanent appointment or the sanction of any other permanent recurring expenditure.—Almost every question where finance comes in is sent to them.

44074. Before you give sanction for these matters do you consult the Finance Department?—We do in cases of alienations.

44075. Do you consider that those returns are necessary, in addition to your own department's control over the subject?—These returns include alienations which do not come up to the Government of India.

44076. Do they not include all?—They certainly include those that do not come up for sanction.

44077. And those that do not come up for sanction are matters which you have decided might be finally delegated to the Local Government?—Yes; this is merely for information as to what has been done.

44078. In all departments, where you delegate powers like that, you do not require returns of all the expenditure incurred under the powers delegated?—But this may refer to a permanent alienation of the revenues of the country; it may be small but it is a permanent alienation in some cases.

44079. You do not consider that that is rather an excessive interference?—I think the return does not take very long to prepare.

44080. It does not go on to the Secretary of State?—It is not required by the Secretary of State.

44081. You think it is not a case of, what I might call, curiosity on the part of the Finance Department?—I do not think so.

44082. You say you get two reports from Bombay for the Land Records Department; what is the object of having those separately?—I think that is entirely for the convenience of the Bombay Government.

44083. You would not object to having a single report?—I have not gone into this point, but I think that is the reason; there is a good deal of difference between Sind and Bombay generally.

44084. But as far as the Government of India is concerned, you do not want them separately?—No.

44085. Then as regards the Punjab Canal Colonization Report, the report on the working of the Bundelkhand Alienation of Land Act, the report on the working of the Punjab Land Alienation Act, and perhaps the report on the working of the Co-operative Credit Societies Act, is there any reason why those reports should not be triennial; can you get enough material for an annual report under a new Act to be of any great use?—I think in the matter of canal colonization in the Punjab we ought to have it every year; there have been some very burning questions about that matter.

44086. Then as to the report on the Bundelkhand Land Alienation Act?—I could not say offhand whether that ought to be annual or triennial.

44087. As to the report on the Punjab Land Alienation Act?—I think it ought to be kept up annually still; it is a very important matter. The report regarding the Co-operative Credit Societies Act clearly ought to be annual, because there is a great development going on as regards co-operative societies.

44088. Why do you want special returns about botanical gardens and parks and cinchona plantations and coffee and tea; why should they not go into the ordinary returns now?—I do not personally see why tea and coffee should not go into the ordinary returns. The reports regarding gardens are not prescribed by the Government of India, but come to us for information like other provincial publications.

44089. Are they for instance, of more importance than Egyptian cotton, as to which you get no special return?—The question of including them in the ordinary Agricultural Statistics was considered, but it was decided not to do so on account of their interest to the commercial public. As regards cinchona plantations, I think there are reasons for keeping the report; questions regarding the whole policy of the manufacture of cinchona in India may arise.

44090. In the provinces affected, at least in the Central Provinces, and I think in Burma also, it was suggested to us by several witnesses that the report on the proposed assessment of land revenue was quite useless and gave a great deal of trouble, and that if the Government of India got the first proposal of the survey operations, and the final report, that would afford them all they could possibly want; would you be inclined to agree to that?—In Burma there are some very important questions about assessment pending at present; we must get information from them until these questions are settled.

44091. But you get that in the proposals for the inception of revenue settlements; that gives you the whole of their estimate?—No; I do not think that is in sufficient detail.

44092. Is not the report on the proposed assessment of land revenue only a progress report?—It contains the Settlement Officer's proposals as to the rates to be adopted in the assessment.

44093. Then as to the return of settlement appointments sanctioned by the Imperial and Local Governments: do you want that in addition to the provincial Survey and Settlement Reports?—They do not include the same thing.

44094. The former is a return of appointments which has to go to the Secretary of State apparently, but practically the information must be given in the latter?—No; the information would not be given in the same detail in the provincial Survey and Settlement Report.

44095. But is it necessary for any Government of India department?—I cannot answer for the Secretary of State; personally I do not think it is necessary for us.

44096. Then as regards the report of the Maharaja Takhta Singhji Observatory, Poona; do you wish to see that?—No; as far as I am concerned it might go direct. I do not know whether there is any objection to sending direct from a Local Government to a Committee in England—that is the only reason I can imagine for objecting to that being done.

44097. You say you get forest working-plans from all Local Governments; is that quite accurate?—I think it is quite correct that we get them from all Local Governments including Madras and Bombay, but of course they are not criticized in the case of Madras and Bombay; in the case of the other provinces, the Inspector General does criticize them.

44098. Are they of any sort of use to you?—The working-plans are criticized pretty freely.

44099. The procedure in other Governments is that the Conservator of the province sends them to the Inspector General, and he sends them to the Local Government who disposes of them finally; is there any reason why they should come to the Department of Revenue and Agriculture after the Local Government has disposed of them? What is the use of sending them to you?—I suppose they are really wanted for the Inspector General; I imagine if they were not sent to the Government of India they would be required for use in the Inspector General's office.

44100. Take Madras and Bombay; what would the Inspector General want those reports for?—In the case of Madras and Bombay we do not criticize them as a matter of fact.

44101. This is not a matter of criticism but of sending up copies of the report, after it has been disposed of finally?—They are wanted for record in the Inspector General's Working Plans Office, which ought to have a complete record for all India forests.

44102. As regards the proposals of provincial Governments for the relaxation of different restrictions at present imposed upon them, you say that you have not had time to examine whether objections to any of them exist. May we expect a more definite answer than you are able to give us there?—I would not like to give an answer about all the proposals. I should not like to give a final opinion without knowing what the other departments have to say; going through them I saw no obvious objection; that is all I can say.

44103. (*Mr. Meyer.*) You spoke about a call for information with regard to forests; was that not at the desire of the Secretary of State?—First of all the Secretary of State sent out certain papers to us, and partly on the strength of those papers, we called for a report; then just as we had issued it we had a call from the Secretary of State asking us for an early report on the matter.

44104. Did you have any difficulty with any Local Government with regard to that call for information?—The Bombay Government has objected on the ground that it is unnecessary. They objected to having the enquiries made which would be necessary for the reply.

44105. What was the information about?—About the importance of forests for the retention of moisture in the soil; that was the main point.

44106. Speaking generally, do you have more difficulties with the Bombay Government than with other Governments?—I cannot say that; personally I have had no experience.

44107. You have had four months' experience only, and during that four months you have had this one instance. Did they finally agree to supply this information, or did you have to write a good deal before you got it from them?—The collection of this information will take some time; it has been impracticable to collect it this cold weather; there has been no final order in the matter.

44108. As regards the appointment of Conservators of Forests, you say that no province except Burma has a sufficiently large *cadre* to admit of it. Is not the Central Provinces *cadre* nearly as large as that of Bombay?—I looked into the figures; it seemed to me that there was a danger in a province even like the Central Provinces of there not being a man senior enough, or good enough, for a Chief Conservator.

44109. In that case could they not always go outside?—A Local Government does not like to go outside if it has a man of its own. There would be that difficulty; the Local Government might appoint a man who was really not fit if the *cadre* was a small one.

44110. Then you say that it is desirable that the Inspector-General of Forests should have had his training in more than one province. You do not apply that reasoning in other technical departments?—In the case of forests, it is very desirable that the man who is to give advice to the Government of India should have had experience of several classes of forests.

44111. Take your Inspector-General of Agriculture; he had only had experience in Bombay?—He had experience in Bombay only, but he is not a Controlling Officer at all in the way that the Inspector-General of Forests is, in certain matters, with the Local Governments.

44112. Take the Secretary in the Public Works Department; he may be a man who has had experience only in one province?—Yes; but I should think that as regards the work of a Public Works Officer it is much the same in every part of India.

44113. You think that in the Forest Department it is especially desirable that the Inspector-General should have had some first experience of the Burma forests?—The Burma forests are a very important matter.

44114. You spoke of the Forest Code applying outside Madras and Bombay. Do the Madras and Bombay Governments have to come to you with regard to alterations of their Forest Codes, or is it simply understood that they shall follow the Imperial Forest Code?—They make their own alterations and inform us of the alterations they have made. I think, however, that on general principles of administration they would not make any important alteration without referring to us.

44115. You practically admit that the Forest Code is now rigid and too uniform; was it not originally moulded on the Public Works Code?—So I believe; I take that on what I have been told; I have not gone into the matter.

44116. Might not the Inspector-General's control over working-plans be relaxed now, especially in provinces where you have a Chief Conservator?—It is an extremely technical point, and I do not feel that I am quite in a position to give a reply on that.

44117. (*Chairman.*) You make a statement that working-plans are approved after consultation with the local Conservator; is that correct?—What happens is that the working-plan is sent up by the Conservator to the Inspector-General who makes his criticisms on it, then he sends it back, and the Local Government, if it disagrees, has to refer the matter to the Government of India. If it agrees, the working-plan is finally approved by the Local Government.

44118. (*Mr. Meyer.*) You are not prepared to say that working-plans might be left to the provincial Chief Conservator?—I should like to look into that matter before replying. I know there has been considerable difference of opinion in Bengal as between the provincial Conservator and the Inspector-General.

44119. A Local Government cannot alter its Famine Code, practically, without reference to the Government of India?—No.

44120. Admitting that any vital alteration, anything affecting principles, should still go to the Government of India, might a Local Government not have latitude in the matter of details?—Personally, I think they might.

44121. In Madras and Bombay have you not got on very well with practically no control over settlements, except such as the Government of India has as the Supreme Government; you could always call for information if you wanted it, but you do not receive regular inception reports or completion reports, or anything else?—Those two provinces have a much freer hand than other Governments.

44122. In the United Provinces and the Punjab you have had settlement going on for many years and the principles are all more or less stereotyped; what is the objection to their being put on the same footing as Madras and Bombay?—I do not think they are quite on the same footing; there is a very important question now under consideration as to whether the length of settlements might not be increased; that is a very important question in Burma.

44123. I was speaking of the United Provinces and the Punjab. The length of settlement is a matter of course for the Imperial Government and the Secretary of State, but does that apply to the settlement machinery, or the principles of assessment?—I think there is another question which is at present under consideration, and that is the question of a limit on enhancements; until that is settled we ought not to make any very great departure from our present system.

44124. Assuming that you have come to a satisfactory settlement upon that, and as to the length of settlement, might the major provinces have the same freedom as Madras and Bombay have, without your calling for these inception and completion reports?—They might have a freer hand. I should not like to say that they should have as free a hand as Madras and Bombay, but a great many restrictions might be removed.

44125. As regards settlement appointments, are there not rules as to pay, and so forth?—Yes.

44126. A Settlement Officer gets the pay of the man below him in the ordinary line of promotion, *plus* Rs. 150 a month extra, subject to a maximum of Rs. 2,000, but technically these are deputations?—Yes.

44127. And it is for that reason that they go on to the Government of India and the Secretary of State?—Yes.

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44128. Now that the principles have been laid down, and it is understood that a Settlement Officer is a necessary part of the settlement machinery, might not these returns be done away with, if we can get the Secretary of State to give us that latitude?—Personally, I think so; I do not see any necessity for them.

44129. You refer to the control over water rates in Northern India and you say it should continue because, in the Punjab, the irrigation revenue is largely imperial. In the United Provinces is it not entirely provincial at present?—I have had no personal experience in this matter, and could not go beyond what I have already said.

44130. There is of course the general control that the Government of India has a right to exercise, but there is no statutory control in Burma or in Madras or in Bombay?—No.

44131. In Burma the major irrigation works are entirely imperial; in Madras and Bombay they are shared. Your argument about the Punjab is not of itself very strong?—I admit that it is not. Personally, I am inclined to think that probably in the United Provinces the system might be changed, but I have no experience at all in this particular matter.

44132. You have given us a very interesting account of the *thathameda* in Burma, and you have shown what the circumstances were which led to its gradual supersession by our land revenue assessments. But there still remains the question whether *thathameda* was not more popular and intelligible to the people than our settlement system, and whether these difficulties you mention might not have been met, say, by fixing the assessment in each village with reference to the total wealth of its inhabitants, whether derived from cultivation or otherwise, and including men who owned property in the village but did not live there. What is your opinion upon that?—I am afraid that is a question which it would require local knowledge to answer, but I may say that the Government of India saved the system so far as it exists to-day; the Government of Burma proposed to abolish it altogether.

44133. Your opinion, derived from a perusal of the correspondence, is that if the Burma Government of that day had been left to themselves, the *thathameda* would have been done away with altogether?—Yes; I certainly think it is fortunate that it has not been done away with altogether.

44134. You refer to certain sections, rule-making powers, and so on, in the Burma Land Revenue Act which you think might be relaxed; are there not analogous sections elsewhere in the Punjab and United Provinces Acts for example?—Very likely, but I have not gone through them.

44135. Take the Punjab Code, the preparation of lists of cesses, rules for the regulation of process-fees and process-servers, general rules under the Act, and so on; or take the Central Provinces rules as to the investment of an officer with settlement powers during the currency of a settlement; are not these matters in which it is hardly necessary to have the opinion of the Governor General in Council?—I think it is not necessary.

44136. Would you say generally that whenever rules are to be issued by the Local Government, and it is considered desirable that the Government of India should have the right of its intervention emphasized, it would be quite sufficient to say "subject to the general control of the Governor-General in Council"?—I think that that, as a rule, would be quite enough. I have not gone into the question, but the restriction has probably frequently been imposed in the local Legislatures.

44137. But from the administrative point of view, "subject to the control of the Governor-General in Council" would be quite enough?—Certainly.

44138. You refer to a case raised by the Government of Bombay about sending agricultural students to England to complete their education, and you say that reference ought to be made to the Government of India in these matters, because it is contrary to the general policy of Government. Why is it contrary to the general policy of Government?—We have specially set up a large college at Pusa which ought to be able to give all the training necessary in time

44139. Still, Pusa is not finally developed yet?—No, not yet; but it has the full expert staff there now.

44140. Your point is that Pusa gives sufficient training for the ordinary Indian who desires to qualify himself as an agricultural student or expert?—As an agricultural expert; Pusa is entirely for experts. I think the training we can give in India ought generally to be quite sufficient.

44141. (*Mr. Hichens.*) Would it be true to say that possibly the bigger questions, such as the extension of the term for land settlement, and large questions of that sort, would originate in your department, but that the smaller questions (which would constitute the bulk of them), such as whether an exception should be made to this or that rule, whether this or that appointment should be made or not, originate in the provinces?—The vast majority of questions originate in the provinces, but there are some very big questions which originate in the Government of India.

44142. It is only the bigger ones that would originate with your department?—That is so as a rule. In some cases very big questions have originated out of Commissions which did not deal directly with the matter; for instance, the different Famine Commissions have given rise to very big questions. These were taken up by the Government of India on the reports of the Famine Commissions.

44143. With regard to those questions which come up from the provinces and which in bulk are by far the most numerous, would it be true to say that, generally speaking, they go through six or seven separate channels before they debouch into your department?—If the Bombay Government, for instance, wrote to us in a revenue matter it would come direct to our department.

44144. Suppose a piece of reserved forest land is required, let us say, for a pound; would that have to come up to you?—Yes.

44145. It might be started by a tahsildar in Bombay; it would go from him to the Sub-Divisional Officer; from the Sub-Divisional Officer it would go to the Collector; from the Collector it would go to the Commissioner: from the Commissioner it would go to the Board of Revenue; from the Board of Revenue it would go to the Secretary of the Revenue Department; from the Secretary of the Revenue Department it would go to the Government; and from the Government it would go to you, or rather it would go from the Government to the Inspector-General of Forests?—It would not go to the Inspector-General of Forests direct; it would go to the Revenue Department direct, but in the office procedure it would pass through the Inspector-General of Forests.

44146. It would go direct from the Bombay Government to you?—Yes; we have a Forest Branch of our office, and that branch would send up the case in the ordinary routine to the Inspector General, and from him it would come direct to me as part of the office procedure.

44147. It might conceivably go to the Viceroy?—Yes; if it was a very big case.

44148. Or if you differed from the Provincial Government?—Yes, it would then have to go to the Viceroy.

44149. And it might also go to each individual Member of the Council to note upon separately?—It might. I may mention that since I have been in I have only had one single instance of sending up a case of disafforesting even to the Member in Charge of the Revenue Department.

44150. In regard to the small matter that I mentioned it would go through six or seven separate channels before it reached you, and when it reached you it would still have a fairly long course to run?—In a small matter its course would be very short.

44151. Who would decide it?—I would decide it if it was a small area.

44152. But on what ground would you decide it?—If it was a small area and the Local Government Board showed that *prima facie* there was no reason for objecting, I should pass orders to sanction it.

44153. Without referring it even to the Honourable Member?—Yes.

44154. Is that a sound position, that matters should be referred up to the Government of India and decided on their merits by the Secretary of the Department

without reference to higher authority?—He must agree with the Local Government: I do not see any objection to his dealing with a question like that if he agree; if he disagreed with the Local Government it would be objectionable that he should decide.

44155. In that case is it not conceivable that the Local Government might be allowed to decide for itself?—I quite agree. In this particular case of disafforestation I think we might allow the Local Government to decide in certain classes of cases without reference.

44156. Up to what extent?—It might vary in different provinces; I originally thought of saying 200 acres, but it is probably a question on which we should have to consult different Local Governments. I think we must reserve some power because it is such a very important matter.

44157. Apart from the different channels mentioned, a substantial number of people would note on the case, so that possibly it might be fair to say that a case of the description I have mentioned was noted upon by between ten and fifteen responsible officials?—It might; it would not necessarily be so many.

44158. Still it would be a large number?—Yes.

44159. Are not the amount of noting and the amount of attention which is given to a case which comes up to the Government of India very formidable?—They are substantial.

44160. And the machinery of the Government of India also, when it gets there, must necessarily be moderately formidable; in an ordinary case it would have to go through a good many hands?—Yes; in any big case it would have to go through numerous hands.

44161. So that the machinery being somewhat heavy, you would necessarily not use it if you could help; you would not take a sledge-hammer to crack a nut?—No doubt.

44162. Therefore the object would be to limit references as much as possible?—Yes; any reference that can possibly be avoided should be avoided.

44163. You would perhaps say that it is quite conceivable that within the limits which we have agreed upon there might be substantial room for alteration?—If you have a reference at all I do not see how you could eliminate these stages.

44164. In your department what principle is laid down for defining the relations between the Provincial Governments and the Government of India?—I do not think we have any principles laid down; perhaps I do not quite follow you.

44165. Are not the relations between the Government of India and the provinces a matter of policy really, and therefore the Government of India would have to lay down what its policy was in this very important matter of the relations between the two?—It is mainly a matter of practice; there are no rules on the subject.

44166. There is no policy?—I will not say that there is no policy.

44167. But you do not know what it is?—No. I will not say that I do not know what it is.

44168. Will you tell me what it is then?—No, I cannot; it depends on the case.

44169. There is no general policy?—I would not admit that.

44170. Then can you tell me what the general policy is?—I should have said in my department that the general policy was, any proposal from a Local Government that you can possibly accept, accept it.

44171. But the relation between the Government of India and the provincial Governments is obviously a matter of policy. It was discussed in the despatch of 1833, for example, and in that despatch it is laid down that the Government of India must not be overburdened by questions of detail, that the Government of India must exercise its good sense in off-loading work on to the provinces, and so forth. Therefore it was up to the Government of India to decide what it should off-load and what principles it should adopt. That was done from time to time, and different Governors-General took different views on the point and established different policies. What is the policy in your department to-day?—I should say in my department the policy is the same as was laid down in that despatch, that we should not interfere unnecessarily in details and that we should deal with important matter.

44172. It is not more distinct than that?—No; we would interfere, if necessary, either in matters of principle or in very important details.

44173. Speaking generally, would you agree that it was desirable that the Government of India should reserve to itself the power to settle matters of principle, but that the carrying out of those principles should be left to the Local Government?—I agree to that generally.

44174. Then if the carrying out of a policy is to be left to the Local Government, that means that you have to leave to them the determination as to whether it is expedient in a particular case or not to carry out the general policy liberally?—Yes, I think we ought to leave them very wide powers of interpretation; I agree to that.

44175. Would you agree in saying that that is not done to-day? It would be possible to lay down general principles, for instance, with regard to the alienation of State land, and Local Governments might have discretion in applying those general principles; but on the recommendations which you say are likely to be adopted it is not open to the Local Government to alienate land on favourable terms, not being less than half the market value if the market value exceeds Rs. 5,000?—These rules have not been finally determined; it is a matter for consideration whether they go far enough.

44176. Would you say that this is an instance where extraordinarily little discretion is given in the application of the general principle to which you are prepared to agree?—It arises probably from the fact that in the past there have been cases in which considerable departure has been made from the general principle.

44177. Would your point of view be this; the general principle being that you leave it to the discretion of the Local Government, suppose the Local Government do not carry out that principle efficiently and well, they should make room for other people who will?—I am afraid it is very difficult in India to do that.

44178. Is it not possible to remove an officer whose point of view does not coincide with that, say, of the Secretary of State from time to time?—It is uncommon.

44179. The principle is not unknown in the empire of trusting to a Governor or Lieutenant-Governor to carry out a policy on certain lines, and, if he makes a failure, to replace him by somebody else?—Yes; I admit the principle, and it has been done in India, but it is very rarely done.

44180. Could it be carried further?—I think personally it could be carried further, but I see very great difficulties in enforcing it in India.

44181. (*Mr. Dutt.*) You have told us that except in Madras and Bombay no settlements can be introduced without the previous sanction of the Government of India. You say the object of this rule is to prevent expenditure and harassment of the people in cases where there is no substantial reason for the settlement?—That was the reason of the orders at that time.

44182. As a matter of fact, when there are no reasons for settlement, does it sometimes happen that Government refrains from undertaking a revision when the time for revision comes?—There have been two or three cases lately.

44183. From your general knowledge, has there been any such instance—that the time for settlement had come, but as there was no substantial ground for taking up the revision, the Government refrained from doing so?—I do not remember any such case.

44184. Probably you know that in 1866 no revision was made in Orissa; I am speaking of cases like that?—I am talking of the period since these orders were issued. Of course I know the Orissa instance During my four months I do not remember any instance.

44185. Anyhow, you agree to the general principle, that when there is no substantial reason for undertaking a revision it need not be taken up, even though the time has arrived?—Yes; I agree to that.

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44186. Is that not one reason why the inception reports are called for?—That is how they originated, I think.

44187. Does not that reason apply to Madras and Bombay as well as to other parts of India?—You mean the general principle that there should be no settlement if it is not necessary?

44188. Exactly; does that not apply to all parts of India?—I think so.

44189. Therefore in your opinion should not Madras and Bombay send their inception reports before undertaking revisions?—It is a question I have never considered, and I am not prepared to give any opinion.

44190. But the circumstances being the same in Madras and Bombay as in other parts of India, should not those provinces send up a preliminary report before undertaking a revision of settlement?—I have not considered that; I should not like to say.

44191. Now with regard to the confirmation of settlements. One reason why the Government of India requires these confirmation reports is to see whether the enhancements have been too much or too little, or generally whether the settlements have been fair?—Yes.

44192. Does that reason not apply to all the provinces equally?—It is desirable that every settlement should be fair; of course that principle applies everywhere.

44193. Therefore, for the protection of the people, is it not desirable that all settlement reports from all the provinces should come to the Government of India for confirmation?—I am not prepared to say that, because, historically, the relations with Madras and Bombay have not been the same as those with other provinces, and I am not prepared therefore to say that we ought to alter the present relations on a point like this.

44194. Leaving aside the historical aspect of the question, and considering the point entirely from the aspect of the welfare of the people do you not think that the reason applies equally to all the provinces?—I think the importance of the question is equal in all the provinces.

44195. You think that, if the United Provinces has to send up its settlement for confirmation, the same reason applies to Madras and Bombay?—All I am prepared to say is that it is equally important that the settlement should be fair in Madras and Bombay as in other provinces; but I am not prepared to say that under the historical conditions of our relations with the provinces the procedure ought to be the same in all cases.

44196. I did not ask your opinion as to whether the rules should be altered, but, leaving aside the historical aspect of the question, and considering the question entirely from the point of view of the good of the people, does the rule apply equally to all the provinces?—I cannot go beyond saying that it is equally important in all the provinces that the settlement should be a fair one.

44197. And that the Government of India should be satisfied that the settlement is a fair one?—I am not prepared to say that the Government of India ought to exercise the same control regarding settlements in every part of India.

44198. Are you aware of any ground, except the historical ground, on which any distinction should exist between one province and another in this matter?—No; I am not aware of any other ground so far as Madras and Bombay are concerned.

44199. In Madras and Bombay (other than Sind) the duration of the settlements is thirty years?—Yes; that is the general rule.

44200. And in the United Provinces also? In your opinion should the duration be the same in old and settled provinces like the Punjab and the Central Provinces?—I think the general rule ought to be 30 years, but I am not prepared to say at the present moment how far in each province, where it does not exist at present, the rule ought to be extended. If it is possible to extend it to 30 years it ought to be done; if it is possible, I mean, without too serious a loss to Government revenue, and if there are no other very strong reasons, it ought to be extended.

44201. I was asking whether you had any opinion about these two provinces, the Punjab and the United Provinces, which are old settled provinces?—I am afraid that even in the case of the Punjab I could not say definitely; because, where, for instance, large extensions of cultivation are being made owing to canals, it might not be fair.

44202. But leaving aside those canal colonies?—I am afraid my knowledge of the Punjab is very limited. Generally speaking, it would be a very good thing to extend the duration to 30 years.

44203. Does the same remark apply to the Central Provinces?—I should think so, but there again I have no special knowledge of the province. As a general rule, I think the length of the settlement should be extended.

44204. To 30 years?—My knowledge of the Central Provinces is so small and I have seen so little of the Central Provinces settlements, that I should not like to say whether all the districts of the Central Provinces are ripe for it, or whether the province is generally ripe for it. If possible, it ought to be extended.

44205. The first settlement of the Central Provinces was for 30 years; afterwards it was reduced to 20 years; you think that, if it is possible to do so, it should be extended again to 30 years?—Yes; I think so.

44206. Is it proposed to define the grounds on which enhancements can be claimed and the amount of enhancement settled under different conditions?—The question is under consideration; it has not come to the stage of any final rules being formed; at present the question is only under consideration whether it is possible to issue rules which would be generally applicable.

44207. You have not got to any details yet?—No.

44208. You know that in matters of land revenue assessment the Government of India have issued certain instructions laying down the general policy to be observed all over India. In the matter of irrigation rates is it possible and desirable for the Government of India to lay down some similar general instructions to be complied with in all the provinces, first, when the irrigation rate is consolidated with the land revenue, and, secondly, when it is separately collected?—I cannot give an opinion on that, because I have had no experience at all of irrigation rates and as since I came to the department no cases involving a question of principle have arisen, I have not gone into it.

44209. You could not say whether the Government of India might lay down certain general instructions?—I do not know what the difficulties might be in the way, and cannot say whether it would be practicable for the Government of India to do it or not.

44210. In the United Provinces the Government of India still have the power of fixing the irrigation rates?—Yes.

44211. And from time to time the rates are altered by the Government of India?—Yes; the Local Government would make suggestions, and the Government of India would pass orders.

44212. Is it possible to fix rates for definite periods, as the land revenue is fixed for 30 years, so that frequent changes in the irrigation rates may be avoided?—That I could not express an opinion upon; I have not considered the matter.

44213. As regards the recruitment of tahsildars, is it your opinion that grading officers of the tahsildar class on a provincial list is better than grading them on a list for each division or district?—Yes; as a general rule. As regards Bombay the grading there is not provincial; in Bombay it is divisional. I had omitted to note this.

44214. But, generally speaking, is the grading of officials of this class on a general provincial list better than grading them separately for each division or each district?—I certainly think that in Bengal it works better, and as far as I know, it has worked better in the United Provinces; but I am not prepared to say that it would work better in Madras.

44215. You say "The Government of India thought that the system of grading officers of this class on a general provincial list works satisfactorily in other provinces"?—A better way of putting it would be, "In every other province except Madras and Bombay."

44216. From your experience you think it would work better?—Speaking generally I think it is a sound rule, but I am not prepared to speak about Madras.

44217. Would it not give a wider selection if you had a general provincial list?—It ought to do so.

44218. And therefore that you would generally get better men if you had a provincial list than if you selected men district by district, or division by division?—Certainly, in the provinces of which I have had experience.

44219. We had evidence before us that a great deal of waste land with grass or scrub jungle is now kept apart as unreserved or unclassed forest, and some officers have told us that there can be no objection to transferring the management of these unreserved or unclassed forests from the Forest Department to the Revenue Department altogether; have you any opinion upon that?—My experience of forests has been very limited, and I would not like to express any opinion. I should have thought there would be no objection, but I do not think that my opinion is of any value on the point.

44220. (*Sir Frederic Lely.*) You say that special rules for the cultivation of waste lands are drawn up in Madras and Bombay without reference to the Government of India, but that in other provinces the approval of the Government of India is required. Is there any reason why there should be a different practice?—It is an important matter, and if I remember rightly there were certain very revolutionary proposals sent up from Assam by Sir Henry Cotton.

44221. But, generally speaking, would you say that the other Governments are just as able to exercise power in that respect as the Madras and Bombay Governments?—I think it would be quite sufficient if the rules were issued "subject to the control of the Government of India."

44222. You are not aware of any evil effect having resulted from the independence of Madras and Bombay in the matter?—I am aware of none. I think that in this, as in other matters, it would be advisable if the rules were simply "subject to the control of the Government of India."

44223. In all cases?—As a general rule.

44224. The requirement of the approval of the Government of India is not in accordance with any express order?—No.

44225. It is an instance of minor Governments having insensibly fallen into dependence on the Government of India?—Or it might have arisen from the Government of India asking for information as to the rules before issuing them.

44226. As a general statement, might it be said that a great deal of the subordination of the minor Governments to the Government of India is in the absence of any special orders; the tendency has been to dependence?—I think that very often it has arisen from the fact that the Government of India has asked that rules on certain subjects should be submitted to them before being issued. Occasionally, when a new departure has been made, the Government of India has asked for the submission of the rules proposed before issue.

44227. It is not that there are express orders; is not the tendency to subordination?—I would not say that there is a tendency to subordination. I speak mainly from my experience of Bengal.

44228. As regards land settlements, the inception report is dispensed with in Madras and Bombay; is there any valid reason why the same course should not be taken with other Governments?—There are some big questions regarding settlement which are under consideration; it is better not to make any change in the settlement procedure until they have been disposed of.

44229. You have already mentioned the question of the limitation of enhancement; that is a question quite apart from the question of special settlements; it is a question which would affect all the provinces, including Madras and Bombay, when it is determined?—I could not say; the matter has not gone so far that one can say what the division might be.

44230. Any orders passed on that by the Government of India would presumably be general?—Presumably, but the matter is in such a rudimentary stage that it is impossible to say. One would have to consult all the Local Governments before anything was done; some Local Governments might point out that the time had not come when you could pass general rules regarding enhancements. I can not really say what the result of the inquiry will be; it has not got to the stage yet of even formulating the questions that may be put to the Local Governments.

44231. At any rate it would be a question that would be discussed on quite general grounds, quite distinctly from special settlement proposals?—No doubt.

44232. Another question which is under discussion is the term of settlement?—That is rather special, in connection with Burma.

44233. But in any case the term of a particular settlement would come up, not on the inception report, but on the completion report?—Yes.

44234. So that that would be no reason why the inception report should not be dispensed with?—No.

44235. You mention as the chief reason for the submission of the inception report that it is chiefly to prevent expenditure and harassment of the raiyat in cases in which there is no substantial reason for a new settlement?—That is the reason the rule was passed. It was a financial reason, which led a good deal to the rule. The Government of India was at that time very hard up, and they wanted to avoid all unnecessary expenditure.

44236. That reason has to a great extent ceased to exist?—That is so.

44237. Then as to the fear of harassing the raiyat, it is not intended to suggest that the Central Provinces Government would be more likely to harass the people than the Bombay Government, or even the Government of India?—I do not think they would.

44238. Nor would it be intended to suggest that the Government of India, or the Bombay Government, know more about the people than the Central Provinces or the Punjab Government?—I think the underlying principle about control is that possibly the Government of India might not look at the question from so local a point of view as the Local Government.

44239. Is not the need of a revision of settlement essentially a local question?—It is also a financial question to a certain extent.

44239a. But are not all the reasons which would suggest the revision of a settlement local reasons, based upon local facts?—The Government of India is interested in the question.

44239b. No doubt, as it is in everything that goes on in India.—The local reasons would generally be the stronger, but sometimes the Government of India might, for instance, be willing to take a smaller increase of enhancement than the Local Government.

44239c. That is another point, which would come up on the final report later on. Is not the question as to whether a revision of settlement is necessary emphatically a question for the Local Government alone; is it worth while to trouble the Government of India about it at all?—I do not know that it interests the Local Government alone; the Government of India is interested to a certain extent, although not so much as the Local Government.

44239d. I understand that the United Provinces and the Punjab are exempted from submitting the final report asking for confirmation of the settlement. Why should those two provinces be given that special trust?—There are certain reasons in some provinces why closer scrutiny should be made of settlements.

44239e. But the Punjab is one of those provinces in which the question of term of settlement is so far undetermined?—The question of the term is under consideration.

44239f. It seems that, notwithstanding the power given to the Punjab of finally confirming its own settlements, re-assessments occasionally have to be submitted to the Government of India; that means that the law is modified by executive orders. Is that

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justifiable?—Our whole system of working would have to be altered if the Government of India could not interfere where a statute gives discretion to a Local Government. Sir Thirkell White raised that question.

44239g. And you do not agree with him?—It would be necessary to reconsider a great deal of our legislation, to see whether that might not deprive us of powers in certain cases which we ought to exercise.

44239h. If the Government of India think it ought to have certain powers that it has not got by law, is not the proper course for it to initiate a change in the law?—I have been reading some correspondence on the subject of statutory legislation of this kind. It is quite clear that at the time the law was passed it was never intended that the jurisdiction of the Government of India should be ousted.

44239i. They have always held that they could nullify the law if they wished?—I would not put it in that way, but they have always held that they had full powers of control.

44239j. What was this particular case?—The question was very fully considered in a Burma case in 1897 which came up with reference to a proposed alteration in the waste land rules. The point was dealt with in the letter of the Government of India No. 2475–88–2 Land Revenue, dated the 21st October 1897.

44240. Have you any general views as to in whose hands the power of suspension and remission of land revenue should be vested; would you give the power to the local officer to any large extent?—I certainly think that the power of suspension ought to rest with the local officer; the question is whether it ought to be with the Collector, or whether it ought to go any further—to the Commissioner; I think generally the Collector is the person who should have the power of suspension.

44241. How about remission; would you give the man on the spot any final power of remission?—Coming from a permanently settled province I have not seen much of it, and I have not formed any definite opinion.

44242. Among other subjects under your purview is Civil Veterinary Administration. In the country generally is not this branch of work entrusted to the Local Boards or District Boards?—They have generally a good deal to say to it.

44243. In most places we have found that the nominal management has been handed over to them, but they have no power to appoint or promote officers, no power in matters of discipline—no power, indeed, except that of making a contribution towards expenses. Is it a wise course under such circumstances to hand over veterinary work to District Boards?—I think it is a good thing to provincialize the Service; the difficulty is to get good enough men; you can get better men for a Provincial Service than for one entirely under a District Board.

44244. That is to say, it is absolutely essential for the efficiency of the department that the management should not rest with the District or Local Boards?—They might have some voice, but I do not think that they should have full power of appointment and dismissal.

44245. Practically that means that they have no voice at all?—Speaking for Bengal, I should not say that. The District Boards have considerable power in the matter.

44246. Does not that mode of handing over the work to them give an unreal tone to it, and has it not a tendency to stultify local self-government rather than to help it?—I would not say that. In the same way with education; the District Boards have a good deal to do with education.

44247. I am speaking of veterinary work?—I know, but the establishment in the case of educational work is also not appointed or dismissed by the District Board, and I give that as another example.

44248. Then you would justify giving veterainary work to the local body on the same ground?—Yes; I think it would be a good thing.

44249. (*Chairman.*) You say that "the municipalities and Local Boards have been associated as far as possible in this work," that is, in veterinary work. Has not the real association which has now been established between the Government and the municipalities simply been that the municipalities have been compelled to provide the funds for veterinary work?—It goes further than that. I speak from my Bengal experience. There I found that they did take an interest in veterinary work, and I thought it useful that they should be associated with it.

44250. (*Sir Frederic Lely.*) Local Boards are already burdened with a great deal more expenditure than they can meet. That being so, was it wise policy to hand over the expense of veterinary work to them?—I do not know how far in all provinces they have been burdened with the expenditure, and how far grants have been made to them by the Government or not. I know, of course, that the Local Boards generally are not very well off.

44251. In Bengal have they contributed to the expense?—I am not quite certain; grants are often made to Local Boards for various purposes.

44252. Generally grants are made by Government, but a contribution also has to be made from the funds?—Yes, in some cases, but Local Boards do not, I believe, contribute to veterinary expenditure.

44253. As to the "provincial report of grain riots in tracts suffering from scarcity and famine." Surely grain riots are not of periodical occurrence? Suppose grain riots do not occur, are blank returns sent in?—No; they are only sent in as riots occur.

44254. They are not sent in on any special date?—No; I never submitted them myself; but it is a certain indication of distress in a province if they occur.

44255. If a grain riot did occur would it not be reported in the ordinary course of administration?—But it would scarcely come to the Government of India.

44256. Would not a serious riot of any kind be reported to the Government of India—any riot in which there was bloodshed?—I do not think so; riots where Europeans are concerned would be reported.

44257. (*Sir Steyning Edgerley*). The reference is possibly to the orders of 1899?—They relate to Europeans.

44258. And also to all riots where loss of life is involved?—Yes; I do not think any unimportant riot would be reported.

44259. (*Chairman.*) When were general orders regarding remissions and suspensions issued?—In 1905.

44260. Were those orders uniform for the whole of the country?—The general principles were uniform, but in certain provinces modifications had to be made owing to the permanent settlements and to landlords coming between Government and the cultivators.

44261. Were they issued after consultation with the Local Governments?—Yes; and after reference to the Secretary of State.

44262. Then you say, "The advisability of enlarging the powers of Local Governments in respect of grants of land . . . for religious, public, or other purposes, is now under consideration." When was it first considered?—It has been going on now for over two years.

44263. Is it approaching completion?—I think so.

44264. Have the Local Governments been consulted upon these matters?— They have not been consulted so far, and as it is a case of relaxing rules, they would not necessarily be consulted.

44265. You say further that the law on the question of providing capital to the agricultural classes has been altered; when was that altered?—It was in 1906. I refer to the amendment of the Agriculturists' Loans Act and the Land Improvement Loans Act.

44266. I understand, in connection with the question of famine, that certain enquiries were issued by your department as to the storage of food and fodder by Local Administrations; do you know anything about that?—I do not remember any recent enquiry.

44267. Not about 5 or 6 years ago?—Local authorities have all been asked at times about the amount of the food supply.

44268. Was that followed up by representations to the Local Governments that they ought to send officers

to appropriate places for the purpose of learning forestry, and what were described as other protective measures?—I do not know what is referred to. No such orders appear to have been issued.

44269. You say: "But while the supply of full information is insisted upon, no interference is exercised so long as the Government of India are satisfied that the emergency is being properly met and that the relief measures are neither inadequate nor extravagant." How many columns of information are required in one of these returns or reports?—There is weekly information published in each Gazette, and then there are returns for each crop, so that it is rather difficult to give a figure.

44270. Is it a very minute and detailed report which is called for under a great number of heads and subdivisions of heads or is it a mere narrative statement?—The two main things are the statements in the weekly Gazette as to the crop prospects, and then there is a crop forecast prepared at different times giving the total acreage and prospects of the crop in comparison with other years.

44271. Are these crop forecasts required weekly?—No, there is generally a preliminary and a final one, and in some cases there are three.

44272. Are they necessary?—They are very important.

44273. But are they necessary?—I think it would be a pity to dispense with them.

44274. From the point of view of statistical information, or practical knowledge?—From the point of view of practical knowledge. We require them in order to see what the prospects are in a province.

44275. You say with regard to imperial experts in agriculture that they must have in mind that they have no authority over provincial expenditure and their functions are purely advisory functions; suppose the advice is disregarded, what would happen?—Then it is disregarded.

44276. What is the use of an imperial expert if he can only go round to provinces and offer advice which the provincial expert shrugs his shoulders at?—But that is not the general rule, I think. The imperial expert would not give advice on subjects he did not understand, and the provincial expert would be glad to know his opinions, and would probably modify his attitude on certain questions after consultation with him.

44277. But supposing the advice is rejected, then you say the matter falls to the ground?—The matter falls to the ground.

44278. And in the same way as he reports upon what he has seen in any province; suppose the report contains hostile criticism of the provincial proceedings, what happens?—In that case does the Government of India take no notice of his criticism?—As a rule we would send a copy of the report to the Local Government for them to take such action as they thought proper.

44279. Then suppose the Local Government says: "Thanks very much; we know our own business better than you do"?—Then probably nothing would happen unless it was a matter which seemed of very great importance to the Government of India.

44280. Is that what you would lead us to believe takes place—that the Government of India seldom interferes, even after reports are adverse and their advice is disregarded?—There is only one case in which I have seen an unfavourable report. I cannot say whether the Local Government will take action or not, but it is extremely unlikely that we shall take action. The report of the Inspector-General, as far as I can see, gives valuable information on the state of things.

44281. With reference to the figures furnished by you in answer to question 44039, are the land revenue report and the reports into which it is subdivided entirely inclusive?—The original Land Revenue Administration Report includes all those points.

44282. Did it include anything else; is this a full comparison of figures?—Yes; I think so; nothing has been omitted so far as I know.

44283. Then you say that the Government of India has done much to improve the system of reporting, but something remains to be done; what direction would your improvements take?—I think in the way of shortening.

44284. By leaving out certain reports or omitting columns, or how?—By something of that sort. I was put on special duty in Bengal to cut down the provincial reports, and I made a number of recommendations, a great many of which were accepted, while others were not; I think some of them might still be taken.

44285. But we are speaking of the Government of India?—Yes, and in the same way the Government of India might probably still cut down some reports.

44286. And not only diminish the number of reports, but diminish the amount of matter which it is now thought necessary to include in those reports?—Yes.

44287. Would it require a special officer to deal with that?—No; I think each department could work that out for itself.

44288. Would it require a special officer in the department?—No; I do not think so; certainly not in the Revenue and Agriculture Department.

44289. Do the suggestions which you make cover all that you think could be done, or does anything still remain?—I have not gone through the reports with a view to seeing what could be omitted; it is possible that something more might still be done, but it would be a work of considerable labour to see what could be omitted and what could not. Of course one must be very careful not to omit anything which is required for the information of the Secretary of State.

44290. You tell us that the number of circular references for information has diminished within the last ten years, but the figures you give us do not include requests for information; are they circular requests, or are they particular requests to individual Governments?—They are circular requests to Local Governments.

44291. Are those requests for information initiated by your department?—That would depend, because there were some very big questions raised in Lord Curzon's administration, which must have led to a great many calls for information.

44292. Has your department increased in size of late years in the number of subjects you deal with or have you shed certain subjects?—We have shed certain subjects.

44293. Has that shedding been taken into calculation in the figures which you put before us? You say the number of circular references for information is smaller now than it was ten years ago; might that not be due, not to the decreased activity of your department, but simply to the fact that you have transferred some duties?—The figures of each now existing branch of the department were taken.

44294. (*Sir Steyning Edgerley.*) Have you ever heard of a very enormous enquiry that was ordered by the Secretary of State as regards opium in Burma with very little result?—I have heard of it, but I know nothing about it.

44295. May you not, before you have done with it, even be grateful to the Bombay Government for pointing out the labour this forest enquiry may involve in comparison with the results?—I do not think it is likely.

44296. As regards the unfavourable report by an Inspector-General which you mentioned just now, was that report made by the Inspector-General himself or by one of the experts?—By the Inspector-General himself.

44297. And that never went to the Local Government at all?—Yes; when I say it was an unfavourable report, I mean it was a report criticising the state of things, and it has been sent to the Local Government for such action as it thinks proper.

44298. Taking the actual functions of Inspectors-General, would you agree that their primary function is to advise the Government of India in cases which come up to them?—That is one of their most important duties, certainly.

44299. Would you agree that their second function is to be in charge of all imperial research?—Yes.

44300. And would you say a third function, perhaps, would be that they should form bureaux of information for enquirers, and disseminate any information of value?—Yes.

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44301. Fourthly, would you say that they should give advice and be of assistance to Local Goverments when asked to do so?—Yes.

44302. I say "when asked," because I suggest that unless a Local Government feels it cannot get the result it seeks through its own experts, the provincial experts ought not to be overshadowed by imperial experts, but that it should be at the option of the Local Government to consult the Government of India; would you agree with that?—Certainly; the relations should be such that the Local Government should be free to consult them or not.

44303. Practically does that not mean, to sum up, that Inspectors-General are there to increase technical knowledge all round, and to help those who have not had time to study the various matters?—Yes.

44304. Do you agree also that an Inspector-General should have a perfectly free right as to touring?—I think so.

44305. And that he should offer help to Local Governments while he is on tour in their territories?—Yes.

44306. Would you agree to two provisoes as regards that, firstly that he should give notice to the Local Government when he is coming, and offer to help them if they want any help, and, secondly, that he should send to the Local Government when leaving the province a complete note of the result of his visit?—Yes.

44307. Would you also agree that the Government of India expert might correspond either informally or formally, as the Local Government might prefer, with regard to purely scientific matters, with the provincial experts, provided that he first had very strict orders to refuse to receive any correspondence outside that sphere; the object being that the provincial expert should not suddenly take up some outside question and endeavour to enlist the sympathies of the imperial expert possibly in disregard of his own Government?—I think that would be improper, and that he ought to refuse to have anything to do with that sort of thing.

44308. And that he ought to have no authority, if he wants returns or reports, to call for them except through the department of the Government of India?—Yes.

44309. Do you agree that there is a risk of his assuming power?—Yes; I quite agree.

44310. And secondly that that tends to give him an administrative footing with the Government of India, because he is so closely connected with them?—Yes; a strong man in that position would naturally exercise a good deal of influence.

44311. Would you agree that there is a great risk that he might become an alternative channel of communication? I mean this, taking it from a suggestion of the Home Department; the Inspector-General might come back to headquarters, and note on a case, and say, "The Local Government says this, that, and the other is what happens; as a matter of fact it does not happen; I have been there and I have seen that something else happens and you ought to decide so and so"; is that not a risk?—There is a risk of that, of course.

44312. That is to say, you might take the advice of an expert gentleman who has been on the spot a week, against the opinion of the responsible Government, on a direct conflict of fact?—There may be that risk.

44313. Another thing suggested is that the Inspector-General is essential in the process of decentralization in order to keep the Government of India informed as to what is going on in the provinces; but is that not a function of a Local Government?—No; I think it is quite possible the Government of India might not understand what is going on without his aid; there is great difficulty in putting everything into correspondence, and the Inspector-General might help to clear up doubtful points.

44314. So far as the Government of India do rely on him, in preference to the Local Government, for settling administrative and not merely technical points, and so far as they rely on him, in preference to the Local Government, for the correctness of information, is there not the risk that you duplicate your means of administration to the detriment of the Local Government?—Yes; I think that is so, but I do not think it is a proper use for such an officer.

44315. Would you agree, if that risk exists, that one way, and perhaps an important way, of meeting it would be that, when he notes on a case, and differs completely from the Local Government, either as to facts or opinions, a copy of his notes should go down to the Local Government for consideration before the Member in Charge deals with the case?—I do not think I would take that line. A Local Government ought to have some chance, in any big scheme, of having personal access to the Government of India before orders are passed.

44316. Would it not eventually save time if the Local Government saw the case again at that stage, if there was a considerable conflict of opinion?—I am not sure that you could always let the Local Government see his opinion.

44317. Would it not operate in two ways: in the first place the Local Government would (just as the Lieutenant-Governor in Bengal has arranged to get in touch with the Board of Revenue, giving them the last word) give the last opinion before orders are recorded, and in the next place it would make the expert adviser very much more careful as to what he said with regard to facts and opinions?—Yes, but I am not sure that it might not make him too careful. I would not go so far as you suggest.

44318. All Local Governments send up monthly proceedings to the Government of India?—Yes.

44319. What is done with them when they get to the Government of India?—I think they are generally filed. Of course, occasionally they are wanted for a case.

44320. Are they systematically read?—Yes; they are always read in my department, to see if there is anything of importance, and any important paper is always brought up.

44321. Is not any important order printed in them with the correspondence in full?—Yes.

44322. And, therefore, the suggestion that, if decentralization proceeds, the Government of India must have these Inspectors-General, because it is essential that they should have some machinery for keeping them continuously informed of what is going on in the different provinces, and to bring to their notice matters which can only be learned on the spot, is entirely unnecessary, and they are not required, for the particular purpose because you have the detailed proceedings before you every month?—I do not think the proceedings give you all you want to know.

44323. Do they not give you the clue, if you want to know more?—Yes, they do give a clue.

44324. With regard to disforestation you suggest that it might be necessary to give different powers in regard to the different classes of forests in different Presidencies, but would that not be a difficult thing to do by any specific amendment of section 26 of the Forest Act?—Yes, it would be difficult.

44325. But would it not be perfectly simple, to do it if you had for your use an elastic delegating Act?—Do you mean an elastic delegating Act in forest matters?

44326. No; I mean a general delegating Act.—I am inclined to object to a general delegating Act; I think it would meet with very strong opposition.

44327. But in a question like that, would it not be the most convenient means you could have of adjusting the different powers needed in the different provinces?—I think a general delegating Act would be of great convenience, and in reference to this matter too, but whether it would be advisable is another matter.

44328. (*Mr. Meyer.*) Section 26 of the Forest Act could be perfectly easily altered in the direction desired by substituting for the previous sanction of the Government of India, "subject to the control of the Governor-General in Council," or, "subject to such conditions as the Governor-General in Council may from time to time prescribe"?—Yes.

44329. And any such amendments could perfectly well be put into a schedule to a Delegation Act, which once for all altered the sections in which it was considered undesirable that the previous sanction of the Governor-General in Council should be uniformly maintained?—Yes.

44330. With regard to the monthly proceedings, are they not necessarily fragmentary? Take for instance,

the question of agriculture; you will find in one month's proceedings that the Bombay Government, say, have sanctioned money for the establishment of such and such a model farm, and then perhaps you find next month they have issued orders with regard to an agricultural curriculum in schools, and so on—one thing is done in one month and another thing in another?—Yes, and it is very difficult to get the information in a complete form.

44331. The object of the monthly proceedings is to enable you to see the important orders as they are issued, and also to see whether the Local Government is doing anything *ultra vires*?—Yes, I believe that to be the object.

44332. Would it not be quite impossible to make a general review—without enormous labour at any rate, and without possible misconception—of the progress of agriculture in Bombay, from the Bombay monthly proceedings for a year or two?—It would be impossible in practice.

44333. Speaking generally, is not the object of a law, as far as Government is concerned, to lay down the relations of Government, and the officers of Government, to the general public?—Yes.

44334. It is intended to protect the general public by laying down in what cases Government in certain forms may take action which may possibly be to their detriment or otherwise?—Yes.

44335. Taking a province, for instance, it is laid down, again for the protection of the public, that certain action can only be sanctioned, say, by the Board of Revenue?—Yes.

44336. And certain other actions by the Local Government, but that is as between Government and the outside world. It does not in the least affect the disciplinary relations between the various branches of the administration; the Board of Revenue remains subject to the Local Government throughout, departmentally?—Yes; that is always the view taken by the Government.

44337. Therefore, the Local Government has every right to tell the Board of Revenue not to take any action in a matter which the Board by law might be empowered to take? For instance, to take liquor shops, if the Local Government thought a certain course of action on the part of the Board of Revenue inexpedient, they have the right, as the executive authority, to tell the Board of Revenue not to exercise those powers?—That is the view we have always taken.

44338. The Government of India is superior to the Local Government?—Yes.

44339. Did not the Act of 1833 deliberately lay that down, and say that they might intervene in any matter?—Yes.

44340. And similarly the Secretary of State is superior to the Government of India. Were there not certain matters recently with regard to deputations, which it was legally within the power of the Government of India to deal with?—Yes; I believe so.

44341. Do you think the Secretary of State would accept the position that because the law of India allowed the Government to exercise power, he should have no right of intervention whatever?—I am not here to speak for the Secretary of State, but I should have put it on the same footing as the interference of the Government of India with the Local Governments.

44342. Therefore, if there is to be a change it ought to begin from above, and it would be for the Secretary of State in the first place to lay down that he will not interfere with the Government of India in any matter in which the law would allow the Government of India, without his interference, to act on its own authority?—The same principle would apply, I think.

44343. With regard to a question put to you as to principle and detail, is it not a little difficult to say when detail ceases to be detail and slides into principle?—It is very often very difficult to say whether a matter is really a question of detail or of principle.

44344. And things which might *per se* be legitimately regarded as matters of detail, if they tend to become precedents, exercise very great weight in the official world?—Yes; that is of course so.

44345. Things broaden from precedent to precedent until you practically substitute a new law for an old one?—Yes.

44346. In the same way, taking the idea that the Local Governments should be allowed to transgress a law or rule which has been laid down for its guidance, and that nothing should be done except in the way of recalling the erring Head, do you think the Secretary of State would be likely to allow that to be applied to the Government of India, and give the Government of India full discretion to override rules in the Civil Service Regulations and otherwise which require reference to the Secretary of State?—I think I said I thought there would be very great practical difficulty in enforcing the penalty suggested by Mr. Hichens.

44347. As regards appeals, you say that administrative appeals might remain as they are; but with regard to personal appeals you would substitute one money limit for another. It has been suggested to us during our inquiry that the thing might be put on a simpler basis, and whether the appeal be administrative or personal, if it is merely a question of fact, and there is no allegation that the lower authority has transgressed the law, or acted in any way *ultra vires*, one appeal should suffice, except possibly where serious issues were involved to a particular individual, such as a case of dismissal from Government Service, in which case a second appeal might be allowed; would you be inclined to accept that as a satisfactory solution?—Yes; personally I should; of course always reserving the complete power of the higher authority to intervene whenever they thought obvious injustice was being done.

44348. A special power of revision such as the High Court exercises in civil and criminal cases? Still would it be necessary that that power of revision should be applied with very great discretion, lest it might slide into a regular appeal?—That is a danger everywhere; and there is a great tendency in India for revision to develope into appeal.

44349. We have had a lot of evidence to the effect that in Bengal there are sub-divisions where, though the *sadr* sub-division is directly under the Collector, the Sub-Divisional Officer, speaking generally, is confined to magisterial work, and even there he does not hear appeals from his subordinate Magistrates. The hearing of appeals is done by the District Magistrate, and all the revenue work is practically done by him through the medium of a certain number of Deputies, each dealing with his own subject. It has been suggested that that is a system of undue centralization, and leads to a Civilian becoming a Collector when he may have had no real revenue training; and that it might be better to decentralize the work and give each Sub-Divisional Officer all powers, both revenue and magisterial, including the full control of his Sub-Deputy Collectors, leaving the Collector more as a controlling authority for the whole district?—It would be very difficult to work that in Bengal in most places, owing to the permanent settlement. In one of the sub-divisions I held there was a good deal of revenue work to do and I had to do it, but it would be very difficult to work in a system by which a Sub-Divisional Officer in Bengal should generally have much revenue work to do.

44350. As regards income-tax, excise and stamps there is nothing special in Bengal?—No; but in Bengal there has come to be a system, which I do not altogether approve of, of ousting the local officer in favour of the special Excise or Income-tax Deputy Collector.

44351. You would disapprove of that, at any rate?—I have not considered the point lately, but I know soon after I was a Sub-Divisional Officer I regretted that such work was taken out of Sub-Divisional Officers' hands.

44352. What is your opinion as to these special subjects Deputy Collectors; would it be well, if it could be done, to do away with them, and give more Sub-Divisional Officers?—There is much to be said on both sides; I am not prepared to give an opinion; the whole tendency of administration has been the other way, and I have not thought it out sufficiently.

44353. Supposing a provincial Government wanted to recognize the Subordinate Forest Service, and that the cost came to more than Rs. 25,000, it would have to go to the Government of India?—Yes; at present.

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44354. Whom would it go to there?—It would have to go first to the Revenue Department.

44355. And you would refer it to the Inspector-General of Forests?—It would go to him in the ordinary course.

44356. Would he criticise the expediency of employing more men, or the expediency of employing them in this or that way, or in what direction would the criticism be?—It is almost impossible to say; it would depend on the scheme sent up. As a general rule, he would probably not have very much to say. Some proposal might come up from a Local Government which, from his experience in other places, he thought might not work.

44357. Would he criticize it from an administrative point of view?—Yes.

44358. Then it would go on to the Finance Department, and they would criticise it from the financial point of view?—Yes.

44359. You cannot tell what that might be likely to be after the Inspector-General of Forests had done with it?—I can only speak from my experience of late years of the Finance Department. Of late years they have very rarely opposed any reasonable scheme which has come up from Local Governments.

44360. Does not the Inspector-General of Forests sometimes formulate schemes for the Local Government?—I think he has no power to do that.

44361. Does he not do it?—I do not remember a case.

44362. This is an extract from the case of the Government of Bombay: "In August 1892 the Government of India forwarded a scheme by the Inspector-General of Forests, and in December 1892 the Local Government expressed their inability to adopt it." That is with regard to the reorganization of subordinate forest establishments?—An Inspector-General did a similar thing lately, but he was pulled up at once and told that it was an entire misapprehension of his position, and I certainly do not think we would now allow an Inspector-General to draft schemes for a Local Government unless asked by it.

44363. But you were not aware he had done it?—I had forgotten the 1892 case. In the recent case we pulled up the Inspector-General as soon as we found he had gone wrong.

44364. (*Mr. Hichens.*) Apart from financial considerations would you be prepared to give Local Government an entirely free hand in reorganizing their subordinate Forest Department?—I should be very unwilling to interfere with them.

44365. You would not object to its being laid down that the Local Government should have complete control with regard to the reorganization of their Subordinate Services?—Except from the financial point of view.

44366. Is it desirable from the financial point of view that they should send up schemes beyond certain limits?—I should think so, because there is always a danger of extravagance.

44367. But they have to find half the amount?—Yes; but even so the Government of India has to find the other half of the cost.

44368. You do not think then that the Local Government could be sufficiently trusted?—No, not at all; but I think the Government of India must continue to have financial control of some sort.

44369. When a settlement scheme is taken up, is it the fact that the general principles are decided first of all?—The general principles are laid down long before the settlement.

44370. Has the Settlement Officer pretty definite instructions as to the general lines on which he has to go?—Yes; those are laid down in every province; each has its own rule about it.

44371. Do the Government of India know quite well the lines on which he is going to act?—All the rules have been seen by the Government of India, but they are not generally sanctioned by the Government of India.

44372. I understood that before a settlement was undertaken, the Local Government write and explain what they propose, and the general lines on which it is proposed to be done?—They would give a sort of general forecast.

44373. Before the settlement can be finally sanctioned, have not the results to be sent up to the Government of India?—In some provinces, yes.

44374. What do you want those reports for; is it in order to see that the Local Government have carried out literally and properly the general principles which have been laid down?—There is great room for difference of opinion, and assessments may have been fixed too high or too low.

44375. I thought that had been arranged beforehand?—No; these things must depend on the different districts; you cannot arrange that beforehand. In a province like Upper Burma, for instance, it was at first impossible to say *a priori* what the term of settlement should be.

44376. Was not that decided before?—No; it varies in each district.

44377. And you require the report in order to satisfy yourself finally as to what principle should be adopted?—Yes; on the two important points, the rates of assessment and the term.

44378. How big is the staff of agricultural experts under the Government of India?—I think it numbers 55.

44379. And you say that the number in each province is too small to have a separate *cadre* of their own?—Yes; it is at present.

44380. What drawback would there be, supposing they had their separate *cadre*; what in practice would happen?—Supposing one of their men went on leave, or fell ill, and some one had to take his place, the Government of India ought to be able to draw on the whole of India. Some provinces might have one extra man available, and some more than one.

44381. Would it be possible to get over whatever difficulty there might be by allowing any province to write up to the Government of India and ask them to provide some one?—In practice that is exactly what does happen now.

44382. Is it not the case, that being under your control, that the Local Government have to apply to you in regard to leave matters, for example?—No; they can give leave, but if they give a man leave they must make their own arrangements for filling up the vacancy.

44383. Can they make appointments?—No.

44384. Assuming the power of appointments lay with the Government of India, would there be any practical drawback in allowing provincial Governments to make them?—I do not think it is advisable that each Local Government should be allowed to make its own appointments.

44385. Are the general appointments of these officers made at home and when the men get here they are appointed to the different provinces?—Yes, but having once got a sufficiently large *cadre* you could allow each province to make its own arrangements. You cannot start separate *cadres* at present for each province because they are not self-sufficing.

44386. Then the Secretary of State appoints them, you post them to a Government and you have power to withdraw them from that Government at any time?—Yes; we have complete power to post them, but we do not exercise it in practice, except in the way of helping a Local Government.

44387. It does not give you much work here then?—No.

44388. (*Mr. Dutt.*) The Government of Bombay objects to the Inspectors and Directors-General corresponding with the provincial officers direct, and the Madras Government also objects to such correspondence and says that any correspondence necessary should be conducted through the Secretary of the department; have you any opinion upon that?—I think it is a mistake, but it is a matter one must leave to Local Governments. I should have thought it would be a good thing to correspond freely together. Sir Steyning Edgerley suggested some restrictions which I accept.

44389. In a case where a Local Government desired that any correspondence should take place through the Secretary, would you agree to that?—I should give way to the Local Government.

44390. With regard to the Court of Wards: you are opposed to Commissioners having the supreme power on the ground that such a system might give rise to a great deal of complaint?—It might; there might be cases of serious blundering, and a serious blunder would bring great discredit on the Government.

44391. Have there been cases, within your knowledge where estates have been taken under the Court of Wards and people have tried to get them released on the ground that the lady in charge was quite competent to manage her own affairs?—Yes.

44392. So that on the whole you think it desirable to leave the supreme power in the hands of the highest revenue authority in the province?—Yes; I think so.

44393. Subject to that, would you delegate to the Commissioner or to the Collector large powers of administering those estates?—I would delegate very freely.

44394. Do you think if a general Delegation Act was passed, from your experience of Bengal, that the people would accept it or oppose it?—I think there would be very strong opposition to it.

44395. Might it not sometimes lead to the delegation of powers which it was the intention of the Legislature to keep in the hands of the higher authority?—I think in some cases it would lead to the delegation of powers which the non-official members did not want delegated.

44396. Considering all these things, do you think, where powers have to be delegated, it should be done by an amending Act, or under a general Act of Delegation?—There would be an enormous amount of inconvenience in doing it all by special Acts though I think a lot of amendments might have to be made by special Acts.

44397. Have you ever thought of the plan of passing one Bill with a schedule showing all the powers under different Acts which it was desired to delegate, so as to minimise the work of the Council, and at the same time do the work through the Council, instead of by Gazette notification?—I think probably that it might be practicable, and it would save much labour.

44398. With regard to the restriction which has been proposed, on the right of appeal, do you think, as a Bengal officer, that any restriction of that nature would be liked by the people, or the subordinate Government officers generally?—My experience is that they like appeals.

44399. Would they dislike any restriction of the existing rights?—I think, in all probability any restriction would not be liked.

44400. Is there any real necessity for ordering any restriction of the existing rights of appeal as known by you in Bengal?—I have not a very strong opinion. I think a great many people get off under the present system who ought not to.

44401. If it be a fact, that certain Governments do not propose any such restrictions, would you force them on those Governments? For instance, the Government of Madras say in their note that they do not urge any large alterations in the existing right of appeal; would you frame a cut-and-dried rule and force it on the Madras Government?—Personally, I do not think the matter is of sufficient importance to force it on any province which strongly disapproves.

44402. So that you would leave the Governments to frame their own rules on the subject, instead of laying down a general principle for the whole empire?—I do not think the rules as to appeals should be made any more liberal than they are at present.

44403. But in your opinion has any necessity arisen for the Government of India to lay down any restrictions which should be followed all over the empire?—I have no experience which would lead me to say it is necessary.

44404. (*Sir Frederic Lely.*) Do you think it is exceedingly desirable to have varied experience among the provincial Heads of the Forest Department?—Yes, I believe it is desirable that they should have varied experience.

44405. Would you say that the Forest Department is more liable to get into grooves than other departments are?—I could not express an opinion.

44406. At any rate is it not highly desirable, that it should be accessible to new ideas which can only be got by studying problems and acquiring experience in various parts of the country?—I believe it would be of great advantage to do that. I am not prepared to go so far as to say that it is indispensable.

44407. At any rate is it not worth purchasing even at the cost of a little provincial independence?—I think so.

44408. It has been said that if the Head of a province could not find a man fit to be the Head of the Forest Department, he would apply to the Government of India, but, as a matter of fact would he not be reluctant to do so?—It would be an unpopular thing in his province.

44409. Is there not a great difference between saying, "There is no man in my Forest Department fit to be the Head of it," and saying, "There is no man in the Medical Service who has had special experience of jails," which is an instance which has been mentioned?—Yes, there is a great difference.

44410. The one would cast a sort of slur on a very large body of officers, and the other would not?—Yes, it certainly would be very much felt in the province.

44411. What is about the average size of a subdivision in Bengal?—I should think something like 700 square miles with a population of 500,000.

44412. Do you think, if a Sub-Divisional Officer was given full powers in such a sub-division, and all the work was left to him to do, that under the permanent settlement he would not have enough work?—He would not have very much revenue work—not so much as he would in some other provinces, owing to the permanent settlement.

44413. I do not quite clearly understand your objection to giving him all the sub-divisional powers in his own sub-division and making him the administrator of his sub-division?—There is the question Mr. Meyer put to me about income-tax and excise. I have not really considered the matter, because the whole tendency of administration of late years has been to specialize these things more and more, but I think there are certain points in which it would be better if a Sub-Divisional Officer had more to say to them.

44414. Why should he not?—The excise administration would probably be more efficient if administered by a special Deputy Collector, and income-tax work, on the whole, would probably be better done.

44415. But personally would a Sub-Divisional Officer find difficulty in doing the criminal work and all the miscellaneous work in his sub-division?—In some of the sub-divisions the work is very heavy, and it would be more than he could do.

44416. And you would have to reduce the size of the sub-divisions?—Yes, I do not say a great many, but you would have to reduce some.

44417. Another difficulty suggested has been that of subordinate agency. The Sub-Divisional Officer now has to work mostly through the police?—There is no village agency in Bengal as there is in other provinces.

44418. And he has no means of carrying out his orders, except through the police?—Yes, as a general rule.

44419. What remedy would you suggest?—We are introducing in Bengal a system of union *panchayats* which I think may ultimately end in a sort of village organization. *Panchayats* are formed including a number of villages, and the president of the *panchayat* is a person to whom certain powers are given under the Criminal Procedure Code. I think ultimately a great deal of revenue information will be got through him, but we are only just beginning the system. If it could be developed it would probably be of great advantage.

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44420. You would not suggest putting one or more *thanas* under special subordinate Sub-Deputy Collectors?—No, I have not thought of it, but I do not think you would gain very much by that.

44421. (*Chairman.*) Mr. McIntyre states in the evidence for Bengal that he thinks the issue of direct instructions by the Inspector-General to Conservators under Article 86 of the Forest Department Code should be stopped. Do you know what those instructions are about?—They relate to the technical instructions for drawing up working-plans.

44422. (*Mr. Meyer.*) It has been represented to us in some other provinces, and especially in Bengal, that the tendency of the Revenue and Agriculture Department of late years, under the influence of what has been called the Punjab school, has been to prescribe measures for other provinces taken direct from the Punjab procedure, but which were not necessarily suitable for transportation, and complaint was especially made with regard to the record of rights in Bengal. It was said that they had had to alter the record of rights with reference to what was thought good in the Punjab. As a Bengal officer, what is your opinion?—I think there is no doubt there have been some extremely able Punjab officers in this department, and largely owing to their influence in some cases Punjab views have been put before the Government of Bengal very strongly, but the Local Government have generally been able to hold their own, in the way of objecting to anything which was unsuitable to their province. It was not, however, mainly due to Punjab officers that the questions regarding the record of rights were pressed.

44423. Then the tendency has been to thrust Punjab ideas upon them?—I think Punjab procedure has in some cases been suggested to the Bengal Government, very strongly.

44424. Which procedure was not suitable to the province?—Which perhaps was not suitable.

44425. (*Chairman.*) There was a point raised by Mr. Lyon at Dacca with regard to his proposal that the Board of Revenue should be replaced in Eastern Bengal by two officers who should sit as a Board for appellate work; what do you say as to that?—I do not approve of his proposal to abolish the Board as an executive body. I do not know whether the Commission has been informed of the Bengal system which has been adopted lately. I approve of that, but I would not approve of abolishing the executive functions of the Board.

44426. A suggestion was made as to whether the forest audit under the existing Civil Account Code should be in any way relaxed; what do you say as to that?—That is purely a financial matter on which I could not express an opinion.

44427**. Is it desirable that the Inspector-General of Forests should issue instructions to Conservators under Article 86, Forest Code, as regards the preparation of working plans?—It seems necessary that the Inspector-General of Forests should have power to issue directions regarding the technical part of the preparation of working plans if he is to continue to exercise the same control as at present. Mr. McIntire, in Bengal, desires that the Inspector-General should no longer issue instructions to Conservators, but that the Conservator should submit his working plans to his Local Government which would send them on to the Inspector-General of Forests for advice. This might lead in many cases to great friction, if the Inspector-General of Forests found occasion severely to criticise the technical details of a working plan forwarded to him by a Local Government. At present the criticism is offered before the Local Government has made itself in any way responsible for the working plan.

44428**. Is there any objection to Provincial Governments having a free hand as regards legislation to prevent friction between landlords and tenants? Why was the Bengal proposal to legislate regarding "*char*" lands delayed in order to be put in the form of an amendment to the Criminal Procedure Code?—I am not sure that I quite understand the first part of the question. Neither the Imperial Government nor the Provincial Government have a free hand regarding any important legislation. No proposed law can be introduced in either the Imperial or Provincial Legislative Councils until the Bill has been submitted to the Secretary of State and he has had an opportunity of objecting. Agrarian legislation is in India so important that I cannot conceive of the Government of India abdicating, or being allowed to divest itself of, its powers of control in this matter, and I hold that it would be impossible without a revolutionary change in the relations between the Government of India and the provincial Governments to allow the latter a freer hand as regards such legislation than it possesses in regard to other legislation. As regards the second part of the question, the Bengal proposal to legislate regarding "*char*" lands was never submitted by the Bengal Government to the Government of India. The Bengal Government consulted the Calcutta High Court, which disapproved of the legislation proposed, and submitted proposals of its own to the Government of India. Those proposals are under consideration.

44429**. Why should the inception of district survey settlements require the sanction of the Government of India?—I understand the question to refer to surveys and records of rights made under Chapter X. of the Bengal Tenancy Act. Under Section 101 of that Act, the previous sanction of the Governor-General in Council is required to an order directing the making of a survey and the preparation of a record of rights except in certain comparatively unimportant classes of cases. I think it is very probable that a proposal to relax the control of the Government of India in this matter would meet with strong opposition from the Bengal *zamindars*, and considering the strong feeling which agrarian legislation usually arouses, I would deprecate any alteration of the Bengal Tenancy Act, except in regard to really vital matters. Moreover the Secretary of State, in his despatch No. 30 (Revenue), dated 9th February, 1906, while approving generally of the programme for carrying out survey and settlement operations in Bengal and Eastern Bengal has directed that whenever it is proposed to extend the operations to any large portion of a district or group of districts, the reasons for the proposal should be stated as hitherto in detail to the Government of India, and that operations should not be commenced until sanction has been obtained. The expenditure on the operations, which it is estimated will exceed 3½ crores, is advanced in the first instance from Imperial revenues, and nearly a crore of the sum is paid by the Government of India. It seems desirable on this ground alone that the sanction of the Government of India should be obtained before any considerable extension of the operations is undertaken.

44430**. What is your opinion of the proposal that the Board of Revenue should be replaced in Eastern Bengal by two officers to sit as a Board for appellate work, but having no executive authority except as the Lieutenant-Governor's agents, and that these officers should relieve the Lieutenant-Governor of detailed correspondence, and of the supervision of Commissioners and Heads of Departments? Would such a change prevent junior officers of the Secretariat having undue influence, and is it necessary in order to attain the latter object?—I do not approve of the proposal to replace the Board of Revenue in Eastern Bengal by two officers to sit as a Board for appellate work but without executive authority. I think that this would be a means of centralizing instead of decentralizing authority, as the result would almost certainly be that many important cases which are now disposed of by the Board would be submitted to the Local Government for orders. I approve of the Bengal system described by the Chief Secretary to the Bengal Government and other Bengal witnesses, under which most of the references between the Board of Revenue and Government are unofficial. The Board of Revenue does now very largely supervise the work of Commissioners and of several Heads of Departments. I am not aware of the fact that junior officers of the Secretariat have undue influence, and I do not think the change proposed is necessary to prevent this.

44431**. Is it desirable that special officers should be appointed for the inspection of district record rooms?—It is for Local Governments to decide how the record rooms of their provinces are to be inspected. Personally I would disapprove of the arrangement of appointing one or two men to inspect the arrangement of records for the province if the heads of offices were held to be thereby relieved of all responsibility.

44432**. Does the absence in Madras and Bengal of consolidated Land Revenue Laws render the control of Government there less satisfactory?—I am not in a position to give a useful answer to this question so far as it relates to Madras. The want of a consolidated Land Revenue Law is not felt in Bengal, because the greater part of the province being permanently settled, Bengal Revenue Officers are more concerned with the collection, than with the assessment, of land revenue. The various legislative enactments in force give Government ample power of control as regards the collection of the land revenue and also as regards its assessment in temporarily settled areas. I do not think any advantage would be gained by consolidating these enactments into a single code, and any attempt to do so would give rise to great difficulties as some of the existing legislation is applicable only to particular localities.

44433**. Why is the control over the Punjab in land revenue greater than that of the United Provinces?—The greater control in the Punjab is due mainly to historical reasons. So far as statutory restrictions are concerned, the differences between the United Provinces and the Punjab are not very important, but under the assessment instructions the Punjab is subject to two special restrictions:—

(*a*) If the re-assessment of a *tahsil* as finally arranged falls short of the forecast accepted by the Government of India by more than 15 per cent. the instructions of the Government of India must be taken before the re-assessment is actually announced, unless the deficiency is covered by a surplus in other *tahsils* already assessed under the same sanction.

(*b*) No re-assessment is to be fixed for more than 20 years except with the permission of the Government of India. (In the United Provinces the limit is 30 years.)

Both these rules were drawn up at a Conference with Punjab Officers held in 1892 when the assessment instructions were framed. The question of relaxing the 20 years' rule is now under consideration.

44434**. As regards suspensions of revenue, the Government of the United Provinces has power to make rules. Why do the Government of India claim to criticise and control the Local Government in this respect?—The Government of the United Provinces is not authorised by statute to make rules regarding the grant of suspensions and remissions of revenue on account of temporary calamities. These are granted as a matter of grace and not as a matter of right, and the Government of India have always exercised a considerable degree of control over Local Governments in matters affecting the collection of revenue. Some degree of control over Local Governments in this matter seems necessary, not only in view of the financial considerations involved, but also because the experience of recent famines shows the necessity of prompt and liberal relief being granted in this way.

44435**. Has the smaller degree of intervention by the Government of India with regard to the land revenue of Upper Burma, as contrasted with that of Lower Burma, been disadvantageous to the Government of India?—I am not aware that it is a fact that the Government of India have intervened less with regard to the land revenue of Upper Burma as contrasted with that of Lower Burma, though the legislative restrictions are not the same in each part of the province. In any case the interests of the Government of India are bound up with those of the provinces under their control, and the Government of India cannot have suffered unless Upper Burma has also suffered.

44436**. What claim has the Government of India to settle above the heads of provincial Governments the number, date, and amount of the instalments of land revenue?—The Government of India do not settle above the heads of provincial Governments the number, date, and amount of the instalments of land revenue.

44437**. Why do the Government of India under the Burma Land Revenue Act—(*a*) claim to sanction grant of sites valued at Rs. 200, free of revenue, for religious purposes (Rule 33); (*b*) claim to sanction where the commission to be paid to a revenue collector exceeds 20 per cent. of the collection (Rule 141)?—Burma is the only province in which alienations of land for religious purposes are permitted at all. I have already stated that I see no objection to the proposal of the Lieutenant-Governor of Burma that the Local Government should have power to grant land free of revenue for religious purposes up to a limit of Rs. 500, instead of Rs. 200 as at present. (*b*) Rule 141 of the rules under the Lower Burma Land and Revenue Act was framed by the Government of Burma itself, when the rules were submitted for the sanction of the Government of India in 1885. The Local Government has never asked that the limit should be raised, and it seems quite high enough.

44438**. Why did the Government of India impose the system of suspensions and remissions of land revenue from other provinces upon the permanently settled districts of Bengal in spite of the opposition of the Local Government? Are the conditions in permanently settled parts of Bengal comparable in this respect with those of other provinces?—The Government of India have not imposed the system of suspensions and remissions of land revenue from other provinces on the permanently settled districts of Bengal. The Government of India asked the Government of Bengal to consider the advisability of introducing, in Bengal, legislation similar to that contained in Section 50 of the United Provinces Tenancy Act, which applies to the permanently settled districts of the Benares Division, the conditions of which are in many respects comparable with those of Bengal. But in deference to the views of the Government of Bengal they subsequently withdrew these suggestions, and allowed the Local Government to issue a set of rules for the encouragement of voluntary remissions and suspensions of rent by the grant of corresponding remissions and suspensions of revenue.

44439**. Does the Revenue and Agricultural Department on a supposed analogy with other provinces press unsuitable economies in survey and record-writing on Bengal?—The cadastral survey of Behar, which began in 1892, was the first operation of the kind which had been undertaken in Bengal, and at that time there was no officer in the province who had any experience of the making of surveys and records of rights on a large scale. It was consequently necessary for the Government of India to exercise considerable control over the procedure adopted, and to offer advice and suggestions regarding details to a somewhat unusual extent. In some cases the Government of India, owing to want of local knowledge and failure to appreciate the complexity of agrarian relations in Bengal, suggested economies which could not have been carried out without impairing the accuracy of the work, but as a Bengal officer, I am of opinion that, on the whole, the control of the Government of India was of great value, and that the benefits derived from it far outweighed any injury caused by friction due to suggestions made in ignorance of local conditions. Of late years in proportion as the Government of India has been satisfied that Bengal officers are fully able to deal with the details of survey and record-writing in Bengal, they have so relaxed the control at one time exercised, that Bengal may now be said to be on the same footing as other provinces in respect of the control exercised by the Revenue Department.

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44440**. Why should the Government of India restrict the acceptance of *salami* (premium) for the settlement of land with tenants in Government estates under the Court of Wards? Is not the result in Eastern Bengal at any rate that the raiyat pays but the employé of the Court of Wards, instead of the estate, benefits? Why is *salami* forbidden in the case of Eastern Bengal and allowed in the case of Bombay?—The question has arisen out of Mr. Savage's evidence. He says that "the restriction" complained of "was imposed at the instance of the Government of India." This is entirely incorrect. It does not appear that the question of the levy of *salami* in Government and Court of Wards estates was ever referred to the Government of India. It has been ascertained that the levy of *salami* in Government estates was forbidden by the Board of Revenue, Bengal, after consultation with all Commissioners. The Government of Bengal in approving the Board's order said:—"In addition to the reasons stated by the Board for refusing *salami*, I am to point out that there is also the objection that the acceptance of *salami* with a low rent instead of the full rent without *salami* would be tantamount to the partial capitalization of revenue of the Government estates—a measure which the Government of India have consistently prohibited." This appears to be the reason why the Government of India has been mentioned in this connection. The real objections to *salami* are of an administrative character, and the Local Government and Board decided that it was not advisable to authorise the practice. I am not aware whether it is the case that the raiyat pays all the same, and that the Court of Wards employé benefits instead of the raiyat. Mr. Savage has not explained the meaning of his reference to Bombay, where occupancy right has a different meaning from what it bears in Bengal. As, however, it is not the Government of India that prohibited the practice of taking *salami* in Eastern Bengal the second part of the question does not appear to call for further answer.

44441**. Why should not leave be granted to Veterinary Officers direct by provincial Governments without going through the Inspector-General in India?—I see no objection personally to provincial Governments giving leave direct to Veterinary Officers, provided they can make their own arrangements for the work which has to be done. This would usually not be the case in long leave vacancies and, as the *cadre* of furlough reserve officers is very small, the posting of reserve officers must be left to the Government of India. It is convenient, when Local Governments require a substitute for an officer who wishes to take leave, that the application should come through the Inspector-General, Civil Veterinary Department, to the Government of India, as the Government of India requires the advice of the Inspector-General, Civil Veterinary Department, in such cases.

(*The witness withdrew.*)

Mr. L. M. JACOB, C.S.I., was called and examined.

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44442. (*Chairman.*) You are the Secretary to the Government of India in the Public Works Department?—Yes, since September, 1905. Before I joined the Government of India, I had been mainly an Irrigation Officer, and nearly all my service has been in the Punjab, but I have also been in Burma, where my work concerned the Buildings and Roads Branch more than Irrigation. I file †a memorandum relating to the constitution of my department.

44443. The Member of the Government to whom you are particularly subordinate is the Member in the Department of Revenue and Agriculture?—Yes, he has charge of Revenue and Agriculture, and Public Works.

44444. Do you take up all important questions to him, while he sends on to the Governor-General for personal disposal such questions as he thinks fit?—I generally do that; sometimes the Member might mention that he thinks His Excellency should see this or that case, but it is generally the Secretary's business to take the necessary cases to the Viceroy.

44445. In noting on papers in your department does the superintendent put up a note which is amplified by another officer?—There is one office note, whether by the superintendent or a clerk, but for which the superintendent is responsible.

44446. What is the procedure after that?—Then comes the Under-Secretary.

44447. The Under-Secretary adds another note to the office note, you note again, and take it to the Member, who notes again; is that the process?—Yes.

44448. Is it the rule for the Member to note, or does he merely initial if he agrees?—If he agrees with me he initials, or if he has anything to suggest in addition to what I propose, or takes an entirely different line, he would say so.

44449. Then does the paper go to the Viceroy who sometimes minutes, and sometimes merely initials?—Yes. Lately the practice has been that I have a day every week with His Excellency, and I take all the cases which need reference to him, and lay them before him. In such cases His Excellency might ask me to leave a file with him for further consideration, or he might pass verbal orders to me which I place on record.

44450. You say that the delegation of powers to provincial Governments is very complete in respect to buildings and roads; is the delegation uniform to all Governments?—Yes.

44451. But not to all Local Administrations?—They have different powers.

44452. What is the average service of a Public Works Secretary of a Local Government?—In the past men have reached this rank when over 50 years of age, but in future promotion is likely to be more rapid.

44453. Would that mean after about 25 years' service?—Rather more; an officer enters the Service, say, at about 22 or 23 years of age.

44454. Referring to the *table of powers which you have set out, when were these financial limits settled?—I am afraid I cannot answer that, it was no doubt a long time ago, but I will furnish the information.

44455. At all events since that period the value of the rupee upon which the limitation is based has fallen considerably?—Yes.

44456. To that extent the powers of Local Governments have been automatically restricted?—Yes.

44457. At the same time the purchasing power of the rupee has diminished?—Yes.

44458. So that the power has been restricted again in that respect?—Yes.

44459. Is not the net result, that the size and importance of a work which the Local Government can now sanction is less than it was, say, 20 years ago?—The cost of labour has increased in recent years and is increasing. This means that work is more expensive, and the powers of Local Governments become automatically restricted in a corresponding degree.

44460. With regard to projects which Local Governments can sanction up to a maximum of 12½ lakhs, do they go backwards and forwards much between the Local Governments and the Government of India, or do they simply come up from the Local Governments to the Government of India and go back at once after criticism in your department?—The Local Government in all civil works estimates has the same power as the Government of India up to that maximum; everything above that has to go to the Secretary of

† *Vide* Appendix Ic.

*. *Vide* Question 44478*a.

State. Projects sent up by the provincial Governments are scrutinised, and if found in order are transmitted to the Secretary of State with a covering despatch in which the Government of India communicate their views. If not in order, the estimate would be returned to the Local Government for revision, but it is seldom necessary to return more than once.

44461. The Government of India deal with all schemes of re-organisation, and with the promotions of Superintending and Chief Engineers?—Yes.

44462. Is there a separate *cadre* for each province?—So far as the number of Chief and Superintending Engineers is concerned, they form a part of a general *cadre* for the whole of India, except Bombay and Madras, on which the Government of India make promotions. In the case of Executive and Assistant Engineers there is a purely local *cadre*.

44463. But the officers who make up the *cadre* are liable to be transferred at the pleasure of the Government of India?—Only Superintending and Chief Engineers. But the transfers of the former are rare, and of the latter comparatively seldom. In all cases of transfers the wishes of Local Governments are consulted.

44464. Do Executive Engineers remain in a province?—Yes.

44465. Superintending Engineers, who are therefore more or less under the cognizance of the Government of India, have less powers in the matter of sanctioning contracts and estimates for imperial works than they have in sanctioning provincial works?—They are not under the cognizance of the Government of India, but are entirely under the orders of their Local Governments.

44466. But those powers are much less in the matter of imperial expenditure than in the matter of provincial expenditure; what is the reason?—Local Governments have less power of sanction in the case of imperial expenditure, but at present the powers of Superintending Engineers for provincial and imperial are the same.

44467. But if the Government of India have the power of removal of a Superintending Engineer, and presumably would do so in the case of any *lâche* in the matter of careful inspection and consideration of imperial expenditure, why should not the Superintending Engineer have the same technical power of sanctioning estimates and contracts for imperial works as he has in the case of provincial works? Has not the Government complete control over him except in Madras and Bombay?—The Government of India have no control over the Superintending Engineers, and could only remove such officers at the request of a Local Government. They would not be in a position to know a Superintending Engineer had committed any *lâche* unless the Local Government reported it. So far as the Government of India are concerned, the powers of Superintending Engineers for imperial or provincial expenditure are the same. I am not aware whether in any particular case a Local Government has differentiated.

44468. Therefore, if the Imperial Government control them, and control their promotion (and of course their knowledge of technical details is the same whether the work is imperial or provincial) why should they not have the same power of sanctioning estimates and contracts for imperial expenditure as they have for provincial expenditure?—They have the same technical powers of sanction in either case. The Government of India do not control Superintending Engineers; they control promotions, but are guided by the recommendations of Local Governments.

44469. But the Imperial Government controls the Engineer?—No. He is under the orders of the Local Government to which he is attached.

44470. Will you tell us exactly what the "open capital account" is?—When an irrigation work is completed the project estimate is closed; anything further spent on the canal is then charged to what is called the "open capital account"; that is to say it is charged to the "open capital account" of the canal, and not to the original project estimate for its construction.

44471. Then the difference between productive work and protective work is that a productive work is carried out by means of loans, and the protective work by means of revenue received from the Famine Insurance Grant?—These two classes of works are fully defined in Public Works Code II., Chapter XV., 2121, and Chapter XIX., 2199, 2200 respectively. Productive public works are those the capital cost of which has been wholly or mainly provided from loan funds in the expectation that they would prove directly remunerative, and that the net revenue will repay the annual interest on the capital invested within ten years after completion. (See Public Works Code II., 2123.) Protective works are those which have been sanctioned in consideration of their protective value, but without any expectation of their becoming directly remunerative. The cost of their construction is met from a moiety of the Famine Insurance Grant of 150 lakhs, which is set aside annually for the purpose. (See Public Works Code II., 2199 and 2200.)

44472. You say that it is essential that the power of dispensing the insurance grant should be vested in a central authority; would you say that while it was essential that the central authority should assign funds to a province, the amount which that province should spend and the details of that expenditure might well be left to the provincial Government?—It might at any time happen that there were a great many protective projects coming up from the different Local Governments for which we could only sanction a fraction of the sums required. We only get a moiety of the Famine Insurance Grant, which is 75 lakhs.

44473. But the central authority, having assigned to a province the amount which it could spend from the Famine Insurance Grant, might not the province be left to spend that block grant upon the work as it thought best, without having to go for details to the Government of India?—I think their projects should come up to the Government of India, so that we may see how a small sum can be most profitably spent over the whole country. For instance, when we have only 75 lakhs at the most for a year for the whole of India, Bombay alone might send up a project (in fact it has) amounting to 200 lakhs of rupees, so that they might want the whole of the grant.

44474. If you gave the whole 75 lakhs to the Government of Bombay might you not leave them to spend it on the work as they thought best?—If we gave 75 lakhs to Bombay it would not mean any powers of sanction, but only a grant of money for the execution of a work or works sanctioned by the Government of India or the Secretary of State—generally the latter.

44475. Do you think the Government of Bombay ought not merely to send you up the general outline of the scheme on which they want to spend money, but all the details of it?—Certainly, in the case of all works which the Local Government wishes to charge to the limited protective grant.

44476*. Has the demand for returns and information from Local Governments increased of recent years? If so is this due to the requirements of the Secretary of State or to those of the Government of India? Will you kindly give the Commission a list of the periodical returns which your department (*a*) calls for from provincial Governments or (*b*) furnishes to the Secretary of State with a column showing which of these (if any) are in your judgment unnecessary?—As a matter of fact in 1902, the question of reducing the number of returns from Local Governments was taken up, and a considerable number were done away with. Since then there has been practically no increase in the number of periodical returns. I submit the required †lists, in which I have added a column to show whether the returns are necessary or not.

† *Vide* Appendix IIc.

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44477*. The Madras Government desire power to deal with capital expenditure on works for which no capital and revenue accounts are kept. What is the nature of the restrictions now imposed, and can they be relaxed?—The rule in paragraph 2207, Public Works Department Code, Volume II., requires that, if for any reason an irrigation project classed under 43, "Minor Works and Navigation," of which the estimated capital outlay is over Rs. 50,000, is considered to be of insufficient importance to justify the maintenance of a capital account, or if any difficulty be anticipated in ascertaining the correct revenue, it may, with the approval of the Government of India, be classed as a work for which only revenue accounts are kept, or as a work for which neither capital nor revenue accounts are kept, as the case may be. This rule was introduced in November, 1892. Prior to that date the rule required that capital and revenue accounts should be maintained only for important works. The relative ideas of the term "important" being so divergent, it was considered desirable to define what were important projects for which capital and revenue accounts should ordinarily be maintained. For example, under the old rule Madras maintained capital and revenue accounts only for works costing more than Rs. 30,000; in Bombay it was found that there were instances of works costing less than Rs. 10,000, for which such accounts were maintained; and in Burma the Local Government submitted a proposal to treat a project costing over 4 lakhs of rupees and the ultimate return on which was estimated at 10 per cent. on the capital outlay, as a work for which neither capital nor revenue accounts need be kept. The money limit of Rs. 50,000 was therefore introduced merely in order to define what may be considered to be an important project. I think, however, there would be no objection to leaving it entirely to Local Governments to decide the classification of works coming under the head "43," provided the expenditure is entirely provincial.

44478*. Would it be desirable to increase the spending power of the provincial Governments and the Government of India on individual works executed out of revenue?—Under existing rules† Local Governments have power to sanction works debitable to provincial revenues up to a limit of 10 lakhs or 12½ lakhs, including establishment and tools and plant charges for each individual project. Projects exceeding this limit require the approval of the Government of India and the sanction of the Secretary of State. This limit of 10 lakhs was fixed when the £ was equal to Rs. 10. Now that the £ equals Rs. 15 it does not seem unreasonable to suggest that the powers of the Government of India and the Local Governments might be raised to 15 lakhs‡, exclusive of establishment and tools and plant charges, for Imperial and provincial works, respectively.

44478*a**. Might other provincial Governments have the same power as Madras and Bombay now possess in regard to the sanctioning of Imperial works which have been administratively approved?—As regards Imperial works, the powers of the Government of India and of the Local Governments are shown in the table below. The powers of the major Local Governments and of the Chief Commissioner, Central Provinces, might be raised as shown in columns 4 and 5:—

	Existing powers.		Proposed powers.	
	Works.	Establishment and Tools and Plant.	Works.	Establishment and Tools and Plant.
Government of India	10,00,000	12,50,000	—	—
Madras and Bombay	2,00,000	2,50,000	—	—
Bengal, Eastern Bengal and Assam, United Provinces, Punjab, Burma.	50,000	62,500	2,00,000	2,50,000
Central Provinces	20,000	25,000	1,20,000	1,50,000
Coorg, Hyderabad, Rajputana and Central India.	20,000	25,000	May remain as at present.	
Director-General of Military Works	50,000	62,500		
Superintendent, Port Blair	5,000	6,250		

As regards Coorg, Hyderabad, Rajputana and Central India, the engineering establishments in these provinces being very small no increase of powers seems desirable. No increase in the powers of the Director-General, Military Works, appears to be necessary. As to the Superintendent, Port Blair, the Andamans are under the direct administration of the Home Department, and any proposal with regard to raising the Superintendent's powers would have to be referred to that Department. There is, however, only an Executive Engineer to advise the Superintendent, and the powers seem sufficient.

44479*. Are there cases in which the Provincial Governments have to send up estimates for the approval of the Government of India in regard to works which they can sanction financially? If so, can such restrictions be removed or diminished?—Yes; *in the case of expenditure on Government Houses beyond Rs. 15,000, and in the case of Circuit Houses beyond Rs. 30,000. The Government of India have also restricted the powers of the Chief Commissioner, North-West Frontier Province, in the matter of sanctioning expenditure on the metalling of roads, even though the amount may be within his powers of sanction, by prohibiting him from sanctioning the metalling of any road, except where it is over a bridge, without the previous approval of the Government of India. The reasons for this restriction are special, I believe, and apply only to this province.

44480*. Has the sanction of the Government of India to be obtained for leave to enter into contracts for the execution of works as apart from the sanction of estimates? If so, is this necessary?—Yes, as under the rule in paragraph 900 of the Public Works Department Code, as amended by Standing Order No. 255, dated the 27th September, 1907, a Chief Engineer personally, or a Secretary to a Local Government on behalf of a Local Government, can accept tenders for the execution of any sanctioned work only up to the limits within which the Local Government can sanction estimates for works. I do not think there is any objection to permitting Local Governments and Administrations to accept tenders for works up to any amount, provided the estimate sanctioned for the work by competent authority is not exceeded.

44481*. Could the present restrictions on provincial Governments in respect of the construction of houses for Government officers be relaxed?—Under existing rules the sanction of the Government of India is required—

(i.) In the case of Imperial buildings—

(*a*) If the cost exceeds Rs. 2,500 and if the 8 per cent. limit of salary is exceeded, the Local Government being competent to sanction buildings costing less than Rs. 2,500 irrespective of limit of salary.

(*b*) If the cost exceeds Rs. 10,000 in any case.

* *Vide* Questions 44482.

† The Government of India have similar powers in respect of Imperial works.

‡ The Government of Burma recommends this.

(ii.) In the case of Provincial buildings if the cost exceeds Rs. 5,000, and if the 8 per cent. limit of salary is exceeded; the Local Government being competent to sanction buildings costing less than Rs. 5,000, irrespective of limit of salary.

The restrictions could, of course, be relaxed in many different ways, or altogether removed, particularly in the case of quarters chargeable to Provincial revenues. I do not, however, think that the present demands, under Public Works Code, 1068, I. (*a*) are unreasonable. It is only asked that the rent should cover the interest on the capital outlay at 3 per cent. *plus* the annual charges for maintenance. No private landlord would be content with this small return on house property; and, except in special cases, I do not see why an expert building department should not be able to conform with the rule. It is true that the references on the subject to the Government of India are very frequent, but in the majority of cases the references are avoidable. The difference between the action taken by the various provinces is very marked. Some provinces work very loyally to the rules, and others refer to the Government of India without any real necessity; and I may mention that those provinces which refer least are not those most advantageously placed in the matter of rates. The question very largely depends on the *personnel* of the Public Works Department of the time being. If the Chief Engineer of the Buildings and Roads Branch insisted on economical construction, and in those provinces where there is a Consulting Architect consulted him freely, I believe that the number of references would be enormously reduced. The removal of the restrictions altogether would save the Government of India a good deal of work, but it is quite certain that there would be, for a time at any rate, a want of economy in the provinces. The only check would be their own financial check. The construction of quarters for officials is everywhere on the increase, and if these quarters were extravagantly designed a time would come when the money pinch would be felt and more attention would be paid to economical design. I am inclined to think that the restrictions had better not be entirely removed at present; the questions involved are largely personal, and it would be difficult for the head of a province, however interested he might be in reducing expenditure, to challenge the statement of his professional adviser that the cost of any building was a minimum. At the same time some relaxation of the rulings might be permitted. For instance, when the Government of India never refuse sanction when a full rental up to 10 per cent. of salary can be assessed, it is useless to require references on excesses between 8 and 10 per cent. The minimum limit of Rs. 2,500 and Rs. 5,000, for Imperial and Provincial Works respectively, up to which Local Governments and Administrations can sanction without reference to the Government of India might remain, but in all other cases Local Governments and Administrations might be empowered to sanction expenditure, the rental calculated on which under the ordinary rules will not exceed 12 per cent. of average salary. I consider also that if the limit of cost is raised to 12 per cent. the limit recoverable from an officer should be raised from 10 to 12 per cent. of salary and allowances.

44482*. Could the special restrictions as to expenditure on residences of the Heads of Provinces and Circuit Houses be relaxed?—As regards residences of Heads of Provinces, at present Local Governments can sanction expenditure on original works and special repairs on any one residence and its connected buildings up to a limit of Rs. 15,000 only in any one year. Beyond that sum the sanction of the Government of India is necessary.

The restriction regarding the limit of expenditure might be removed, and Local Governments and Local Administrations given powers to sanction as in the case of ordinary works.

With regard to Circuit Houses, prior to 1903 there was no limit of expenditure, but in the above year (in Public Works Department letter No. 555 C. W.—B., dated 27th April, 1903), limits of Rs. 25,000 for original construction and of Rs. 1,000 for extensions and alterations were fixed. In 1905 (Public Works Department No. 1330 C. W.—B., dated 2nd October, 1905), the limit for original construction was raised to Rs. 30,000.

Local Governments and Administrations might be given the same powers in regard to Circuit Houses as they possess in respect of ordinary public works.

44483*. Have you anything to add to what was proposed in a recent circular letter of the Government of India in regard to the grant of larger powers of professional sanction to Superintending and Executive Engineers?—I have nothing further to add at present. I attach a copy of my note giving my own personal opinion on the subject, and on which action was afterwards taken by the Government of India in their letter No. 1352 E., dated the 5th November, 1907, to Local Governments and Administrations. The replies so far received are entirely favourable to the suggestions made by the Government of India, though they differ in points of detail. When the case is complete, the Government of India will no doubt largely increase the powers of Superintending Engineers, and to a less extent those of Executive Engineers.

Note.

The officer whose powers and responsibilities I should like to see largely increased, is the Superintending Engineer. To the Public Works Department officer-establishment coach there may be said to be four wheels—the Assistant, Executive, Superintending, and Chief Engineers, and under present conditions the Superintending Engineer is the weak wheel in it. If he happens to be a weak, easy-going officer, he is liable to be a mere dummy, and his office a post office between his Executives and his Chief. He may of course be a strong man, in which case he will make his presence felt, but he will nevertheless chafe at his fetters. I should like to see the Superintending Engineers, Engineers-in-Chief of their Circles, in fact I would call them so, and make them practically responsible for all engineering. They would then submit engineering details only of large works, costing over some limit which could be fixed, with any others that the Secretary, Public Works Department, chose to call for specially for any special reason. Freed from having to report to their Secretary at every turn, they would write a great deal less to him, and be able to devote more time to their Executives, preferably by sitting in their office chairs less and inspecting more, and freely assisting their subordinate officers with their advice.

The Secretary would then be, not Chief Engineer and Secretary, but Director and Secretary, and control the general Public Works Department policy of the province under the orders of his Local Government. This will not prevent him inspecting; on the contrary, relieved of much drudgery, it will enable him to inspect the more. And he should inspect the whole province to see its needs, with time to think and initiate, and to make the personal acquaintance of his officers. During such inspections he would not of course neglect the engineering side, he would keep in touch with what his Superintending Engineers were doing, pointing out any improvements that occurred to him, keeping his circles well informed of good points in other circles, but otherwise not interfering with the responsibilities of his circle officers, on the contrary cultivating initiative on their part, and seeing that they themselves did not encroach on the duties of their subordinate officers. In this way he could work eight circles as easily as he could four under present conditions, and he would have more time for administration, which he should keep closely in his hands, and be a more valuable adviser to his Local Government.

The present state of affairs is the result of a gradual change in the working of the Department. In the old days, the Executive Engineer was really an executive officer—the officer executing works. He had assistants—Assistant Engineers—themselves destined to become Executives in a comparatively

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short time; but they were merely his assistants, attached to him till they derived sufficient experience to qualify for the charge of divisions. The Assistant Engineer had, I think, no separate office, no official correspondence; he was an engineering assistant to the Executive Engineer. As work gradually increased, the Assistant Engineer became detached for a separate charge, a sub-division of the division, he had a separate office, and corresponded officially with his Executive Engineer. The sizes of divisions increased, and one Executive Engineer had many sub-divisions. He then had no longer time to carry out work in the same way he did before, the Sub-Divisional Officer became the real executive officer, the Executive Engineer evolved into a sort of Superintending Engineer, and the Superintending Engineer might have developed into a Chief only he had so little power. He consequently fell into the invidious position of a correspondence-buffer between the Executive Engineers who superintended the work of their Sub-Divisional Officers, the Executives, and the Chief.

I think it is too late to revert to the old system of Executives and Assistants, although it has a good deal in its favour. For one thing the Provincial Engineer policy is against it. That policy has been accepted by Government, and it would be only waste of time to enlarge on that subject, and the obvious alternative is to increase the powers of the Superintending Engineers, making them virtually Chief Engineers with a Secretary guiding the policy of the Local Government.

I noted very much on these lines when I was in Burma. In a large and developing province the burden of work which fell on the Chief Engineer was very heavy, and a second Chief Engineer was applied for before my time, but when sanctioned it was difficult to know what to do with him. The work could not be divided between Irrigation and Buildings and Roads, because there was only one Irrigation and many Buildings and Roads Circles. It was difficult to divide the province territorially, and the Lieutenant-Governor objected to two Secretaries advising him on the same subject. He was quite right; there can be but one policy and therefore there should be only one man. It was considered whether the province could be divided into $\frac{1}{3}$ and $\frac{2}{3}$, the Secretary to work the $\frac{1}{3}$ and be Chief Engineer to it as well as Secretary to the whole, while the other Chief Engineer would be Chief Engineer only to the $\frac{2}{3}$. This idea was dismissed as resembling a man with two legs of different lengths. I then advanced my views as I have stated them here. They were approved by the Lieutenant-Governor, but they meant time, and to avoid depriving the province of the second Chief Engineer, it was decided to place him under my orders for the technical examination of designs and estimates and inspections for which I had no time.

Turning to the details of Superintending Engineers' powers, under "Repairs," they have full powers within the limits of the budget grants placed at their disposal. The usual procedure is for the Executive Engineers to submit annual maintenance estimates by all the different heads of works, and when these are sanctioned by Superintending Engineers, they carry out the repairs at the usual or special times, charging the cost to the annual estimates. The Superintending Engineer would also keep a certain reserve in his hands for special works. Under this item a good Superintending Engineer will have a great deal to say to maintenance matters, specially in the Irrigation Branch, but otherwise the work is very much in the hands of the Executives. No alteration in system is necessary here.

Under "works," from 1862 (I have not dipped into more ancient history) to 1882 the powers of the Superintending Engineer were limited to Rs. 500. In 1882 these powers, in the case of *selected* officers, were raised to Rs. 2,500, and in 1888 to Rs. 10,000. At the present time, therefore, a Local Government has the power to allow Superintending Engineers to sanction "works" up to a maximum of Rs. 10,000. The power has been too sparingly exercised, and when this has been the case it shows that either Local Governments have been over-kind in recommending such officers for circle charges or they are ridiculously distrustful. We know that promotion is now going to be more rapid, but even then it will be wise policy to treat Superintending Engineers as men and not as dummies. In the past men have become Superintending Engineers when of advanced age and experience, and keeping them in leading strings is neither the way to make them efficient circle officers, nor to train them to be fit to be Chief Engineers, when their responsibilities will suddenly be so largely increased. The time to exercise caution is when promoting a man to circle charge. If there is any doubt he can be placed on probation, and during that period be allowed restricted powers; but once he has shown himself a good officer he should be trusted to the full. He may make mistakes, every one makes them, but let him be forgiven. It is not the man who makes mistakes who is a bad officer; the bad bargains are the cautious do-nothings, who may make no mistakes but make nothing else either.

My suggestions, however, go much further than the present limit, and it will be necessary to quote the powers of Local Governments and Local Administrations. Under Imperial:—

	Rs.
Madras and Bombay have	2,00,000
Bengal, Eastern Bengal and Assam, United Provinces, Punjab and Burma have	50,000
Central Provinces, Rajputana, Central India, Hyderabad, North-West Frontier, Baluchistan, and Coorg have	20,000
Port Blair has	5,000

I see no reason why Superintending Engineers, made Engineers-in-Chief, should not be given powers, as far as engineering is concerned, up to Rs. 50,000, or less if the powers of the Local Administrations are less. Local Governments and Local Administrations are not concerned with engineering details, they must be dependent on their professional advisers, and all I want to do is to divert this responsibility from the Secretary-Chief-Engineer to the circle officer. Engineers-in-Chief of Railways on railway construction, have powers up to Rs. 50,000, and they are Superintending Engineers, sometimes even Executive Engineers.

Under Provincial, Local Governments and Local Administrations have the same powers as the Government of India, that is Rs. 10,00,000, and under this head the powers of circle officers might be still further increased to, say, a lakh, or even 2 lakhs, or more. Take the case of a road, if a Superintending Engineer can sanction Rs. 10,000 for a certain length of road involving earth work, metalling, and culverts, it is absurd that he cannot sanction the engineering of a few extra miles entailing exactly the same kind of work. For it will be understood that I am alluding entirely to engineering details, not to administrative approval. New works would require the administrative sanction of the Local Government; it is only when that stage is passed that I would so largely increase the responsibilities of the circle officer.

This then is the main point, and I urge it in the interests of the duties both of Secretary and of Superintending Engineer. If the former is very conscientious he will examine the estimates which come up from the Executives through the Superintending Engineers in much detail, and working with his nose to the ground he has no time to keep a comprehensive look ahead. Or, paying more attention to his administrative work, he may leave the estimates to be dealt with by his Under-Secretary or Personal Assistant, in which case they are examined by officers junior to the Superintending Engineer, and who should be inferior to him in attainments. The system would also give the circle officers powers suitable to their standing, and foster and encourage good men instead of keeping them in a position in which their energies are so successfully paralysed.

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If this is done there are various matters of detail which would have to be seen to. For instance, Superintending Engineers can now accept contracts up to Rs. 10,000; they would then have powers up to their powers of sanction to estimates. Superintending Engineers have now powers of local purchase of English stores up to Rs. 1,000, a Chief Engineer when not a Secretary to a Local Government up to Rs. 2,500, Local Governments and Local Administrations full power. Superintending Engineers should have at least Rs. 2,500.

I have not so far alluded to Executive Engineers' powers and their case is not nearly so important. The powers of Executive Engineers up to 1892 were Rs. 200 for both works and repairs, and were increased to Rs. 500 for selected officers in that year. The powers are very low, but in the case of repairs it does not matter much, as under the annual estimate procedure, explained above, the Divisional Officers have practically full powers within their budget grants. When this procedure is not in force, the powers for repairs would be far too low, but the procedure should be everywhere in force. The Executive Engineer question could be considered if the powers of Superintending Engineers were raised, and in accordance with what was decided in that respect, I believe in giving men more power all round and in not allowing them to shirk their responsibilities in it.

44484*. Might the larger provinces have their separate Superior Engineering *cadres*, appointing their own Superintending and Chief Engineers, as in Madras and Bombay?—It would of course be possible to give Local Governments full power to select their own Chief and Superintending Engineers, and make promotions in these two classes on a provincial *cadre*. This is the system in the Bombay and Madras Presidencies at present, but I am of opinion that it is preferable that Chief and Superintending Engineers, and more especially the former, should be on one *cadre* for the whole of India. At the present time all Provinces with the exception of Eastern Bengal and Assam, the Central Provinces and Rajputana and Central India, regulate the promotions of their Executive and Assistant Engineers, and, should the time scale of promotion for these classes which we have recently recommended to the Secretary of State be sanctioned, all provinces without exception will regulate the promotion of the Executive and Assistant classes. Madras and Bombay, as I have already stated, make their own selections for promotion to Chief and Superintending Engineer, but in the case of the rest of India the Superintending and Chief Engineers are on one list, which is controlled by the Government of India.

The Recommendation Rolls of officers of the rank of Superintending Engineer and above are submitted annually to the Government of India, from which a very fair estimate of the relative qualifications of the senior men in the various provinces can be made. In practice the recommendation of the Local Government in regard to the filling of a vacancy in the Superintending Engineer class is almost invariably accepted. It is only when it is observed that promotion to Superintending Engineer in a province is considerably more rapid than the average, that the Government of India ask the Local Government concerned to accept a man from a province in which promotion to the Superintending Engineer class has been retarded in preference to their own more junior officer. If it were only a question of a small difference in seniority the recommendation of the Local Government would be accepted, but it might be large, and then the Government of India would usually endeavour to transfer a senior officer from a province in which promotion had been slow. In the case of Chief Engineers the same procedure is followed, but as the number of these appointments, which are the prize appointments of the Department, are necessarily few, the question of the relative seniority of qualified men in the various provinces is more closely taken into consideration; and, though there is no definite rule on the subject, the practice is to consider each case very carefully on its merits, and the Government of India would not, without very strong local reasons, agree to an officer being promoted to Chief Engineer in any province before his equally qualified senior in another, if the difference in seniority extended to as much as, say, a year, and there was no immediate prospect of the senior officer obtaining his Chief Engineership elsewhere. This system has the advantage of equalizing promotion in the Superintending and Chief Engineer classes throughout the various provinces; and in my opinion it has the further advantage of enabling a Chief or Superintending Engineer, who is very little concerned with the social customs, language, &c., of the people, to obtain the more varied and therefore very useful experience which service in more than one province necessarily affords. I am, therefore, of opinion that it would be to the interest of Government that there should be one list for Chief Engineers for the whole of India, not excluding Madras and Bombay, and that promotion to Chief Engineer should be made by the Government of India and not by Local Governments. In regard to Superintending Engineers, though this will possibly result in an unequal rate of promotion in the various provinces which the present system is designed to correct, I see no great objection to permitting Local Governments to make their own selections and regulate the promotions in this class. If any Local Governments have not sufficiently senior officers qualified for promotion, it would be open to them to apply for qualified men from elsewhere.

44485*. Apart from ordinary financial rules, what are the present restrictions upon Local Governments in regard to the Upper and Lower Subordinate Engineer *cadres*? Could they be relaxed?—The Upper Subordinate *cadre* (numerical strength) of each province is at present sanctioned by the Government of India, but as explained in my note on paragraph 40 in the ‡memorandum of remarks on the proposals of Local Governments, I have proposed to give Local Governments full powers within a certain money limit to increase the strength of the Upper Subordinate Establishment in accordance with their requirements. Local Governments have full powers to make appointments to the Upper Subordinate Establishment, in the overseer class, subject to the restriction, in the cases of provinces usually supplied by the Thomason Civil Engineering College, Rurki (chiefly, the Punjab, United Provinces and Central Provinces), that no appointments are made until the Rurki recruits have been provided for. This restriction is necessary, as we guarantee six and seven appointments of overseers to the Upper Subordinate class at Rurki each year.

In regard to the Lower Subordinate Establishment, Local Governments have full power to sanction revisions of establishments subject to a money limit of Rs. 3,000 a year, and subject also to the condition that the average pay of the establishment does not exceed Rs. 50 per month. I think the former money limit might very well be increased, say, to Rs. 25,000 a year.

44486*. You have been furnished with schedules or memoranda showing the proposals made by certain Provincial Governments in regard to the relaxation of specific restrictions now imposed upon them by law, by rules having the force of law, by Imperial Codes (such as the Civil Service Regulations), or by executive instructions which they desire to have relaxed. Would you object, so far as your Department is affected, to any of such proposals (other than those which have been covered by answers to the previous questions), and if so, on what grounds? Can you suggest similar relaxation in any other matters?—I file a ‡memorandum of remarks on the proposals of the Local Governments. I would suggest a similar relaxation of rules in respect of the following matters:—

Powers of Local Governments in respect of temporary appointments and deputations.

Under Article 78 of the Civil Service Regulations, Local Governments can sanction *bonâ fide* temporary appointments and deputations for any

‡ *Vide* Appendices V. (*a*) and V. (*b*).

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specified period if the salary, or salary and deputation allowance, do not exceed Rs. 250 a month, and for not more than six months if the salary, or salary and deputation allowance, exceed that amount.

In regard to temporary appointments, which in this Department are principally the appointment of temporary Engineers, Local Governments might be given full powers up to Rs. 1,000 a month, subject to reporting all appointments over Rs. 500 a month likely to last beyond two years to the Government of India for report to the Secretary of State.

In regard to deputations, which relate to officers on the permanent establishment, Local Governments might be given powers up to Rs. 500 a month for any specified period, and exceeding that amount for a period not exceeding a year.

Sanction to honoraria from State Funds.

Under Article 72 (*b*) of the Civil Service Regulations, Local Governments can sanction the grant, from General Revenues or from Local Funds, of an honorarium to an officer up to a limit of Rs. 500.

In the case of Imperial Funds a Local Government has power to sanction up to Rs. 200 in each case.

Heads of Departments can sanction up to Rs. 100. The powers of Local Governments might be raised to Rs. 1,000 in the case of Local or Provincial Revenues, and to Rs. 500 in the case of Imperial Funds.

Heads of Departments might be allowed to sanction up to Rs. 500 in the case of a Provincial Department and Rs. 250 in the case of Imperial Departments. The Administrative Department of the Government of India concerned might be given whatever enhanced powers in this matter the Secretary of State is willing to delegate to the Government of India. They might at least be given powers up to Rs. 2,000 in each case.

Acceptance of Fees.

Under Article 74 (*c*) of the Civil Service Regulations, Local Governments can sanction the acceptance of a fee by an officer up to Rs. 500.

Heads of Departments can sanction up to Rs. 100.

The Administrative Departments have full powers.

Local Governments might be allowed to sanction up to Rs. 1,000, and Heads of Departments up to Rs. 200.

Special Additional Pensions.

Under Articles 642 and 643 of the Civil Service Regulations, the Government of India only have powers to sanction the grant of special additional pensions to Chief and Superintending Engineers and officers of corresponding rank in the several branches of the Public Works Department.

These powers might be delegated to Local Governments. In only one case has the special additional pension been refused.

Revision of sanctioned scales of Clerical and Petty Establishments paid from Imperial Funds.

Under Public Works Department Code, Volume I., paragraph 41, Local Governments can sanction the above, subject to certain restrictions and provided that—

(1) the aggregate of the increases sanctioned does not exceed Rs. 3,000 a year;

(2) no appointment on an Imperial Establishment of which the salary exceeds Rs. 50 a month, and no addition to the pay and allowances of any officer in such establishment, if they exceed, or would after the addition exceed, Rs. 50 a month, may be sanctioned without reference to the Government of India in the Finance Department.

We might raise the aggregate of the increases under (1) to Rs. 25,000 a year, and appointments under (2) to Rs. 100 a month.

Sanction of expenditure whether Provincial or Imperial on objects customarily recognised as fit objects for the expenditure of public money.

Under Public Works Department Code, Volume I., paragraph 136, Local Governments can sanction the above up to Rs. 1,000 from Provincial, and Rs. 500 from Imperial, Funds.

We might raise the limit to Rs. 2,000 for Provincial and Rs. 1,000 for Imperial Funds.

Grant of permission to Gazetted Officers in receipt of furlough or leave allowances to take up private employment.

Under Public Works Department Code, Volume I., paragraph 400, the Government of India have reserved to themselves the power to grant permission to Gazetted Officers in receipt of furlough or leave allowances to take up private employment.

Local Governments might be granted the power of disposing of such cases in respect of all officers under their orders.

44487*. Is the Public Works Code not unnecessarily rigid in regard to a number of relatively petty matters? Could it be amended so as to leave wider discretion to Local Governments and authorities in regard to such points?—The rules in the Public Works Department Code are based on orders passed from time to time by the Government of India. If these orders are relaxed amendments to the Code would follow as a matter of course. I am not aware that the rules in the Code have at any time exceeded the orders on which they are based. There is much in the Code which could be improved if its revision were placed in the hands of selected officers placed on special duty for the purpose, but the Public Works Department is too short-handed at present to contemplate an entire revision. A new edition of the Code has recently been published, and in its publication a good many corrections and improvements have been carried out; but this edition cannot be said to be a revision of the Code. An entire revision would occupy a special establishment a considerable time. No proposals have yet been made for any complete revision, and though such revision might be held desirable, it is not urgent, and the work would still probably appear complicated and intricate to the layman not accustomed to handle it. No intelligent Public Works Officer should have any difficulty with it.

44488*. Would it be desirable to allot to Commissioners portions of the provincial Public Works budget in respect to roads, buildings and irrigation works to which they might give administrative sanction, professional sanction remaining as at present with the Public Works authorities?—Each province has its own rules in the matter of disposal of applications for administrative approval to works chargeable to provincial revenues and of the grants for such works; and it is entirely within the competence of Local Governments to alter their rules so as to give Commissioners greater powers both in regard to administrative approval and to the disposal of provincial budget grants. The Government of India impose no restrictions in this matter, so far as I am aware.

44489*. What should be the proper position of the Executive Engineer in regard to the Collector? Should he have a position similar to that of the Forest Officer, *i.e.*, be under the Collector's control in non-technical matters, or be entirely independent of him? In the latter case should Irrigation Engineers be responsible for the whole work of distribution, assessment and collection?—The present system, under which the Executive Engineer is not under the orders of the Commissioner, is more free from defects than any other, and I strongly deprecate any change. In the first place, although it is possible to make the civil divisions, and the Public Works Department divisions conterminous, it is often very undesirable. In the United Provinces this system is adopted, that is to say, the Executive Engineer's charge corresponds with that of the Commissioner, and the District Engineer's with that of the Collector. When I was Chief Engineer in Burma

and was arranging, under the orders of the Lieutenant-Governor, to re-distribute the Public Works Department charges, I tried whether the United Provinces system could be followed, and found it so disadvantageous as to be almost impossible. It can be readily realized that the best arrangement of Public Works charges to suit the works to be carried out in the most efficient and economical way does not necessarily correspond with the limits of civil divisions or districts. In Burma we found it out of the question; they manage it in the United Provinces, but there it is by no means, I believe, the ideal arrangement it is sometimes imagined. It is far too rigid, and it can only be regarded as a convenience from one point of view. The Public Works Department divisions are too large, and when work is overcrowded special establishment is detached for it and this is not the most economical way of doing work. If public works are to be carried out efficiently and economically, the best results will be obtained by forming the Engineers' charges in accordance with the work to be done, the expenditure, and possibly also the physical features of the country, and by adjusting the charges, as may be necessary, from time to time, untrammelled by any other considerations. Any system of definite boundaries must frequently be objectionable, and if Civil and Public Works Department charges cannot be conterminous, then the change in the manner suggested becomes impossible. But even were it possible, there are other objections. The entire separation of technical work from administrative is impracticable. If the Commissioner were given full administrative power over the Executive Engineer, the latter might often screen himself behind it to explain defective work whether owing to want of supervision or faulty arrangements, and the result would be friction and divided responsibility between the Superintending Engineer and the Commissioner. There would be a general absence of discipline in the Public Works Department, and the free and unbiassed advice and opinion of Executive Engineers would certainly suffer. Control by Commissioners over the Executive Engineers' actions would re-act on the Public Works Department Sub-Divisional Officers, or District Engineers, over whom Collectors are apt to have too much influence. This has resulted in a recent case in hindering progress on an important Imperial work because the District Engineer was taken away by the Collector without warning on an inspection tour. Even, as at present without being placed strictly under the Collector's control, Sub-Divisional Officers—especially when they happen to be subordinates—are liable to suppose that their advancement depends on obedience to the Collector's wishes, even though this may mean irregular expenditure and bad engineering. Every good and sensible Engineer in the Department realizes to the full the importance of the powers and responsibilities of the Civil Officers, and he will always do his utmost to meet their wishes without being placed under strict control. On the other hand, if he is a bad Engineer that control will only make him a menace to the true interests of his Government, and he will be far better left to the unfettered discipline of his own department.

In the Irrigation Branch, the matter is immeasurably of greater importance, and any system of placing Canal Officers under the control and orders of the Commissioner and Collectors, or of taking away from them the work of distribution and assessment, where this procedure is in force, would be the most retrograde step since irrigation work was commenced in India. The advance that has been made in irrigation science in the last twenty years is enormous, but that science is still more or less in its infancy, and I am convinced that there are strides to be made in the future more than equal to those of the past. In all other branches of engineering we can learn from the progress of other countries, but in matters of irrigation India has to rely on herself alone. She is the foremost country, because no other country has such opportunities. The progress made is not merely in the direction of the construction of new works; the advance of knowledge in the matter of distribution and conservancy, and generally speaking the potentialities of the volume of water with which any Engineer may have to deal, is far more important. New works will come to an end, the other advance will go on almost for ever, but it will only be possible at all if the Canal Officers are placed in full responsibility, otherwise they will cease to think and the progress is likely to be the other way. We should never have learnt the many vastly important lessons of the last decade or two if the duties of Canal Engineers had been confined to keeping their main channels in order, and if the Engineers had no concern with the water after it had left those channels.

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Revenue results are absolutely inseparable from water distribution, and indicate whether the latter is carried out on a scientific basis or not. If these duties are sub-divided between two different Departments, neither will hold themselves responsible for the bad results which will inevitably follow. The Revenue Officer is not a Hydraulic Engineer by training, and long before he would acquire even a smattering of the subject in an amateur fashion he would probably be transferred to a non-irrigation district or possibly to the Judicial Branch. We know that the canal systems which are most efficient and where irrigation knowledge has progressed most are those of Northern India, where the Irrigation Officers are responsible for the assessments. In the case of some canals in the Punjab where the Revenue Officers used to assess, the management and results were such that the work was made over to the Irrigation Branch. I would invite perusal of the Irrigation Commission Report, Volume I., paragraphs 299-305, which contain the mature opinion of a body of specialists expressed after ample opportunities of threshing out the question in all parts of India. Nothing has occurred since to lead one to suppose that those opinions are out of date. The system of dual responsibility such as that contemplated by the question would be like a strong blind man carrying a cripple on his back, lending feet and borrowing eyes in return. The combination may at first sight seem a sound one, but it must be admitted that a better day's journey would be made by one man sound in sight and limb.

If it is difficult to make Public Works Buildings and Roads Branch charges conterminous with Civil, it is quite impossible in the case of Irrigation charges. The arrangement would be still more inconvenient and subversive of economy. Canal branches could not possibly be divided up administratively in the way suggested without materially interfering with the proper distribution of water, and if the distribution and assessments were taken away from the Irrigation Officers, the difficulties would be enhanced. Running canal charges are often very large as it is, and if more than half the existing work was removed from the Canal Officer the charges would be enormous. In either case the results would be most unsatisfactory; the officer would have a small charge and be idle half his time, or a very large one in mileage and he would find it impossible to cover the area of his inspections. Moreover, sheared of distribution and assessment the work of the Canal Officer would be so meaningless and unpopular that no good engineers would ever willingly enter such a Service. The work would be confined to mere repairs in the jungles, and to carrying out the crude ideas of inexperienced Civil Officers, without any interests in the results, instead of dealing direct with the Superintending Engineer, a senior professional officer conversant with the work, who is able to control him administratively and technically.

I am strongly of opinion that on all irrigation works of importance, the engineers should be independent, and should be responsible for the whole work of distribution and assessments, not for collections.

44490*. In provinces where District Board Engineers are employed, would it be possible to devolve upon them a portion of the work in connection with buildings and roads now carried out by Government agency?—The reply is in the negative. Take the case of Bengal. Formerly all

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imperial and provincial works were carried out by the Public Works Department, the local works being entrusted to the Road Cess Engineers under the orders of the various Road Cess Committees, whose functions have since been assumed by the District Boards. I have never served in Bengal or in any province with the system in question, but I understand that this duplication of the Engineer establishment has proved expensive and inefficient. In 1892, against the advice of the Financial Committee of 1886, a measure was introduced under which all works and repairs in 26 Bengal districts were entrusted to District Board Engineers; and to safeguard the interests of Government, Inspectors of Works of the standing of Executive Engineers, were appointed. I understand this system has never justified its adoption, and notwithstanding a number of remedial measures tried from time to time, the dual establishment system has been generally reverted to. Out of a total number of 34 District Board Engineers now in Bengal, only six have the charge of Imperial and Provincial Works, and I believe there is every prospect of all such works being placed again under the Public Works Department. The chief defects of the District Board agency appear to be:—

(*a*) The District Boards have no technical knowledge, but frequently interfere in technical matters.

(*b*) The Government Inspector has no power of control over the District Engineers. He can only advise, and his advice can be altogether put aside. His time is largely wasted in writing far longer detailed inspection notes than would be necessary for a professional assistant under his orders, and it is entirely wasted if his advice is disregarded. Serious delays also occur in the preparation of estimates for imperial or provincial works, as the Superintending Engineer cannot call for a repair estimate without the approval of the Board.

(*c*) The District Board Engineer is a servant of the Board, he has no one else to look to for advancement. He cannot be transferred to another district where the work may be more suited to his attainment. An indifferent District Engineer may be over-worked in one district, when a good officer is almost idling in another. His opinions and actions are liable to be prejudiced on all subjects in which any member of the Board may be personally interested. He has generally poor prospects and cannot afford to quarrel with the bread and butter he has. Contractors are frequently selected by members of the Board for reasons other than those of economy and efficiency, and the District Engineer has to accept them for what they are. He is too long in one place, and apart from the ordinary staleness of these conditions of service, he comes in time to dance merely to the tune piped by the local magnates, and as a counter-evil the Board will be disposed to overlook the faults and shortcomings of an engineer who seeks the smooth path with them.

I see no advantages whatever in the system other than the fascination of the abstract principles of devolution, and I do not think the country has sufficiently advanced to adopt this system.

44491*. In provinces where District Board works are carried out by Government agency, might a special District Board Public Works Establishment be employed?—The duplication of establishment, working over the same ground must be costly. I consider that all the engineering works of the country of any importance would be best carried out by the Public Works Department without the rigidity of the boundaries of the charges as in the United Provinces; but for works such as repairs to unimportant unmetalled roads and repairs or construction of petty buildings native subordinates might be employed by the District Boards.

44492. (*Mr. Hichens.*) The Government of India deals with all schemes of re-organisation; does that mean that Local Governments may not increase the pay of their sub-overseers?—Yes, the pay of the various grades is fixed by the Government of India.

44493. They can increase the number up to a total of Rs. 25,000, but they cannot increase the pay of one man?—They can give him promotion, but cannot increase the pay of his grade.

44494. Is that a wise rule?—If the rate of pay was very unequal over all the provinces, there might be discontent.

44495. As a matter of fact, is the pay equal in the different provinces?—Yes.

44496. But do they not have local allowances in some provinces?—Yes there are local allowances for serving in districts where the expenses are specially high.

44497. The conditions of provinces differ, and therefore what is good pay in one province might be bad pay in another?—Yes, and they get it in the form of a local allowance.

44498. What is the objection to taking those facts into account in their pay, and allowing the pay to be based on the market value of a man in a particular province leaving Local Governments to pay the men entirely as they liked?—I do not know that there would be much objection to a province like Burma, which is entirely cut off, doing so, but in contiguous provinces where men just across the border were paid very differently, those in receipt of lower pay would certainly agitate for more.

44499. But, assuming a reasonable Local Government, it would not pay differently unless the local circumstances were different?—Some Local Governments might take a more liberal view than others.

44500. Is that likely?—It is possible. For instance I myself think our sub-overseers are very much underpaid, and I would give them much more, but I can imagine someone else taking another view and saying "We get the men for this pay and it is enough."

44501. Supposing a certain Local Government held that view and determined to carry it out, would there be any objection?—Only this, if there was a great discrepancy of pay between two provinces which are contiguous, the men in one might be discontented and agitate until they got the same pay as their brethren across the border.

44502. And if they were inadequately paid would there be anything unreasonable in that?—At present they come from the same college, and they get the same pay and are satisfied; there would be some discontent if they were paid at different rates.

44503. Do you know if a County Council in England are obliged to give the same rates of pay to their officers as another County Council?—No.

44504. Do municipalities have a uniform scale of pay throughout Great Britain, compulsorily laid down?—I do not know.

44505. Supposing they had not—as they have not—and no particular inconvenience has resulted from it, why should inconvenience result elsewhere?—I do not know that there would be any other objection except the one I have pointed out, that you would be paying men of exactly the same value and trained in exactly the same way, different rates, and they might be discontented.

44506. Apart from that you can see no particular objection to giving Local Governments the power?—No.

44507. With regard to Superintending Engineers do you recommend that each Local Government should be allowed to promote its own Superintending Engineers?—I have not recommended it; I have said I thought there would be no great objection if they did so, as it is very rarely the Government of India ever oppose the wishes of the Local Government, but the present system works exceedingly well.

44508. The change would lead to no evil results at any rate, in your opinion?—I do not think so.

44509. But with regard to Chief Engineers you do not hold that view; for what reason?—I prefer the present system because it equalises promotion, and because fresh blood is sometimes an advantage.

44510. If a Local Government had a particular desire to get a particular man who they thought would suit them best, do you fall in with their views?—We do as far as possible, but very often when they object to take a man at first as Chief Engineer, they afterwards admit when they have had that man transferred to them, that he was the best choice and were very glad to have him.

44511. Supposing a Local Government said they wanted a particular man, is there any reason why they should not choose him?—Yes, if he was a very junior man and we had a senior man who was every bit as good, or better.

44512. Even if the Local Government did not think so?—I think so, certainly.

44513. You think it would be better to give them someone they did not want?—Perhaps they do not know anything about the other man, whereas the Government of India do know his record, that he is a first-rate man, and, in addition, senior.

44514. Might not the Local Government say "We want this man, although he is junior, because we know he is efficient, gets on well with the staff, he knows the local conditions very well, and is the man we want"? If they pay the officer should they not have power to appoint him?—It would create discontent in the department if a junior man were promoted over a senior man just as good.

44515. But that would be the responsibility of the Local Government?—No. The senior man might be in another province.

44516. And if they wanted to take that responsibility would you not allow them?—They cannot take the responsibility as several provinces are concerned.

44517. With regard to the rules which exist in connection with the residences of Government officials, you think if Local Governments were empowered to deal with the matter themselves, there would be a substantial increase of expenditure at first?—Yes, there probably would be at first.

44518. What is your reason for that view?—From the estimates that have come up from time to time.

44519. What is the sort of amount that these estimates cover?—It might be anything; it might be from, say, Rs. 10,000 to Rs. 30,000 or more.

44520. I understood that you were prepared to give Superintending Engineers power to sanction, from a technical point of view, up to something very much above that?—Yes.

44521. Therefore so far as the technical point of view is concerned, there would not be any more extravagance under the one plan than under the other?—Yes, because there are certain rules under which a man is not entitled to a house of more than a certain value, but he is always wanting the largest house he can get, knowing that he cannot be charged any more than a certain percentage on his salary. You cannot charge a man more than 10 per cent. on his salary, and assuming he was only entitled to a house costing Rs. 15,000, he might say, "This is not good enough for me, I want this room and that room"; so that the house might finally cost Rs. 40,000.

44522. Then does the control of the Government of India consist in criticizing the size of the house?—It is for the Local Goverment to consider that, but if they think they cannot reduce it to the recognized cost, then they ask the Government of India to sanction an increase, and that is where our control comes in.

44523. Is not the Local Government more likely to know the particular class of house required for an officer?—No; I do not think so; it is the officer for whom the house is going to be built who is in communication probably with the Executive Engineer. He says he wants this, that, and the other; the Executive Engineer puts it down; he sends it up to the Chief Engineer, who says the house cannot be built for any thing less, and it does not seem to him to be an extravagant estimate. The Local Government may not have time to go into it; it is sent on to the Government of India, and here we can see whether the house could be designed for less and bring it within the amount laid down, and very often we do it.

44524. (*Chairman.*) What is the standing of the Engineer who looks into these questions on behalf of the Government of India?—There is myself and the Consulting Architect.

44525. Do you look into all the schemes for officers' houses in detail?—Yes.

44526. (*Mr. Hichens.*) Then you think the Local Government could be perfectly well trusted to put up a large public building, such as public offices and so on, provided it comes within the limit of 12½ lakhs, without control, but that they cannot be trusted to put up a house costing Rs. 30,000 because the personal element would come in?—That is the point; the personal element is a very strong one.

44527. Do you really think that the Local Government are likely to go astray owing to personal considerations?—I think they might, and very often they have not the advice of a competent architect to help them as we have.

44528. Is that not a question of technical efficiency?—It is very largely a question of technical efficiency.

44529. You are prepared to allow Superintending Engineers to sanction technically up to 1½ or even 2 lakhs for ordinary schemes; if their technical skill is sufficient for that, why is it not sufficient to sanction a house costing Rs. 30,000?—Because they have not sufficient architectural skill; we know we are designing equally good houses for much less sums than before.

44530. Is that not an argument for not giving Superintending Engineers of Local Governments powers of sanction beyond Rs. 30,000?—No. Certainly not, we are here referring to designs for residences only.

44531. Were the residences at Peshawar submitted to the Government of India?—I do not know. The Consulting Architect has only been appointed for a little over five years.

44532. (*Mr. Dutt.*) Are the Provincial Services mainly recruited from Roorki, Poona and Sibpur?—Yes.

44533. Who recruits the men, the Provincial Government or the Chief Engineer under the Provincial Government?—They enter by examination. At Roorki there is an entrance examination, and they compete at the end of their course for so many guaranteed appointments.

44534. Who makes the selection, the Imperial Government or the provincial Government?—It is by examination and competition. After the men come out as qualified Engineers from Roorki, they are posted by the Government of India to the different provinces for practical training.

44535. So that the selection is made partly by the Government of India?—No, the Government of India have no say in the matter.

44536. Does the same rule apply to Sibpur or Poona?—I do not know anything about Poona; I think it only feeds Bombay, and the Government of India have nothing to do with it.

44537. And Sibpur?—Sibpur supplies Bengal only.

44538. Is the educational standard at Poona and Sibpur as high as it is at Roorki?—I have never been to the Poona College. I have been to Sibpur and Roorki, and I think the arrangements at Sibpur are better than they are at Roorki, but the men who enter are not quite such a good class, and therefore, generally, the Roorki men have proved the better.

44539. Has not the standard at Sibpur been recently raised?—The college seems to be improving in its technical course.

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44540. Can men from the Provincial Service rise to the grade of Executive Engineers?—Yes.

44541. When they rise to that rank are they still considered to be members of the Provincial Service?—Yes, they are always Provincial.

44542. Is there not a difference in their pay?—Except as to the Chief Engineers; when they become Chief Engineers they receive the same pay as the Imperial Service.

44543. Who recruits the Subordinate Services in the provinces?—Lately the Local Governments have complete powers themselves as to the recruitment of their subordinates. That power was recently given; the only restrictions are that the Local Governments in the cases of provinces usually supplied by the Roorki College cannot make appointments until the Roorki recruits have been provided for.

44544. You are opposed to giving the Collector any control over the distribution of irrigation water?—Decidedly.

44545. You also say that a Canal Engineer should be responsible, both for the distribution and for the assessment of the water-rate?—Yes.

44546. You know that in Madras the water-rate is consolidated with the land revenue, and the assessment of the one goes with the assessment of the other?—Yes.

44547. So that if you had to give the Canal Engineer the assessment of the water-rate, you would have to give him the assessment of the land revenue also; would that not be a difficulty?—Accepting the principle that Canal Officers should control irrigation works, I do not think there should be much difficulty in arranging details such as these in any province.

44548. In that case would you separate the two assessments, or would you leave the whole thing with the Revenue Officers?—I have no experience of Madras, but if the consolidated rate system is found to answer there I see no reason why it should not be continued, but it would still be better to make Canal Officers responsible for irrigation management in the case of all large schemes.

44549. When the rate is consolidated the cultivator does not know what part is water-rate and what is land-rate?—But is it necessary for him to know?

44550. Under the existing circumstances would you leave the assessment with the Revenue Authorities?—If the Canal Officers were responsible for the distribution and the assessments they would also have the remissions of assessments, and I cannot see that there would be any difficulty.

44551. But the assessment would have to be made by the Settlement Officer?—That is the fixed assessment.

44552. There are certain provinces in which the Local Government has the power of fixing water-rates, and in other provinces the Imperial Government fixes them; is it possible and desirable for the Imperial Government to lay down some general policy for fixing rates, so that there might be some uniformity in the different provinces?—This is a wide subject, and I see no great advantage in unification of water-rates everywhere. I would leave the matter to Local Governments.

44553. The Government of India have thought it desirable to lay down a general policy with regard to land revenue, and I wanted your opinion whether it might also lay down some general policy with regard to the levying of water-rates?—I do not think that any orders on the subject are necessary; the principles of water-rates are generally well understood.

44554. Are they not varied from time to time?—Not very much; they are raised or reduced sometimes.

44555. We have evidence that recently they have been altered in the United Provinces?—In three districts they have been altered.

44556. You do not think it is possible to lay down any more detailed instructions for general compliance?—No, I do not think it would be useful to lay down any more.

44557. Generally speaking should the water assessment be based on a calculation of the cost of the irrigation works?—No, certainly not. If that were done water-rates might be prohibitively high on expensive works, and ridiculously low on canals constructed under favourable conditions.

44558. You are against giving engineers employed by District Boards charge of Government buildings; you think that on the whole that system does not answer well?—It has not answered well in Bengal.

44559. You have no objection to a District Board employing its own engineer for its own works if it finds it is not costly and if the engineer gives satisfaction?—Yes, for certain unimportant works they might very reasonably be employed.

44560. Most of the works that the District Boards execute to-day are not very important works, they are only roads and ordinary bridges; for such works is there any objection to their employing their own engineers?—The District Board might possibly have a fairly expensive work which could be better done by the provincial establishment.

44561. But ordinarily the work they have to do could be done fairly well by the engineers in their employ?—Yes, I think so.

44562. And you would have no objection to their employing their own engineers?—No.

44563. We have had evidence before us that in Bengal most of the District Boards employ their own engineers. In Bombay they have their important works done by the Public Works Department and pay 12 per cent. on the cost of the works. Has any calculation been made as to which is the better system?—It must be cheaper to have only one system of engineers, instead of having two systems overlapping. I should think the Bombay system is the better; if you have District Engineers and Provincial Engineers employed over the same area it must cost more than if you had one set of engineers.

44564. But these Bombay District Boards have to pay 12 per cent. on all works executed?—If they had to execute them separately it would probably cost them more than 12 per cent.

44565. We had evidence that some District Boards with an annual income of two lakhs of rupees probably spent half of that, one lakh of rupees on works; 12 per cent. would come to Rs. 12,000. Many of the District Boards in Bengal do not pay more than Rs. 12,000 for their whole engineering establishment?—I have not calculated it out, but I should think they are probably well-served in spite of that.

44566. (*Sir Frederic Lely.*) In regard to the relative position in a district of the Executive Engineer and the Collector, does not the Executive Engineer assert an absolutely independent position?—In the line of his own technical work, yes; but not in administrative matters.

44567. The Collector and he have no official concern with each other?—Nominally, he would be under his Superintending Engineer, but really, of course, he would be very much concerned with his Collector; he would be conferring with him in many ways, although he would not be under his orders.

44568. There are no rules governing their relations, which are left to adjust themselves according to the disposition of the respective men?—Yes.

44569. Does it not diminish the force of Government to have two authorities like that in a district perfectly independent of each other, sometimes perhaps rather inclined to be defiant of each other?—I think not. The Collector is the Head of the district; the engineer would have no authority except the authority which he ought to have on the engineering side.

44570. From the political point of view, would it not be advisable to consolidate the power of Government by giving the Collector certain defined authority over the Executive Engineer as well as over the other officers?—I think the present system works the better of the two.

44571. Do you not think it is worth making an effort to attain that solidarity?—I do not.

44572. I quote the words of the Head of the Administration in the Central Provinces; he says, "it is even impossible for the Deputy Commissioner or the Commissioner to say what works are actually in progress at any given time; he sometimes finds a building completed which he did not know was begun, and that another work which he believed to be in progress has not been started, the money having been appropriated to some other work by some superior authority in the Public Works Department." Is that generally true?—I should say it was bad management in the Central Provinces.

44573. You think it is peculiar to the Central Provinces?—In the only province in which I have had charge of buildings and roads works (I allude to Burma), the preliminary demands for any year were first prepared by the Executive Engineer in consultation with the Deputy Commissioner; the Executive Engineer would then send the papers to the Superintending Engineer; the Superintending Engineer prepared his budget of works by civil divisions, generally informally consulting the Commissioner, and then he sent it through the Commissioner, to the Local Government. The Commissioner had thus the opportunity of making any remarks he liked, and of adding or of striking out, and he always decided the preferential order of the works which he considered were of the greatest urgency. The money was then allotted by civil divisions, and the Commissioner was kept fully informed of the works for which provision was made in his division.

44574. After the budget has once been sanctioned, could the Superintending Engineer make any change in it without the sanction of the Commissioner?—No.

44575. Is that the prevalent practice throughout India?—Burma is the only province in which I have had intimate connection with buildings and roads work; the budget was afterwards upset sometimes, but always by the order of the Lieutenant-Governor. For instance, after the budget had been sanctioned the urgency of some particular work might arise which had not been foreseen at the time the budget was prepared, and the Lieutenant-Governor might direct that it should be carried out and some other work in the budget postponed. The Commissioner would be informed of the change; the Superintending Engineer would not decide it.

44576. It would be the action of the Lieutenant-Governor?—Of the Lieutenant-Governor only.

44577. You are only speaking of the practice in Burma; you cannot say anything of other provinces?—The Local Government has the power to adopt some such system as I have explained, and the Government of India would not interfere.

44578. I am speaking of the actual practice?—The system I have explained is the actual practice in Burma.

44579. But you are only speaking of Burma; you cannot tell me whether it is so or not in other provinces?—No, I cannot; I daresay it might vary from time to time.

44580. In many districts does not most of the Executive Engineer's work consist of District Board works?—Usually I think these works would occupy only a fraction of his time.

44581. In all those districts where the Executive Engineer does the District Board work, does not the District Board work constitute a very large portion at any rate of his work?—No, I should think it would be less than the provincial.

44582. It would depend on the district of course, but generally you would say that a large portion of his work consists of District Board work?—I should think a fraction of it; it would not be a large portion of it, because if a large District Board had a good deal of work they probably would have a subordinate of their own.

44583. Are you again speaking of your Burma experience?—Yes, mainly, but I know in the United Provinces the District Board work is only a very small portion of the total work of the Executive Engineer.

44584. At any rate, the Executive Engineer does a good deal of District Board work?—I was thinking more of Burma. If it was a very small District Board, which had very small work, then it would be a small fraction of his total work, whereas if it was a large District Board they might have their own engineer to do certain work of their own.

44585. Is not the Executive Engineer distinctly the subordinate of the Collector as Chairman of the District Board?—The Sub-Divisional Officer, or the District Engineer, Public Works Department, would be the officer in this position, but not in technical matters.

44586. Apart from technical matters, is he not bound to obey the orders of the Chairman of the District Board?—He would try to do so as far as he was able, taking all his work into consideration.

44587. Would there be any practical inconvenience in his occupying the same position with reference to Government works in the district?—I think so; I have tried to explain why I think it would be subversive of discipline; I do not know that I can add anything.

44588. The Executive Engineer admittedly occupies a distinctly subordinate position to the Collector in his capacity as Chairman of the District Board; why should not the same connection be kept up in regard to Government works; would there be any practical inconvenience—if so, in what way?—I think in the way I have explained; you would have very often bad engineers sheltering themselves behind the Civil Officers.

44589. He does not do that with reference to Local Board works?—I have had very little experience of Local Board works; in Burma we practically did everything ourselves; it is only where there were large District Boards where they may have had a separate engineer. Where the works were very small they were carried out in the usual way, and the Collector was probably only too glad to take the advice of the engineer as to how they should be carried out.

44590. You have not had much experience of a district in India proper where large work is carried on in the other way?—No.

44591. Then with regard to irrigation work which stands on an entirely different footing, you think that the management should be entirely in the hands of the engineer—that everything should be in his hands except the collection of revenue?—Yes.

44592. Why should he not have also the collection of revenue?—It is more convenient that the revenue should be paid into the treasuries which are under the Civil Officers.

44593. In either case it would go into the treasury; but why should it be specially convenient to hand over the work of collection to the Collector and not the work of assessment?—Because once his assessment work is finished really his whole work, as a Canal Officer, is practically done.

44594. You say that the management of the irrigation tract should remain practically with the engineer; why should he not do the whole of the work?—You can put collection under the engineer if you like but I do not see any advantage in making a change; it is no part of his work; it has no connection with his work as a Canal Officer, and it is now done by the Civil Officers very conveniently.

44595. The management of the irrigation of a tract of land is not merely a mechanical arrangement for the conveyance of water on to the land; do not the habits of the people, the quality of the soil, and a number of other considerations enter into the matter?—Yes.

44596. It is also a fact that the District Officer makes a special study of the people?—Yes.

44597. Just as the engineer makes a special study of the engineering part of the work?—The engineer in charge of a running canal has many other matters to think of besides engineering pure

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and simple. He is constantly in touch with the cultivators and their irrigation needs, and he is an expert on questions of soil and crops.

44598. You think the Canal Officer fills the part of both?—As a Canal Officer on a running canal he is daily in touch with the people and with all their wants in the matter of water for irrigation.

44599. Is he as conversant with land tenures, the quality of the soil, the customs of the people, and their general requirements, as the District Officer himself?—Every good Canal Officer will know a great deal about land tenures, he will certainly be fully acquainted with questions of soil, and he will know as much about the customs of the people as is necessary for his duties. In all questions connected with irrigation he is more in touch with the cultivators than any other officer, and no other officer can do the work equally well.

44600. Then it is on that assumption that you think he should have the sole management?—That is only one point, there are many others.

44601. But that is the assumption you make, and it is upon that assumption that you make the recommendation?—That is not the only reason; I can enter into others if required.

44602. You do not think the ideal plan would be to bring both sets of officers into the arrangement on the ground that each would contribute a certain amount of information and knowledge?—I think they both do come in as it is now, in a way; the Canal Officer should be made responsible, but the Civil Officer does come in. If he is the Deputy Commissioner he is the Head of the district, and he can always criticise and call for reports and information and anything else that he wants supplied to him, and if there is anything wrong he can bring it to notice.

44603. (*Sir Steyning Edgerley.*) Suppose the work of collection were given over to the Irrigation Officer, would it not simplify the work of remissions greatly; would not the necessity for remission be attributable to the failure of water on a major work, or the excess of water from flooding, or something that was entirely within the ken of the Irrigation Officer?—He already does the remission work by means of statements subsequent to the demand statements.

44604. Does he do that at present?—Yes.

44605. In the Punjab?—Yes, if he gives any remissions after the demand statements have gone in.

44606. Does the Executive Engineer settle the remissions to be made?—Yes, owing to inaccuracy of measurement or for any special reason; there are certain forms which are sent to the Deputy Commissioner exhibiting alterations in the demands.

44607. So that when referring to the whole work of distribution and assessment you really include the recommending of any remission of revenue that may be due?—Yes

44608. You say, "I think, however, there would be no objection to leaving it entirely to Local Governments to decide the classification of works coming under the head '43,' provided the expenditure is entirely provincial." Is not No. 43 a shared head in a good many provinces, so that it could never be wholly provincial in those provinces?—It is in Bombay a shared head. In Bengal, in the Central Provinces, in Eastern Bengal and Assam, in Burma, in the United Provinces, and in Madras, No. 43 is entirely provincial; therefore, as a Local Government can sanction up to 10 lakhs, they could practically have full powers and classification. Bombay is half and half; the Punjab is entirely imperial.

44609. In Bombay your suggestion would take away the powers altogether?—No, in Bombay I should suggest that they might classify in any way they pleased within the powers of sanction of the Local Government; that would be two lakhs.

44610. In answer to the Chairman, you agreed that the rupee has gone down; and that rates of wages and so forth have gone up; in getting back even to the original figure of powers of sanction of the Local Governments, you would have to add something on account of the rise in rates of wages, which in some provinces is as much as 33 per cent. or even 50 per cent.?—I made the suggestion that it might be 15 lakhs instead of 10. Ten lakhs is a large figure, but there are many considerations why it should be larger now, and I see no objection to raising it to 15 lakhs.

44611. If it went as high as 15 lakhs you would see no great objection?—No, I think not.

44612. We were told in the North-West Frontier Province that their Chief Engineer had power up to Rs. 25,000 himself, while the Local Administration had power only up to Rs. 20,000. I suppose the North-West Frontier Province is on the same footing as Coorg, and Hyderabad, and Rajputana and Central India. So that you have the anomaly there that the Chief Engineer, *quâ* a Military Works Officer, has higher powers than the Local Administration on the civil side. In one capacity he is able to sanction up to Rs. 25,000 on the military side, and on the civil side as Secretary he can only deal with estimates up to Rs. 20,000. Is there any reason why these Governments should not have power up to the same figure, for instance, as the Director-General of Military Works, namely, Rs. 50,000?—I shall have to enquire into the facts about the North-West Frontier Province in order to reply to this question. With reference to the final question, are Imperial Works meant?

44613. Yes. You propose to raise the Central Provinces and the other administrations but you have not included the North-West Frontier Province or Baluchistan; I take it that they are the same as Coorg and Hyderabad?—Coorg of course is very small; it only has an Executive Engineer there.

44614. But in places where they have a Superintending Engineer?—In the North-West Frontier Province I do not see why it should not be raised.

44615. Or Baluchistan?—Or Baluchistan.

44616. I suppose the Superintendent of Port Blair might go up to whatever figure is ultimately fixed for Executive Engineers?—He can go beyond it. I do not know what will eventually be the outcome of the reference to Local Governments about the powers of Executive Engineers; at present Executive Engineers only sanction up to Rs. 500; the Superintending Engineer has powers of sanction up to Rs. 5,000.

44617. Would you see any objection to his going up further?—Port Blair has lately been given an Executive Engineer for the first time; previous to that it only had a subordinate; he was the sole Public Works Officer to advise and execute works. One would like really to attach it to a province like Burma, and then the powers as regards Public Works would be those of the Burma Government.

44618. Does your answer to the question whether it is necessary, in some cases, to obtain the sanction of the Government of India to enter into contracts, as apart from the sanction to estimates apply to imperial as well as to provincial works?—Certainly.

44619. What is the special restriction on the North-West Frontier Province about metalling roads?—The restriction is that they cannot sanction the metalling of a *kaccha* road without reference to Government.

44620. (*Chairman.*) Have you any idea of the reason why?—I believe on account of military considerations.

44621. (*Sir Steyning Edgerley.*) Do you get many references from the North-West Frontier Province?—Comparatively few.

44622. You say you have to keep a certain amount of appointment work of Upper Subordinates in your own hands because of these Roorki vacancies; is it not possible to apportion these out to the provinces, and let them arrange direct with Roorki?—There is no objection to that.

44623. If the Local Governments could do it direct, would it not save trouble? They send in an intimation of their vacancies, and the Principal

at Roorki sends in his list; why should you not let them settle it direct with Roorki?—It is a matter of small importance; as a matter of fact the Local Governments do select the men, and we only write posting them.

44624. You have given us, in criticism of the different proposals of provincial Governments regarding the relaxation of existing restrictions on their powers, a number of proposals, and there are a large number of similar proposals which are under the consideration of the Finance Department and others. Would you be quite content with any general decision that may be come to as to these financial provisions?—Yes.

44625. As regards your †schedule of reports you are perhaps rather tied up by the requirements of the Secretary of State?—I did not go into that any further; when it was a Secretary of State's order I took that as absolute, and did not consider whether it was necessary or not.

44626. For instance, is the monthly statement of allotment from postal and telegraph minor works reserves a necessary return?—The reason why we want that is that we give a lump sum at the beginning of the year to the post office and telegraphs, and then the Head of the Postal Department and the Head of the Telegraph Department distribute it and give us the distributions by provinces from their reserves; we take these figures and add them on to the money that the provinces have to spend; we give that money out to them; it comes then into their budget.

44627. Why do you want the return monthly; would not once a year do?—They have a large reserve at the beginning of the year, and they give it out gradually. We want to know what the Local Governments have to spend; when we have given it out to a Local Government it comes in the imperial civil works grant to Local Governments.

44628. When it is once put into their budget why do you want to have monthly information about it?—It is not a question of the budget but of grants for particular works allotted during the year. These allotments are made by the Post Office and Telegraphs as each estimate is sanctioned by them, and a consolidated monthly return is submitted by them to the Government of India for information. This monthly return is necessary to reconcile the Post and Telegraph figures of allotment with the monthly statement submitted by Examiners to the Accountant-General, Public Works Department.

44629. But why should not one return do for the year; why should you have monthly returns all through the year?—For the first six months of the year there would be no objection to quarterly statements, but after the 1st October they should be monthly in order to meet variations of the budget grants.

44630. Does it give a certain amount of trouble to send up this return every month?—I think not. The return is a very small one and gives very little trouble.

44631. But really all you afterwards want to know is what is going to lapse?—We want to know what is given to any province; we want to know what they stand at for their imperial civil works.

44632. You want to know what the province is going to have and what is going to lapse?—Yes, we are watching their expenditure.

44633. So that a monthly return is hardly necessary; you do not apparently ask for it regarding any other imperial expenditure that is undertaken by the province?—Other imperial expenditure is on a different footing, grants are allotted direct to Local Governments, here the allotments for Post and Telegraph Minor Works are given to the Director-General for distribution.

44634. You say that the promotion roll of Executive and Assistant Engineers will be done away with if the re-organisation scheme is accepted; has not that scheme been sanctioned?—Yes.

44635. Is the return of the expenditure on stores of any use? I know that it is forced on you by the requirements of the Secretary of State, but what is your personal opinion about it?—That is in connection with purchasing in the country instead of indenting on the India Office; it is to give them full information on that matter. It is dealt with by the Commerce and Industry Department; they are the Administrative Department for that; we only supply the information.

44636. (*Chairman.*) But so far as Public Works goes, does it serve any useful purpose?—No; it is only a check for the India Office as to what we buy in the country instead of buying from them, to conform with their rules.

44637. (*Sir Steyning Edgerley.*) If you wish to see the Local Government deal with the case of Upper Subordinates, why should you require any longer the submission of the roll of Upper Subordinates recommended for promotion to the provincial engineer establishment? Why should you not let the Local Government simply recommend you one name instead of sending up several?—We have three vacancies to fill, and it has happened that some Local Governments have made no recommendations. It is possible that two men might be taken from one province.

44638. Might not the return of works done to Government vessels by private firms go direct to the Military Supply (Marine) Department instead of going through you?—I don't think there would be any objection to this.

44639. As to the abstract estimate of the value of stores likely to be required from England in the Buildings and Roads, Irrigation and Telegraph Departments; we were told in the North-West Frontier Provinces that that return is submitted in August, preceding the year beginning in the following April and that it is really a pure guess, and hardly worth the paper it is written on; would you agree?—That is one of the difficulties of the whole system of estimates at Home. It is certainly very difficult to make it accurate, but Local Governments endeavour to give as correct information as possible.

44640. Is it probably so inaccurate as not to be of much use?—I would refer to Public Works Code, Volume II., Appendix 30, paragraph 22, and subsequent paragraphs. Whether accurate or inaccurate, the statements are required to facilitate the preparation of estimates of expenditure on stores in England by the India Office.

44641. Then the estimates of income tax recoveries and exchange compensation allowance; are they necessary?—That is purely for the Finance Department; we send these on under their directions.

44642. Then the capital and revenue accounts of Government residential buildings, and the promotion recommendation rolls of superior Accounts Officers?—As long as the Government of India control the amount of money spent on these buildings the former is necessary. And the latter is required as the Government of India regulate the promotions of superior Accounts Officers.

44643. If that control were handed over to the Local Government, the former would vanish?—If the Local Government had full power it would vanish.

44644. And if the Accountant-General or the Examiner dealt with the promotion of Accounts Officers, the latter also would vanish?—You mean, if there were no Accountant-General to the Government of India?

44645. No, there is a suggestion that Local Governments should be relieved of work in connection with the promotion of Accounts Officers.—But this is a question of the superior Accounts Officers, whose promotion is in the hands of the Government of India under the advice of the Accountant-General, Public Works Department.

44646. It comes from the Local Governments?—Yes.

44647. What are the officers?—The Examiners, Deputy Examiners, and Assistants.

44648. Do the Local Government have anything to do with recommendations of promotion in the

† *Vide* Appendix IIc.

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case of officers of that sort?—Yes; it all comes up; the Chief Engineer and Secretary would write his remarks, and the Lieutenant-Governor would endorse it or otherwise.

44649. Is that quite a sound system?—Suppose you want an absolutely independent audit; if the Examiner has to be troublesome there might be a question of the Local Government saying: "This man is rather a nuisance"?—It should be understood that the Examiner exercises two functions—(1) as Financial Assistant in Public Works matters to the Local Government, and (2) as independent auditor on behalf of the Government of India. It would be in the former capacity that Examiners would be useful or otherwise to Local Governments, and the recommendations would be based on this side of his work. On the other side of his work the Accountant-General would be the judge.

44650. Should not the whole of such work remain in the Accounts Department?—Under the present system the Government of India control promotions, and that system should remain.

44651. Take the half-yearly list of Chief and Superintending Engineers granted extensions of service after 55 years of age; is there any use for that except that it is an order?—This is experimental; it is only now for the first time that a few extensions are being given, and the Secretary of State has asked us to report every half-year for his information to show what we do give; in fact I do not think one report has got home yet.

44652. Is the annual statement of temporary appointments in the Public Works Department over Rs. 500 per mensem something of the same sort?—The Secretary of State has ordered that.

44653. Apart from the fact that it has been ordered, do you think it is necessary to have it?—This is matter entirely for the Secretary of State.

44654. You cannot suggest any actual purpose, except information, that it is useful for?—No.

44655. As to the annual return of expenditure on stores, and the abstract estimate of stores likely to be indented for from England, except that they are ordered by the Secretary of State, do you see any particular service in them?—Both these returns are required by the Secretary of State; regarding the latter I have already explained why it is necessary. The former enables the Secretary of State to see what stores are purchased in India.

44656. (*Mr. Meyer.*) Ought not an Accounts Officer to be entirely independent of those whose accounts he has to audit?—No doubt.

44657. You spoke of the Chief Engineer dealing with his Examiners; do you think the Examiners are officers of an independent department, meant to be independent of the Chief Engineer, and not to be under his orders, or do you think that the Chief Engineer should control the Examiners?—I think the Examiner can be most valuable and useful to a Chief Engineer in the first function of his duties I have already referred to; as an auditor he should be, and is, altogether independent.

44658. If you want an outside opinion as to the value of an Examiner, why not ask the Civil Accountant-General; they do a good deal of work together?—I do not think they are very much in contact, in fact very little as a rule; their work is entirely separate; one is civil accounts auditing, the other Public Works accounts auditing.

44659. Is it right that the future prospects of an Examiner should be possibly at the mercy of an unfavourable report by an officer whom he may have thought it his duty to check in his audit?—There may sometimes, of course, be abuses in that way, but they are rare. Examiners are liable to transfer all over India; they are not under one Local Government, and a man who has been getting favourable reports throughout his career would hardly be damned by one unfavourable report.

44660. With regard to these returns that you have been speaking of as being unnecessary?—That is only my own opinion.

44661. Are you going to put your views before the Government of India?—I am quite prepared to do so.

44662. Or are you going to wait until this Commission has reported?—I will place my proposals before the Government of India.

44663. And move in the matter with a view to getting these unnecessary returns abolished?—Yes.

44664. Certain returns with regard to income-tax and exchange compensation and so on were required, you said, by the Finance Department; have you made any recent enquiries of the Finance Department as to whether they are still necessary?—No, I can do so if it is thought necessary; but it is rather a matter for the department that requires these returns.

44665. Surely it is for the department that submits the return and yet thinks it unnecessary?—I do not say that these returns are unnecessary; I merely say that we are asked for them by the Finance Department and we submit them.

44666. They may have been prescribed a long time back, under conditions which do not now exist. Anyhow, I suggest that you might ascertain from the Finance Department whether they still require them?—I can do that.

44667. As regards imperial works carried out by Local Governments, is not administrative sanction required besides the professional sanction?—Yes.

44668. How far does that administrative sanction go down? You say, for instance, that the Governments of Madras and Bombay can sanction an imperial work up to 2 lakhs, exclusive of establishment charges; that is, assuming the work to be in the budget?—Yes; that is their actual power of sanctioning an estimate.

44669. That is what one may call professional sanction?—Yes.

44670. There is also the administrative sanction, that is, the decision as to whether a thing is necessary or not?—Yes.

44671. Does that not come up to the Government of India a good deal?—Yes.

44672. What is the limit?—See Public Works Code I., paragraph 771A, which gives the limits up to which Heads of Departments or other local authorities can approve. Above those limits the Government of India would deal. The sort of works concerned would be quarters for a new post office, or a new telegraph office.

44673. The local Telegraph Officer or the local Postmaster-General would move the Local Government to include this new office in their imperial Public Works budget?—He would probably send it up to the Director-General of Post Offices or the Director-General of Telegraphs, who would give, or get, the administrative sanction, and then the Local Government would professionally sanction and deal with it entirely subject to their powers.

44674. The administrative sanction is necessarily pretty close?—Yes.

44675. You tell us you see no objection to the powers of Local Governments in regard to provincial works—this professional sanction as we may call it—going up to 10 or 15 lakhs. On the same analogy, might not the powers of the Madras and Bombay Governments in respect of imperial works go up from 2 lakhs to 3?—This might be done; but I do not think Local Governments are very much interested in obtaining higher powers of sanction for imperial works.

44676. The Government of Bombay went so far as to suggest that they should run up to 10 lakhs for their imperial works?—That is new to me; I think the powers I suggested are sufficient.

44677. Suppose a Local Government wanted an increase of powers under imperial, would you on the analogy I have put, let the Madras and Bombay Governments go up to three lakhs?—I see no great objection, but Madras and Bombay might have the same powers as other Local Governments which are as well off for professional advice.

44678. You have said yourself that Lieutenant-Governor provinces might have the same power as Madras and Bombay; perhaps the Central Provinces might also go up beyond the lakh and a half you proposed?—The figure I have put down is quite arbitrary; it is purely a suggestion.

44679. Then allowing for administrative sanction being acquired, if a Superintending Engineer is, according to your proposals in another connection, to be allowed to pass works up to a lakh in provincial matters, might not an officer of his standing do the same in regard to imperial works in the North-West Frontier Province or elsewhere?—My idea is that in imperial matters, where the provincial Governments have not their own money to spend, we should exercise rather more close supervision; they might be less concerned about being economical with imperial money than with their own.

44680. But that comes under the budget and administrative control; this is merely the professional sanction; the Local Government is dependent on its chief Public Works Officer, who is in most cases the Superintending Engineer?—But the Government of India also have their engineer who can advise them further if there is extravagance.

44681. What would you put the limit at for the Superintending Engineer?—I have not gone much into imperial works; I thought I would wait until we had all the replies of the Local Governments.

44682. In Baluchistan and the North-West Frontier Province civil works are carried out by the Military Works Services who charge the Civil Department accordingly. Might it be cheaper to have a separate civil works agency as in other provinces?—The present arrangement is cheaper.

44683. It was put by an officer of some experience in Baluchistan that they could manage things more cheaply themselves than by paying a commission to the military?—I think it stands to reason that if you have two men going over the same ground it is dearer, as a rule.

44684. One has always heard that the Military Works Department builds rather more for eternity than for time, that they work much more solidly and expensively than other departments; do you hold that view?—I think there may be some truth in it.

44685. You have not thought over the matter really?—No, but I do not see any objection to the present system; it ought to be the most economical one.

44686. Do you really think that a reference to the Government of India Architect is necessary in the case of every building over Rs. 50,000?—I think it is important where the Local Government has not any architect, if the architecture of the country is to be improved; it was largely for that purpose that the appointment of the Consulting Architect was made.

44687. Is the Government of India capable of getting a man who knows so much about architecture in all parts of India that every small building (because you cannot do much under £3,300) should come up to him?—My experience is that the Consulting Architect has effected great improvements on designs which have come up from Local Governments where they had no architect; the Public Works Engineers are not architects.

44688. Do you mean ordinary offices and houses, or something really big like a High Court?—Hitherto it has been usual only to send up important designs to him, but even in comparatively small buildings the architect has given most valuable advice. I may mention a case in Madras, a case of a residential building; I consulted the Consulting Architect, and we obtained the same accommodation for much less money; the Local Government accepted the suggestions, and admitted that the advice was valuable.

44689. But Madras is precisely one of those provinces which have architects of their own?—But for those small matters the Public Works Officer did not appear to consult the architect of Madras.

44690. Therefore, because of his omission to consult the architect of his own province, it had to go up to the Government of India architect?—It did not go up to the Government of India for that reason, but Governments with architects would be wise to consult them more freely.

44691. If you think the imperial architect can be of so much use, is it necessary to have separate architects in the provinces?—Yes, otherwise there would be too much work in our office.

44692. But is it necessary when everything comes up to another man?—Everything does not come up, only buildings costing more than Rs. 50,000 when a Local Government has no architect.

44693. (*Chairman.*) Do you think that in a place the size of the Continent of Europe every domestic building costing more than £3,300 ought to go up to a central architect?—We have been very badly off for architecture in this country, and many atrocities have been perpetrated. Perhaps after a time these things might be done by the Local Governments, and the Government of India Architect would then advise only in important things; the Local Governments are more and more getting their own architects. Bombay had the very man who is now Consulting Architect to the Government of India.

44694. Do you think in principle that a domestic building costing less than £4,000 ought to go up to a central officer in a country the size of Europe?—Not if there was an architect on the spot; we want some Public Works men trained as architects; then it would not be necessary to have so many designs sent up to the Government of India architect.

44695. (*Mr. Meyer.*) You think that eventually both will be necessary—an imperial architect and a provincial architect?—Some of the minor administrations will never have a man, and the Consulting Architect would always be wanted to advise in important building schemes.

44696. But when they get local architects, the imperial architect should be confined to big buildings and matters in which the Government of India are more especially interested?—Exactly.

44697. With regard to the house-rent rules, your proposed check is that you should be able to increase an officer's rent. At present an officer cannot pay as rent more than a tenth of his salary; your proposal is to allow increased cost in building which on the *quasi*-commercial principles you adopt would run up to 12 per cent., but you also say, let the rent be enhanced to that same limit?—Yes.

44698. Does not an engineer occasionally go to needless extravagance or make a wrong design which adds to the capital cost of building when he is building a house for an official?—Yes it may happen.

44699. In that case would it be fair that the unfortunate occupant of the house should be mulcted because the engineer had gone wrong or had made mistakes?—But what else are you to do?

44700. Might you not maintain the present 10 per cent. limit on salary, but at the same time allow the Local Government to build a house, the *quasi*-commercial rent of which would run up to (say) 12½ per cent. of salary, leaving 2½ per cent. margin as the power of sanctioning a concession in the hands of the Local Government?—You mean to let him off up to 2½ per cent.? As I say these relaxations may be given to any extent, or you may give full powers to Local Governments. It is quite possible that any one individual house might be built at a higher cost than was necessary; that is to say, it may have been extravagantly constructed, but the Local Government has the power to lump every house in the province together and re-apportion the rents.

44701. But they do not as a matter of fact do that?—As a Superintending Engineer I used to do it in my own circle. You might have three or four houses of exactly the same design built in different places; in some places materials might be dearer than in others, and then the rent for one house comes to less than the rent for another,

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although the houses were exactly the same; I would certainly lump them together, and fix the same rent for them all.

44702. That would smooth out things to a certain extent?—Yes; one solitary house might be extravagantly constructed, but the effect would be minimised if it was spread over several hundred houses.

44703. Does that lumping rule apply to the original sanction?—It does not apply in actual practice, but it might in some cases be done, provided, as in Burma, the total return is not less than 3½ per cent.

44704. (*Sir Steyning Edgerley.*) Did you say that every province except Burma earns a little more than 3½ per cent.?—No, Burma gives the best return, but at the present time Madras and Bombay are also earning a little over the 3½ per cent.

44705. (*Mr. Meyer.*) If you could go up to 12½ per cent. instead of 10 per cent. you would get rid of a good many more references?—Yes. I have very rarely had a Government residence, and I have never paid as low as 10 per cent. of my salary in the open market for any house I have leased; I think 12½ per cent. would be no hardship.

44706. You propose to do away entirely with the restriction that now exists on Government Houses; you would allow a Local Government to construct a Government House without getting sanction up to 10 lakhs, which is the present limit for ordinary works, or possibly 15 if the new rules were imposed?—There again it is a personal matter, open to some disadvantages, but I see no great objection to letting the Local Governments sanction with the check of public criticism if they are extravagant.

44707. Here in the Government of India the Viceroy cannot sanction such alterations or extensions of Government Houses on his own authority; he has to get the concurrence of the Public Works and Finance Members?—Yes.

44708. In the same way, in Madras and Bombay the Governor would have to get the consent of one at least of his colleagues?—Yes.

44709. In other provinces you would get a single authority, the Lieutenant-Governor who has not any such check; is that not a possible objection?—It is an objection, but I see no other alternative but to keep to present procedure.

44710. It has been suggested that that might be remedied by requiring the assent of a small Committee, a Judge of the local High Court and one or two other people of that class, who might be able to send up to the Lieutenant-Governor and say, "We do not think that all this expenditure is required"; would that work?—No, I do not think it would work at all; you must either have the restriction as at present or let abuses cure themselves.

44711. (*Chairman.*) You told us just now that you really did not know very much about certain returns; that the Finance Department had called for them, and that was sufficient for you. Is it considered in a Department of the Government of India that it is sufficient for the Finance Department, or any other department for that matter, to call for a report upon a subject, and that the department which is asked to furnish the information must at once do so, without considering the necessity for the information demanded?—If the department called upon saw any reason to object to the labour and trouble which it would give them, they would make the objection, but I have never known of such a case.

44712. You have never known of the case of a department which is asked for a return questioning its utility?—As a matter of fact no new return has been instituted in my time, so that it has never arisen.

44713. Are the proceedings of your office printed?—Yes.

44714. The manuscript proceedings are destroyed and a sort of *précis* is made from them, which is printed?—The whole thing is printed, unless it is an unimportant file which is specially noted not to be printed.

44715. In these imperial works the Government of Bengal's powers are limited, so far as imperial expenditure is concerned to a total of practically £4,000. Does that total bear any proper relation to the responsibilities in other matters which are cast on the Governments of Bengal, the United Provinces, the Punjab, and others?—The only idea was that in provincial matters they would look after themselves, whereas in imperial matters they would not have the same interest.

44716. Do you really think that that sum bears any proper relation to the responsibilities which are cast upon them in other directions?—No; that is the only point in the matter—the Imperial Government have to exercise some check on imperial funds.

44717. With regard to the powers of Superintending Engineers, at the present moment the Local Governments have not delegated as much power to them as they could do?—That is so.

44718. In these cases the Local Government is generally the Secretary to the Public Works Department?—No; the Secretary would propose, but the Lieutenant-Governor would pass orders.

44719. But the probability is that where the proposal is made by the Secretary of the Public Works Department, the Lieutenant-Governor would on the whole agree with his technical adviser?—He might, or he might not.

44720. The distrust therefore has probably been largely inside the department?—I think that is very likely.

44721. As regards the creation of temporary appointments you say "Local Governments might be given full powers up to Rs. 1,000 a month." Would you put any limit on the number of these appointments?—No, I do not think so. But if it were noticed that the establishment charges were excessive, the Government of India might then draw attention to the fact.

44722. You would let them make as many as they liked?—Yes; subject to this check.

44723. As regards the sugestion that Commissioners might be given portions of the provincial Public Works budget in respect to roads, buildings and irrigation works to which they might give administrative sanction, you explain what the position of the Government of India is, but you do not tell us whether it would be desirable to allot to Commissioners the portions of the provincial Public Works budget referred to?—The system we had in Burma answered very well. There the Commissioners have a full say as to the demands, and the Local Government gives them as much as can be afforded. The Commissioners determine the preferential order of works in their divisions.

44724. The Local Government gave them a lump sum, and they spent it as they pleased?—Not exactly. On demands being received they have to be approved by the Lieutenant-Governor and allotments made.

44725. But, as I understand, the question is whether the Commissioner should be given a lump sum and the work not come up to the Local Government at all?—That is for the Lieutenant-Governor to judge. Personally I should prefer, if I were the Lieutenant-Governor, to adopt the Burma system.

44726. You would not break up the Public Works budget?—I am doubtful about the advisability, but it could be done if the Lieutenant-Governor wished to work that way.

44727. In Madras Mr. Bradley was asked "Do you think the Public Works Department have sufficient control over the major irrigation works for the ordinary requirements of the people," and his answer was "I think the control could be much improved." Have you anything to say on that point?—The question is imperfectly understood, and I am not well acquainted with the Madras system of management of irrigation works, but I understand that the distribution of water for irrigation is at present in the hands partly of the Civil and partly of the Canal Officers. This

being the case, the local Public Works Department cannot have sufficient control. The distribution should be in the hands of one or other set of officers, and I am strongly of opinion that responsibility for complete control should lie with the Canal Officers of the Public Works Department, who should be trained experts in work of this kind.

44728. In Mr. Ducane Smithe's evidence he expressed the wish that the accounts portion of the Public Works Code should be so modified as to give the Examiner deputed to each province greater latitude in dealing with audit objections and minor irregularities?—I think the existing rules are sufficient. No greater latitude than the existing rules allow need be given to an Audit Officer, who, from the nature of his duties, is bound to be guided by fixed rules laid down by the Secretary of State or the Government of India, and the power of dealing with objections which are not covered by such rules and raised in audit should rest with the Local Government or higher authority. In paragraph 1611 of Volume I. of the Public Works Code (8th edition) the Examiner is enjoined to exercise a discretionary latitude in auditing accounts. It is impossible to lay down any rules as to what such latitude is to be; it must rest with the individual Examiners concerned. The abolition of pies in Government accounts and the calculation of items even of income tax, salaries and travelling allowances to the nearest anna, would probably diminish the number of audit objections.

44729. The same witness suggested that the detail in the Public Works preliminary issue of estimates for provincial works should be omitted, and that a brief statement should be substituted showing the proposed outlay under the ordinary budget heads, repairs, establishment, tools and plant, and so on; what is your view as to that?—The six months estimates (due 25th October) and the 1st abstract revised and budget estimates (due 15th January) only show the totals against each head of revenue and expenditure and are accompanied with explanations of important variations; this has been found sufficient for our purposes. In the case of the preliminary revised and budget estimates (due 15th February) for *provincial civil works* it would be sufficient if the abstracts of revenue and expenditure (as prepared at present) were submitted without the details by *works*, etc., if so desired by Local Governments, but full and reasonable explanations of all important variations between the revised and budget estimate figures of current and succeeding years are necessary.

44730. (*Mr. Hichens.*) Is there not a rule that the average pay of the Lower Subordinate Establishment shall not exceed Rs. 50 a month?—Yes; that is only the sub-overseers.

44731. Does that rule apply throughout the Service?—Yes.

44732. Have Madras and Bombay their own Public Works Code, or is there one general code for the whole of India?—There is one general code.

44733. Is it desirable that there should be one code for the whole of India?—I think it is better.

44734. You would not leave each province to make up its own code, subject to certain general rules laid down by the Government of India?—I think you had better leave it as it is.

44735. With regard to the dismantling of public buildings, is there any objection to allowing the Local Government to write off to any amount; you suggest that the limit should be raised from Rs. 1,000 to Rs. 5,000?—They can dismantle their own buildings; I was alluding there to imperial buildings.

44736. With regard to imperial buildings would there be any objection to giving them an unlimited power?—I do not think that is a point that they are very interested in; the number of imperial buildings is very small in the province, and they are not greatly interested in them; they are generally for the needs of an Imperial Department, which the Government of India have to look after and finance.

44737. Is anything gained by sending it up?—Yes, in the way I have previously explained.

44738. (*Mr. Dutt.*) On the matter of the construction of houses for Government officers. You say it is only asked that the rent should cover the interest on the capital outlay of 3½ per cent., *plus* the charge for maintenance. As a matter of fact the Government of India pays 3½ per cent. on the money which it has to borrow in the open market?—Yes, about that. *Mr. L. M. Jacob.* 4 *Apr.*, 1908.

44739. So that, if they made it less than 3½ per cent. for officers' houses, the Government of India would actually ask less than what it has to pay when it borrows money?—Yes.

44740. Would that be fair to the taxpayer?—I think the 3½ per cent. is very reasonable.

44741. (*Sir Steyning Edgerley.*) Does not the fact of these buildings coming up to the Consulting Architect cause great delay?—No. If we have many large designs at the same time they may be delayed more or less, but in the matter of the small buildings there would be very little delay.

44742. In Dacca a high official told us that the delay that had occurred in getting these things through was such that they had had to pay a great deal more for the land, that rates had all gone up, and he thought that in the end any saving that the architect might effect would be a great deal more than balanced by the extra cost of construction, cost of sites, and so on?—If he is alluding to the residences, I do not think that is correct. They sent in their designs for residences, to which we took a good deal of exception; but when we wrote back and sent them suggestions, the reply was that the work had already been begun, and that the houses were nearly finished; they never waited for the Government of India orders on their application.

44743. You do not think that there is the risk of delay if you push everything through one small central office?—My experience is that the Consulting Architect works at a far greater pace than Public Works Officers, and that delay is avoided in employing him.

44744. Do you hold the opinion that it is a sound principle of administration to put power as low down as possible?—I would like to make the Superintending Engineer the Chief Engineer, so to speak, of his charge.

44745. That is, putting it down from the Local Government?—Yes.

44746. And giving higher powers to Executive Engineers, as high as you think you could give them?—Yes; but I would not increase the Executive Engineer's powers in the same proportion as I would increase those of the Superintending Engineer.

44747. I asked the question because some of your answers seem to imply that, if a thing is a little thing and not much trouble, there is not much harm in its coming up to a higher authority than is absolutely necessary for its disposal?—Only if there are other principles involved.

44748. Do you think that the question of houses should remain to some extent with the Government of India?—The question is so personal that it would be safer in the interests of economy, but with good advice from their professional advisers Local Governments ought to be able to manage.

44749. You think, however, that that will right itself gradually?—It might; taking an optimistic view, it ought to; especially if Local Governments would consult their Consulting Architects freely.

44750. As to the proposal that was put before you just now that Examiners might have power not to raise trifling objections, if they thought they were really trivial; is there not an objection of audit principle to allowing an Examiner any discretion of that sort?—Yes, he has to bring to notice any action which is against the orders of Government.

44751. And, if you give a discretion anywhere, the correct place to give it would rather be to the Local Government—to say, "Yes, it is quite true this is against the rule, but it is a very petty matter, and you are to pass it"?—Yes, it should be the Local Government and not the Audit Officer.

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44752. Dropping that suggestion suppose you gave power to the Local Government to say, "This is very petty, we are sure it would go through if we sent it up to the Government of India, so we order you to accept it"?—The power could scarcely be given in that way.

44753. I am talking of cases where the Examiner cannot under the rules accept the orders of the Local Government; might not a great many of those cases be dealt with by giving the Local Government power to require the Examiner to accept them and putting such orders in a periodical return to you?—The Examiner as an independent auditor should be authorised to refer to higher authority if he considers necessary. Suppose it was an estimate under 10 lakhs of rupees, that the Local Government could sanction; the Local Government having sanctioned that estimate, they sanction another estimate as a separate work which the Examiner thinks is part of the same work, and he says "I demand that this be submitted to the Government of India because I think it is one work"; the Local Government cannot over-rule that unless you raise their sanctioning powers. It is merely a question whether the two works are one. That is one of the things that Examiners might refer, as they have referred, to the Government of India.

44754. You would hardly call that a minor irregularity; that would be a big thing?—Quite so; I do not quite know what the witness was alluding to.

44755. The idea I was trying to put before you is that the Local Government might dispose of a petty matter, while maintaining the Government of India control by a periodical return, on which the Government of India could say "You must not do this again," if they happened to differ?—I do not think that system would give less trouble.

44756. (*Mr. Meyer.*) An audit cannot really be efficient unless the Audit Officer is quite independent of the Local Government and cannot be over-ridden by them?—That is so.

44757. Does that not hold in the case of the Government of India too; if an Examiner challenges an Act of the Government of India it has to go to the Secretary of State?—Yes.

44758. Suppose the case put to you by Sir Steyning Edgerley, that the Local Government had some dispensing power; in order to maintain the audit control it would be necessary for the Examiner to agree that it was a case which did not transgress the spirit of the rule and need be referred to the Government of India for previous sanction?—Yes.

44759. If an Examiner did not agree, and thought that the matter really struck at the rule, or that the Local Government were getting so frequent in their petty exemptions that they were really eating away the rule, and demanded a reference, that reference ought to be made?—I do not think you could withdraw that power from them.

44760. Civil Accountants-General and Controllers of Military Accounts have the power not to trouble about little matters up to Rs. 10 if they consider that the irregularity is only technical, and up to Rs. 25 subject to reporting in periodical statements to the Government of India; have you not an analogous rule in the Public Works Department?—Yes.

44761. If a house is destroyed by an earthquake or a fire and had to be rebuilt, naturally any man of business would write off the previous capital expenditure that had been rendered nugatory by the earthquake or fire. Has the Local Government power to do that?—Yes, but report must be made to the Government of India.

44762. Has the Local Government any other power with regard to writing down capital charges, in the case of residential buildings?—No.

44763. As to these important proposals for decentralization in regard to the sanction of estimates which have been sent down to the Local Government, were they quite your own idea; they were not suggested by any Local Government?—No. The question of higher powers and responsibilities of Superintending Engineers was purely my own idea.

44764. You have suggested, generally speaking, in regard to provincial works, that a Superintending Engineer might go up to a lakh; would you allow the Executive Engineer to go up to Rs. 10,000?—He might, but I would work gradually as the staff of the department is improved.

44765. What is technically a new work may be merely a few sheds?—At present the Executive Engineer has only Rs. 500 powers, and it would be a jump to give him Rs. 10,000.

44766. The Chief Engineer has only got power up to Rs. 10,000 and not always that?—A Chief Engineer has only his powers in connection with his Local Government, see Public Works Code I.-272.

44767. Your Rs. 10,000 plan would be made by the Executive Engineer?—The Executive Engineer would usually design, and in the case of a road it probably would not mean a mile of work.

44768. But let us say, a Rs. 10,000 house; the plan would be made out probably by the Executive Engineer; would he not be more careful if the responsibility fell upon him alone?—He probably would, but it would be safer not to extend powers too rapidly.

44769. A first grade Executive Engineer may have 20 years' service?—Yes.

44770. And he may have acted as Superintending Engineer occasionally?—Yes.

44771. Would that not make some difference?—But would you give it by grades?

44772. That is one solution.—Anyhow, I would not raise them too suddenly.

44773. Speaking generally, you are not quite satisfied with the efficiency of the department in the provinces?—No.

44774. You think in time we might, and ought to, get better men?—I think we shall get better men now that the pay has been improved.

44775. Has the change in the method of recruiting had anything to do with it?—No. I am speaking quite apart from that; if you had had better pay you would have had better men coming in, either from the open market or from Coopers Hill, attracted by the higher pay and the prospects.

44776. You sent up proposals to the Secretary of State some little time ago about improving the pay of the department?—Yes, and those came back sanctioned.

44777. Entirely?—No; the Secretary of State has cut down the pay lower than we proposed.

44778. Does not that happen every now and then?—This is the first big establishment proposal sent up in my time.

44779. We have had a great many complaints of the Government of India cutting down proposals; but it is not the provinces only who suffer; the Government of India itself has its proposals cut down by the Secretary of State?—In this case we proposed a higher scale than that of the Forest Department; I think Engineers should certainly be paid more than Forest Officers; the Secretary of State cut down the scale to what he sanctioned for the Forest Department.

44780. When was that?—About 1½ years ago.

44781. With regard to the Upper and Lower Subordinate Establishments; would it not be sufficient to be content with the ordinary financial restrictions; apart from those, is it necessary to have any restriction on the Local Government?—I have said before that it is better to have one scale of pay throughout India.

44782. In Eastern Bengal a Public Works Officer assured us that the Government of India not merely fixed the scale for subordinate establishment but fixed the scale for clerks in each Engineer's Office, and that they could not be altered without reference to the Government of India; is that so?—The Public Works Officer was quite wrong. The Local Government could make any alterations in the pay of clerks, subject to the ordinary financial restrictions.

44783. Is there not a system of carrying out minor works by departmental agency? Works

under a certain figure, repairs to buildings, and so on, required by the Police Department, or by the Salt Department, can be done by their own agency and not by the Public Works Department?—Yes.

44784. The general limit is Rs. 2,500?—Yes.

44785. It is Rs. 1,000 only in respect of the police?—It has been raised to Rs. 2,500 recently for police.

44786. It was raised to Rs. 2,500 in most departments about two years ago?—Yes, in all departments.

44787. Would you be in favour of raising it any more?—I do not think so. The Public Works Department ought to be able to carry out works better and more cheaply than an amateur department. It is only for convenience that very small works might be dealt with by them.

44788. As regards the revision of the Public Works Code; I gather that you think it would be a very excellent thing, but you are so short-handed that you cannot do it?—Yes.

44789. But suppose you employed two or three competent officers to do it, and it occupied them several months, would not the saving to all the officers in the department be so great as to justify that expenditure of time and money?—No. The Code as recently published, its 9th Edition, is not so defective that it is desirable to detach officers for the work at the present time. The work might take 18 months.

44790. But if it took even that time, would it not be labour well spent?—Possibly, but we are too short-handed to contemplate it.

44791. In regard to protective works as you say, the amount of money the Government of India have available is limited and has to be distributed all over India, and very often a province has what it considers a promising protective work, but cannot get it into the programme. Supposing such a province had a large cash balance, would there be any objection to their executing the work as an ordinary public work out of revenues?—If a Local Government wanted to carry out a work of a protective nature as a minor work, which it could sanction, there would be no possible objection.

44792. Could they do it?—Yes, provided the expenditure did not exceed 10 lakhs, except in Bombay where Head 43 is a divided head, and in the Punjab, where it is imperial.

44793. They could do it under "43" and you would not ask any questions?—No.

44794. And you would be quite glad if they did, because there would be less demand on your limited resources for protective works?—Yes, it is not only that our protective works sum is very limited, but it is subject to the caprice of famine, because, if it is all required for famine, we have nothing.

44795. (*Chairman.*) Did the Secretary of State when he reduced the suggested pay also reduce the numbers, or did he leave you your numbers?—He demurred to increase in the numbers of Imperial men on the ground that there might possibly be reductions in the railway establishment.

44796. He only reduced the pay?—The pay and numbers of Imperial Officers.

44797**. Why should there be a uniform set of rules laid down by the Government of India with regard to the designs of engineering works? Do not varying conditions in different provinces require more elasticity?—The reference is apparently to the evidence of Mr. Clerk. I find myself unable to understand what he means. He first alluded to "rules regarding the designs of engineering works," and then corrected himself and substituted the words "principles of design." I can scarcely believe that he intended that the same principles of design should not be followed in different parts of India. The latest accepted, the most correct, principles of design should, generally speaking, be followed all over the world. Designs will vary in matters of detail in accordance with the special conditions of climate, labour, and materials available in any locality; but principles are principles, and do not vary." If he refers to rules, the Public Works Department Code only deals with the manner of preparing irrigation projects. I refer to the rules in Volume I. of the Code, paragraphs 862-891. These rules were framed to meet a special need, and they are in no way obstructive. They do not affect the originality of design, but are merely a guide to the preparation of a project in the proper sequence. The necessary data for such projects are indicated, the plans required are specified as well as the scales and notation which should be adopted to make them readily intelligible. The rules are in this way very helpful, especially to those who have not had great experience in the preparation of irrigation projects. Mr. Clerk has not specified any rulings to which he takes exception, and I do not know of any cases in which the Madras Government have suggested that greater latitude should be given to local officers to settle details. In the case of the Appapuram project, the Chief Engineer, Mr. C. A. Smith, commented on the delay caused by the criticisms of the Inspector-General of Irrigation, but the Government of India found, after examination, that these criticisms were justified, and that the project had been greatly improved in consequence of them. It is possible that Mr. Clerk may be referring to similar suggestions for improvement in designs conveyed by the Inspector-General of Irrigation in his inspection notes or special notes on any particular project, but such suggestions cannot be said to be rules laid down by the Government of India. The Inspector-General is a very experienced officer, he has the advantage of inspecting works all over India, and of seeing the designs which best fulfil their requirements, and his advice should be very valuable to local officers.

44798**. As regards the increased delegation of powers which the Government of India suggested in their letter to provincial Governments, would an increase of sanction to a lakh (as proposed by the Government of India) necessitate an increase in the status of draftsmen, &c., and entail much greater expense from provincial funds?—I cannot see that the grant of increased powers to Superintending Engineers as proposed by the Government of India would lead to any increase in the status of office draftsmen, or would entail greater expense from provincial funds. The fact that the Superintending Engineer possessed higher powers of sanction, which would relieve him of the necessity of referring to the Public Works Secretary, would not mean any extra work for him or his office. He would in any case have to spend the same time on the project, which he could not sanction, in order to justify his recommendation for sanction by higher authority.

44799**. At present there are Government of India rules which prevent a Local Government promoting a Lower Subordinate to fill a vacancy in the Upper Subordinate ranks of the Engineering Service, *e.g.*, the Local Government cannot promote a sub-overseer (*i.e.*, Lower Subordinate) to be overseer, supervisor or sub-engineer (*i.e.*, Upper Subordinate). Would it be possible to give full power of appointment in these grades subject to an engineering diploma?—What Mr. Lees, the witness in question, refers to is the past practice. We have, however, recently removed the restrictions complained of. The Burma Government has now full power to promote a Lower, or a temporary, Subordinate to any of the three grades of overseer. They cannot appoint any one straight away above the rank of overseer, but as they make all promotions in the subordinate grades, they practically possess the full power for which the witness asks. We have given the same powers to all Local Governments, with the reservation that Local Governments who draw recruits from Roorki College, viz., the Punjab, United Provinces and the Central Provinces, must not fill up the vacancies in their *cadres* until the Roorki students, who have gained the guaranteed appointments, have been provided for. This reservation is necessary as we guarantee nine appointments of overseer each year to Roorki College, and for these men appointments must be found.

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44800**. Having obtained a contract for two sections, the Burma Port Commissioners asked to be allowed to accept a very favourable offer for the third section of a work, which was said to be urgently required owing to the insufficiency of wharfage. They applied on the 18th January, 1904, to the Government of India for sanction (the cost being £60,000), but the Government of India replied that until arrangements for financing the whole scheme were completed sanction could not be given. Each section was a separate work, and this ruling is said to have delayed the third section a year. Was the delay necessary? —Mr. Buchanan's statement is misleading. Port works aggregating about 40 lakhs of rupees in cost had been sanctioned against a loan of 40 lakhs authorized by the Government of India. Later the Port Commissioners asked for sanction to an estimate amounting to about 11 lakhs of rupees for the extension of a certain wharf, a work which was not included in the scheme to be met from the 40 lakhs loan. In their application the Port Commissioners did not say how it was proposed to meet this additional expenditure, and the Government of India could not see their way to sanctioning it without knowing how the Commissioners proposed to provide the funds. They therefore declined to agree to the work being commenced until the complete project had been approved, and provision made for the whole capital outlay. On resubmission by the Local Government with full information, the Government of India accorded sanction. The delay was unavoidable in consequence of the procedure adopted by the Port Commissioners, and was not due to any unnecessary interference on the part of the Government of India, who have to satisfy themselves that proper arrangements are made by local bodies for financing schemes involving heavy expenditure before they can consent to their execution.

44801**. Can you show in tabular form the powers of sanction of Local Governments and administrations, and of other Public Works authorities in respect of estimates and contracts?—I file a statement.†

44802**. Is it the case that, in consequence of the differentiation of powers of sanctioning estimates by Superintending Engineers between imperial and provincial works, and the necessity therefore of reference to the Government of India in the case of much smaller works than are referred to provincial Governments, the Secretary to the Government of India does himself go into these schemes of minor importance? —The imperial works referred to would be mainly buildings, and in the case of works for which the Government of India provide funds it is desirable that they should be advised by the Secretary to the Government of India in the Public Works Department, who does examine these schemes, and who has the advantage of the assistance of the Consulting Architect to the Government of India. In the case of irrigation projects there is a special officer employed, viz., the Inspector-General of Irrigation, for examining these projects in every detail.

44803**. Do all Engineers have the same individual powers in different provinces?—It is possible and quite probable that all Engineers have not the same individual powers in different provinces, because—

(*i*) In the case of Superintending Engineers the ordinary limit of sanction to works is Rs. 500, and the maximum limit up to which specially selected officers may be empowered to sanction works is Rs. 10,000; and

(*ii*) In the case of Executive Engineers the ordinary limit for all Executives and the maximum limit for specially selected officers are Rs. 200 and Rs. 500 respectively.

If there are differences in the powers of sanction, they would be due to Local Governments not giving the full maximum powers in all cases. I think, however, that the maximum should be given.

44804**. What are the powers of Superintending Engineers in respect of irrigation works—productive and protective? — Superintending Engineers may sanction detailed estimates chargeable to the general estimate, and subsidiary works, of a project for a productive or protective scheme, which has been sanctioned by higher competent authority, up to a limit of Rs. 500; or, in the case of specially selected officers, up to Rs. 10,000, provided the cost is covered by lump sum sanctions in the project estimate.

44805**. Why has the Secretary, Public Works Department, North-West Frontier Province, higher powers than the Chief Commissioner of the province? —The position is as follows: The Chief Commissioner has been empowered by the Government of India to sanction estimates for public works, chargeable to Imperial Civil Works funds, up to a limit of Rs. 20,000, except when such works are connected with frontier defence, which all form part, so to speak, of one large undertaking, which necessarily requires the sanction of the Government of India. In his capacity of Commanding Royal Engineer of the North-West Frontier Province, Colonel Dickie, the Secretary, Public Works Department, has, I believe, the power to *approve* estimates for new *authorized* works chargeable to Military Works up to a limit of Rs. 25,000; and such approval carries with it no authority for expenditure, the rule in the Army Regulations being that no military works shall be commenced until sanction has been accorded and funds allotted by competent authority. As Secretary, Public Works Department, Colonel Dickie has no power in respect of estimates for works chargeable to Civil Works, except such power as may be delegated to him by the Chief Commissioner.

44806**. Why has the Government of India delayed the erection of suitable accommodation for Government offices and officers in Eastern Bengal?—In my reply to a somewhat similar question addressed to me by Sir Steyning Edgerley I quoted one case which came to my mind at the time. I have since looked up the papers in my office, and give below a history of the several cases relating to quarters and office buildings at Dacca which have been referred to the Government of India. I have no remarks to make; the history speaks for itself.

On the 7th August 1905, the Chief Commissioner of Assam submitted to the Government of India proposals involving an expenditure of Rs. 1,85,000 for providing temporary accommodation at Dacca for the Lieutenant-Governor, Secretaries and Heads of Departments of the proposed new province (which was constituted with effect from 16th October 1905). The Government of India sanctioned these proposals in Home Department telegram No. 2738, dated the 19th August 1905, and directed that the works should be proceeded with at once. In its letter No. 2375-B., dated the 8th September 1906, the Local Government reported that the project had been completed at a cost of Rs. 2,29,959.

On the 9th June 1906, the Local Government submitted for the general approval of the Government of India, plans and elevations indicating the style and arrangement of the building proposed to be constructed at Dacca to accommodate the Secretariat and other public offices, including the office of the Accountant-General. On the 5th July 1906, the rough project was returned to the Government of Eastern Bengal and Assam, as the Government of India were unable to approve the plans which were considered to be defective in some respects, and the Local Government was informed that the Government of India would prefer that the design should be prepared by their Consulting Architect. On the 25th July 1906, the Government of Eastern Bengal and Assam replied saying that the Lieutenant-Governor accepted the opinion of the Government of India, and that he would be very glad if a new design were prepared by the Consulting Architect. On the 2nd August 1906, the Consulting Architect was asked unofficially to prepare the design. On the 3rd September 1906, the Consulting Architect informed us unofficially that he had sent rough plans of his proposals for the Secretariat to the Local Government on the 15th August, and was awaiting the Local Government's reply before doing anything further in the matter. This reply was received by the Consulting Architect on the 29th August 1906. On the 4th October 1906, the Consulting Architect sent a photograph of a perspective drawing of his design for the Secretariat to the Local Government who were at the same time informed that the working drawings were in hand.

† *Vide* Appendix VI.

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The Consulting Architect also asked that if any modification of the elevations were desired he might be informed by telegram. It appears from the copy of certain correspondence supplied to the Government of India by the Consulting Architect, that the latter sent a complete set of working drawings to the Local Government on the 12th December 1906 which were acknowledged on the 29th idem. Then between 26th April 1907 and 11th June 1907, certain correspondence passed between the Local Government and the Consulting Architect regarding the design. The Local Government, it appears, did not entirely approve of the plans prepared by the Consulting Architect and suggested certain alterations which the latter was unable to accept. Finally, the Consulting Architect referred the matter to the Government of India on the 7th June 1907. Then between 21st June and 11th July 1907 some demi-official correspondence passed between the Secretary to the Government of India, Public Works Department, and the Secretary to the local Public Works Department, as a result of which the Local Government on the 22nd July 1907 wired acceptance of the Government of India Public Works Secretary's proposal regarding the alteration in the design.

On the 30th November 1907, the Local Government asked for the special permission of the Government of India to start work on the new Secretariat building to be erected at Dacca as regards (i) indenting for steel joists, &c., and (ii) completing the foundations and plinth during the working season, November 1907 to May 1908. On the 3rd January 1908, the Government of India authorized the steel work for the proposed buildings being indented for within moderate limits, as reserve stock; but they could not sanction, as requested by the Local Government, the commencement of the foundation work up to plinth level, in anticipation of sanction to the estimates for the buildings, as the Secretary of State for India, (whose sanction will be necessary, if, as is likely, the cost exceeds 10 lakhs) objects very strongly to his sanction being anticipated. The Local Government was therefore asked to submit complete plans and estimates to the Government of India, and informed that, in submitting the estimates to the Secretary of State, the Government of India would, if necessary, ask for a reply by telegram. (The Secretary of State has also insisted on detailed estimates being prepared before he is asked to sanction any scheme.) In reply to a reminder dated 3rd March 1908, the Local Government stated (on the 12th March 1908) that the estimate for the main building had been received and was being considered, and that the estimates for the subsidiary buildings were expected from the Superintending Engineer early in April. We have not heard anything further from the Local Government.

On the 17th July 1906, the Director-General of Telegraphs submitted for the technical sanction of the Government of India in the Public Works Department detailed plans and estimates amounting to Rs. 1,02,139-9-9 for the construction of a telegraph office building at Dacca (Administrative approval to the construction of the building had been accorded by the Commerce and Industry Department about October or November 1905). The Consulting Architect to the Government of India to whom the plans were referred did not approve of the design. An informal conference was then held between the Secretary, Public Works Department, the Director-General of Telegraphs, and the Consulting Architect on the 13th August 1906. The Director-General of Telegraphs said at that conference that he would like the Consulting Architect to redesign the building, and would prefer some delay to having a building which would never be satisfactory. The Director-General of Telegraphs was requested demi-officially on the 13th August to furnish the Consulting Architect with certain information to help him in designing the building. On 6th September 1906 we returned the plans and estimates originally received from the Director-General of Telegraphs with the remark that the revised plans and estimates, which should be submitted through the local Public Works Department, were awaited. The revised estimates have not been received yet.

On the 12th October, 1906, the Government of Eastern Bengal and Assam referred to the Government of India the question of the provision of accommodation for the Chief Secretary to the Local Government. It was stated that arrangements were being made for the construction of residences for Civil Officers at Dacca, including a residence for the Chief Secretary, and that arrangements had also been made for the acquisition of a house at Shillong for the Chief Secretary. The Local Government was of opinion that as the cost of each house taken separately was within the admissible limit, and that as it was intended to recover the rent due for each house throughout the year, the sanction of the Government of India was not necessary. The case was however referred to the Government of India on the representation of the Examiner that the sanction of the Government of India was necessary. As the Government of India had under consideration the general question of the rent to be charged for officers having more than one head-quarters, the case of the Chief Secretary's quarters was kept pending decision of the general question. On the 25th March, 1907, the Local Government was informed that the Government of India agreed with the Examiner that their sanction was necessary, and it was asked to submit detailed proposals for the consideration of the Government of India. The Local Government replied on the 8th May, 1907, saying that a house had been provided for the Chief Secretary at Shillong, but the Local Government did not submit detailed proposals for the Dacca residence as asked for by the Government of India. The Government of India on the 7th June, 1907, again asked for a detailed estimate for the proposed house at Dacca. On the 27th June, 1907, the Local Government intimated that the detailed plans and estimates had only recently been called for and were awaited, and that when received they would be submitted to the Government of India, if necessary. With reference to this latter communication, we repeated (on the 22nd July, 1907) that the Government of India desired to have full information before them in order to enable them to pass orders on the case. On the 11th October, 1907, we were informed by the Local Government that the detailed plans and estimate for the proposed residence at Dacca were still awaited from the Superintending Engineer, and that they would be submitted to the Government of India, when ready. On the 31st December, 1907, the Government of Eastern Bengal and Assam submitted detailed plans and estimates, etc., for the proposed residence. These were examined in this Department, and the Home and Finance Departments were also consulted. As the Local Government had already expended a large sum of money on the purchase of a house for the Chief Secretary at Shillong, the Government of India were unable to agree to further expenditure being incurred to the extent proposed on providing another house at Dacca, and the Government of Eastern Bengal and Assam were asked on the 21st February, 1908, to reduce the expenditure on the proposed building. (The reduction of expenditure on the residence is a matter of vital interest to the present and future occupants who will be required to pay rent, and the lower the cost, the less the rental.) On the 27th March, 1908, the Local Government resubmitted the plans and estimate, with the remark that the cost could not be reduced, and with the request that the aggregate rent recoverable from *both* houses be limited to 10 per cent. of salary. The case is now under consideration in this Department.

On the 3rd July, 1907, the Government of Eastern Bengal and Assam requested sanction to the construction of residential buildings for the staff of the Arts College and the School of Engineering, Dacca. The Government of India did not approve of the designs of the proposed residences of the principal and some professors which were considered costly, and on the 29th August, 1907, they communicated certain remarks to the Local Government with a view to effecting economy and improving the designs. As, however, it was stated that the quarters for certain Indian professors had already been constructed, the Government of India sanctioned the expenditure incurred on these buildings with the remark that the action of the Local Government in this matter was irregular. It was also suggested that as the Local Government had no Consulting Architect and was short of Public Works Officers, the complete designs for the remaining buildings might be prepared by the Consulting Architect to the Government of India. On the 12th September, 1907, the Local Government replied saying that the work had already been started in anticipation of the sanction of the Government of India, and that the

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buildings being well advanced, the designs could not be modified. The Local Government also expressed regret that this fact was not mentioned in its previous letter. In the circumstances explained above, the Government of India on the 2nd November, 1907, sanctioned the whole expenditure involved, and drew the attention of the Local Government to its irregular action.

On the 8th July, 1907, the Government of Eastern Bengal and Assam requested sanction to the construction of a residence for the Executive Engineer, Dacca Division. It was considered desirable by the Government of India to hold over this case till orders were passed on the quarters for the staff of the Arts College and School of Engineering, Dacca, as the decision on the latter case might affect the case under consideration. On the 9th September, 1907, we asked the Local Government whether it desired to have a design prepared by the Consulting Architect to the Government of India as already suggested by the Government of India in the case of the quarters for the staff of the Arts College, etc., and we added that it was desirable that the cost of the proposed residence should not exceed the 8 per cent. limit permissible under rules. On the 21st September, 1907, the Local Government replied saying that if the Consulting Architect could supply a design fulfilling the conditions set forth in its letter, the Lieutenant-Governor would be glad to receive it. As, however, the Consulting Architect to the Government of India was at the time hard pressed with work, and as the Government of India had to sanction the other Dacca quarters, the work being far advanced, it was decided to leave the work in question to the Local Government. The sanction of the Government of India was accordingly communicated to the Government of Eastern Bengal and Assam on the 22nd October, 1907, to the proposed construction of a residence for the Executive Engineer at Dacca, but certain suggestions were made with the object of assisting the Local Government to keep down the cost of residential buildings in this and similar cases.

On the 29th July, 1907, the Local Government submitted for sanction a proposal for the construction of a residence for the Joint Magistrate at Dacca. This case was held over for the same reason as in the case of the Executive Engineer's quarters, and on the 9th September we asked the Government of Eastern Bengal and Assam as in the above case, if it desired to have the design prepared by the Consulting Architect to the Government of India. On the 24th September, 1907, the Local Government replied in the same terms as in the case of the Executive Engineer's quarters. For the reason stated above, in the case of the Executive Engineer's quarters, it was not considered necessary to entrust the work to the Consulting Architect, and on the 22nd October, 1907, the Government of India communicated sanction to the proposed expenditure on the residence for the Joint Magistrate at Dacca.

On the 16th November, 1907, the Government of Eastern Bengal and Assam requested sanction to the construction of quarters for the Superintendent of Police at Dacca. On the 7th January, 1908, the Government of India sanctioned the proposal of the Local Government, and communicated certain remarks with a view to improving the building.

As already pointed out, provision was made for the Accountant-General's office in the design of the proposed new Secretariat building at Dacca. On the 29th August, 1906, the Local Government asked for the administrative approval of the Government of India to the accommodation for Accountant-General's office being included in the proposed Secretariat building, the work being Imperial. On the 17th October, 1906, the necessary approval was accorded. On the 20th September, 1906, the Local Government asked for sanction to the construction of a residence for the Accountant-General at Dacca. The sanction of the Government of India to the proposal was communicated to the Local Government on the 23rd November, 1906.

(*The witness withdrew.*)

Adjourned.

SIXTY-FIFTH DAY.

SIMLA, *Monday, the 6th April*, 1908.

PRESENT:

C. E. H. HOBHOUSE, ESQ., M.P., Under Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Mr. J. S. MESTON was called and examined.

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44807. (*Chairman.*) You are the Secretary to the Government of India in the Finance Department?—Yes. I file a † memorandum showing the organization of the department.

44808. You are the Head of the office, but the whole of the office is under the control of the Finance Member?—Yes.

44809. You say that the Finance Department deals with all questions of finance, but does it draw to itself from other departments questions which concern not only finance, but administrative matters?—Only in so far as the financial side of the question is concerned. A very large number of administrative cases come before the Financial Department, but we attempt to restrict our examination of them entirely to the pecuniary side.

44810. Is that a possible distinction to draw?—It is not always possible. The administrative element must necessarily enter into one's considerations at times, but, personally, I have always looked upon it as my duty to accept as far as possible the considered views of the Administrative Department on purely administrative questions, and simply to enquire whether or not we can find the money for the schemes proposed.

44811. Do you go into the question of whether the financial proposals of the other Administrative Departments are sound or not?—Yes.

44812. Then you do something more than consider whether you have the ways and means to meet the expenditure which they propose?—Certainly.

44813*. Has the demand for returns and informations from Local Governments increased of recent years? If so, is this due to the requirements of the Secretary of State or to those of the Government of India? Will you kindly give the Commission a list of the periodical returns which your department (*a*) calls for from Provincial Governments, or (*b*) furnishes to the Secretary of State, with a column showing which of these (if any) are in your judgment unnecessary?—The demand for information and returns from the Local Governments by the Finance Department is comparatively small. My impression (though I speak with only 1½ years' experience) is that it has not

† *Vide* Appendix I*d*.

increased, and that the tendency is slightly in the other direction. Special calls for information on large questions, *e.g.*, the enquiry of the recent Excise Committee, involve heavy correspondence at times; but, taking our work as a whole, I think that its increase points rather to the normal and rapid growth of public business in the country, and not to any growing disposition to interfere in the working of Local Governments. The list of periodical returns and reports which is called for in the second part of this question has been compared with the list of returns and reports which were received in 1902. The comparison shows that, during these five years, the number of returns required in the Finance Department has decreased by one; while the number submitted to us by the Secretary of State has increased by one. In itself, this does not prove very much, as the list omits all the fluctuating correspondence regarding budgets and other important branches of our work. But I think it is typical of the tendency. The † list of periodical returns asked for is submitted with a few explanatory remarks. It does not include certain special reports which we procure, at the instance of the Secretary of State and for his information, regarding the arrangements for checking the consumption of opium in Burma. These are probably of a temporary character.

44814. You tell us that the number of references and demands for information, and so forth, from Local Governments has not increased. Have the demands of the Finance Department upon the other departments of the Government of India increased within the last few years?—I do not think so; I can only speak from a personal knowledge of a little over a year and a half, but I certainly think we attempt to worry the other departments as little as possible.

44815. But has the natural, and perhaps the legitimate, demand of the Finance Department upon the proposals made by the other Administrative Departments increased?—It fluctuates to a certain extent. One sometimes finds another department—say the Home Department—in a state of mind to be rather disposed to push through its own schemes than to refer to us, in which case the Finance Department might have to interfere at times and request that that particular class of case might not be disposed of without their concurrence and without their seeing them in future.

44816. In the case of a dispute as to whether a question ought or ought not to be referred to the Finance Department, who is the arbiter?—I do not remember any such case arising. The limits are very clearly laid down in the rules of Secretariat business, and if any question arises as to the interpretation of those rules I should think it would go to the Viceroy-in-Council.

44817. Supposing the Home Department said "This is not a matter which concerns the Finance Department," what is your answer; do you claim at once that the matter is to be determined by the *ipse dixit* of the Finance Member?—I am rather at a disadvantage in never having had such a case; I think our relations are more harmonious than to require such a thing.

44818. Or, perhaps, the influence of the Finance Department has been considered to be as strong that it is hopeless to try?—I wish it were. The invariable practice, however, is that when there is any doubt whether a case from another department should come to the Finance Department, it does come.

44819. We have been told that the Local Governments have power within their budgets to transfer from one sub-head to another any expenditure they like within the total amount sanctioned by the Government of India, but the Government of Bombay have told us that that power of transference is limited to a certain sum; what exactly is the correct state of the case?—The rule is that the Local Government has full power to transfer between one major head and another, and *a fortiori* from any branch of one major head to another, so long as the total provincial allotment is not exceeded—that is, as regards provincial figures.

44820. Can they transfer from a provincial to a divided head?—Yes; the provincial share of a divided head and the purely provincial allotments are regarded as one; that is to say, the total is the criterion. A transfer can be made between the provincial share of a divided allotment and a purely provincial head, or *vice versâ*.

44821. But can the Local Government, within the total amount of their expenditure sanctioned by the Government of India, no matter from what source that income is derived, transfer the expenditure quite freely without any restriction either as to character or amount, from one part of the budget to another?—From one part of the provincial section of the budget to the other, but not from imperial to provincial.

44822. For what reason is that restriction upon them?—The provincial total represents the limit of the Local Governments' spending powers on provincial services, and if they were at liberty to transfer imperial funds to provincial funds, that would simply mean an excess of spending power.

44823. In the case of grants made by the Imperial Government to the Provincial Government for special purposes, such as police or education, is the Provincial Government bound to keep a separate account of the expenditure of that grant?—The practice has varied in that respect; it certainly is not the rule now that they are bound to keep a separate account. The grants given for police reform, for example, are supposed to be spent on police reform, but this department has never asked for any statement showing to what extent the money has been employed for that particular purpose, or to what extent it has gone to other purposes. We know that a large amount of those grants have lapsed into the provincial balances, and have been used for other purposes.

44824. For purposes other than police purposes?—Very probably.

44825. Cannot you say more than "very probably"?—We know that they have not spent the full amount of the grants under the police head.

44826. In the case of a special grant, would that not be regarded as a transference of imperial funds to provincial expenditure?—No, because the money when it is given to the Local Government becomes, for all purposes, provincial; we do not treat it as imperial at all—it is a complete gift.

44827. But in an assignment of revenue from imperial resources to the provincial Government, do you not look upon that, not as a gift, but as an earmarked assignment?—No, we treat it simply as an additional spending power.

44828. What sort of service has a Deputy Secretary, as a rule?—He may be an officer of 12 to 15 years' service.

44829. And an Assistant Secretary?—He is generally an officer on the Enrolled List, and he may be of any standing.

44830. And the Under Secretary?—He would have about eight to ten years' service.

44831. Is there any rule in your department as to the retention of the services of an officer in the Secretariat?—The three years' rule applies to the Secretary, the Deputy Secretary, and the Under Secretary,

44832. That is to say, they may not hold a particular office for more than three years, but they might be moved from Deputy Secretary to Secretary and hold each office continuously for three years?—Yes, that might happen. The three years' rule is a new one; I forget the exact date when it was introduced, but it was in Lord Curzon's time. It has, however, been in force for a long time as regards Under-Secretaries.

44833. Has it been adhered to since?—Yes.

44834. Do you regard it as a good rule?—Yes.

44835. You say that the officer in charge of a section disposes of certain routine or unimportant matters; can you give an example of the sort of matters which he disposes of himself?—Take the case of Deputy Secretary—he deals largely with schemes for expenditure and increase of establishments; suppose a case for increased establishment were to come from another department, he would exercise his power of criticism and make certain suggestions for alterations, and probably send it back to the department without submitting it for the Hon'ble Member's orders.

44836. That is done by a Deputy Secretary with about 14 or 15 years' service?—Yes.

† *Vide* Appendix II*d*.

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44837. Would he settle that matter on behalf of the Finance Department, not merely from the point of view of whether you could find the funds, but whether he thought the pay allotted to the different grades in the establishment was correct?—I referred only to intermediate discussion; the ultimate decision in any case of importance would not rest with him; he would have to submit it.

44838. What sort of cases would he "finally dispose of" himself?—All three of us—the Secretary, the Deputy Secretary, and the Under Secretary, do dispose of comparatively small matters; not very many small matters come up to us fortunately, but all cases which the Deputy Secretary or myself dispose of are tabulated and a short abstract is submitted to the Hon'ble Member for approval through me, so that either he, or I, is able to interfere and call for any case which has been decided finally without his, or my, seeing it.

44839. Do you do that constantly?—No, not constantly, because as a rule the statement gives a clear indication of the nature of the case.

44840. Do you indicate to the other departments of Government concerned that you have had reason to doubt the wisdom of your subordinate's decision, and that you propose to reverse it?—No, we do not wash our dirty linen outside; if an order has issued under my instructions which the Hon'ble Member thinks incorrect, it would simply be revised, without any communication of the reason why; but these cases very rarely occur, and the weekly statement has the effect very often of enabling orders to be stopped before they are issued.

44841. What is the distinction between expenditure which has been put in the budget and expenditure which on the other hand has not been specifically sanctioned; whom does the sanction come from?—There are two stages in regard to schemes of expenditure; there is the administrative sanction and the budget sanction. I use the words somewhat loosely, but the actual provision for the insertion of a scheme in the budget is not, of itself, an authorisation to the Executive Officer concerned to spend that money on that particular scheme.

44842. The inclusion by whom?—By the provincial Government or the Imperial Government, as the case may be. The mere fact that the money stands in the budget is merely an anticipatory provision against the administrative sanction which it is hoped will be given to that scheme afterwards. As a rule we object to inserting schemes in the budget unless there has been administrative sanction, but cases do occur where there has not been time to get administrative sanction and they are occasionally admitted into the budget.

44843. In that particular does not your practice in India differ very largely from the practice in the United Kingdom?—Yes, it does.

44844. Are schemes constantly put forward in the budget either by the Imperial Government or provincial Government which have not been administratively sanctioned?—Yes, very frequently, but we try and avoid that as far as possible.

44845. Is that a good practice?—It is a question of time. If a scheme comes forward towards the end of the year, and it is an elaborate scheme which there is no time to discuss on all sides, but there is a strong *primâ facie* probability that it will be accepted, the Financial Department, either of the provincial or the Imperial Government, may assent to provision being made for it in the budget on the assumption that it will be sanctioned.

44846. Then it has to be criticized either by the provincial Government from the administrative point of view, or by the Imperial Government from the administrative point of view?—Yes.

44847. And by whom is sanction finally supposed to be given?—The final sanction is given by the Administrative Department after formal consultation with the Finance Department.

44848. Of either the provincial or the Imperial Governments?—Yes.

44849. How is that sanction notified?—It is notified through the Finance Department to the authority which has submitted the scheme for approval, and who is thereby authorised to go ahead with the expenditure if the necessary funds have been provided.

44850. Could any extension of this system of expenditure be made?—I have not considered that point, but the existing system works smoothly and well.

44851. I see that there are certain departments as to which exceptions are permitted. Particularly in the Department of Commerce and Industry, the Postal and Telegraph Departments may order expenditure without sanction, if it does not involve an outlay in excess of the budget grants of those departments or a re-appropriation from one major head to another. The Military Supply Department, and, I think, one or two other departments have power to re-appropriate from one major head to another up to 3 lakhs?—Yes.

44852. Could that power of re-appropriation from one major head to another be extended to Heads of Departments in the case of the Postal and Telegraph Departments?—It would not have any practical effect, because the Postal Department is all under one major head; there may be one or two other major heads with which it is connected, such as income-tax payments from its officers, but the amounts affected are very small; for all practical purposes we deal only with one major head.

44853. The Postal and Telegraph Departments are looked upon as one major head?—The Postal Department is one major head, and the Telegraph Department is another major head.

44854. Is there not a certain amount of departmental correspondence which takes place, either official or demi-official?—Yes.

44855. What approximately is the length of time which a matter of any considerable local importance takes in passing through your department on an inter-departmental reference, say from the Home Department or the Military Supply Department?—If it is a matter of any importance or urgency, the Secretary of that department puts it into a box and sends it straight to my room, and I probably note on it within half an hour and submit it to the Hon'ble Member. Of course there are many matters which are not of nearly so much urgency, and which have to wait their turn.

44856. It has been suggested that cases might take sometimes even so long as 6 or 7 months to go through?—I do not think so.

44857. You think that that would be very unlikely?—It is a matter of very rare occurrence. I have in mind a very important case on which the discussion occupied a longer period than that; it was the re-organization of the Public Works Department, but that was an enormously big scheme as to which it was known that the views of the Secretary of State would probably be considerably more moderate than ours, and on which there was a great deal of discussion; but it did not lie in the Finance Department for any length of time at any stage.

44858. But taking the question of the revision of an establishment, how long would that occupy?—If a case of moderate dimensions, it might go through the Finance Department in a week.

44859. How long would it remain in the department which sent it up to you?—I cannot say; it depends largely on whether they had to consult the original proposer of the scheme.

44860*. On what general principles are the present *quasi*-permanent settlements with the provinces based? What was the object in view in making these settlements?—The general principles which underlie the financial settlements made by the Government of India with a Local Government are as follows:—

(*a*) That the Government of India shall retain certain administrative services which it is inexpedient to hand over to provincial Governments, and that they shall reserve the revenue from those services, and such a share of the other public revenues as shall be adequate to the expenditure falling upon them.

(*b*) That the remaining administrative services of the country being entrusted to provincial Governments, each Local Government shall receive an assured income which will be independent of the needs of the Government of India and sufficient for its normal expenditure.

(*c*) That this income shall be given in the form of a defined share of the revenue which the Local Government collects, in order that the Local Government's resources may expand along with the needs of its administration.

(*d*) That, so far as possible, the same share of the chief sources of revenue shall be given to each province, to insure a reasonable equality of treatment.

In pursuance of these principles, the Government of India have undertaken the whole cost of the administration of the following services :—(1) Military and defence. (2) Railways.† (3) Opium. (4) Salt. (5) Customs. (6) Post and Telegraphs. (7) Mint. (8) Political.† (9) Territorial and Political Pensions. (10) Protective Railways and Irrigation. (11) Ecclesiastical. The Government of India also undertake the whole of the Home charges, including the gain or loss in exchange upon Government remittances between England and India ; and they accept complete responsibility for the public debt, although a certain share of the interest on irrigation capital is recovered from Local Governments. Furthermore, they bear the direct cost of famine relief up to a certain stage, under arrangements which will be subsequently described. Finally they make themselves responsible for the cost of all remissions of taxation. To meet these charges the Government of India reserve to themselves virtually the entire revenues from the first eight of the above services, the political revenue consisting only of tributes from certain Native States.

All the other branches of the general administration are, broadly speaking, under the provincial Governments ; and all the other sources of revenue are placed at their disposal, in such measure as is necessary to meet the resulting expenditure. The Local Governments receive one-half of the proceeds from the following main heads of revenue, which are known as "divided heads" :—(1) Land Revenue.‡ (2) Stamps. (3) Excise. (4) Income-Tax. (5) Forest. (6) Forest Irrigation Works. (Madras and Bombay only.)§ They also receive the whole of the remaining public revenues collected within their jurisdiction, except those described above.

In the interests of accuracy it may be pointed out that, in the case of all but one of the divided heads, the Government of India pay the same ratio of the cost of collection as they obtain of the revenues. The exception is Land Revenue, the administration of which is wholly a provincial charge, for the reason that it represents the cost of district administration. The Imperial Government also undertake the charges of direct famine relief under an arrangement by which each Local Government receives an annual credit on the imperial revenues as an insurance against famine. The credits, which are graduated according to the liability of each province to suffer from scarcity, accumulate, subject to a fixed maximum, until famine actually occurs. The cost of the relief measures in each province is then borne by the Government of India up to the amount of the accumulated credit of the province. After this amount has been spent, the further charges are shared half and half by the Imperial and the Local Governments.

Such are the principles and practice of the ordinary provincial settlements. The object of making these settlements *quasi*-permanent was to give the Local Governments a more independent position, and a more substantial and enduring interest in the management of their resources than had previously been possible. Under the previous system, when settlements were revised every five years, it was the practice for the Imperial Government to resume the surplus of the Local Government's revenue over its expenditure. This unfortunate necessity (which it is only just to say was largely the result of severe financial pressure on the Government of India during the years of low exchange) went far to destroy any incentive in a Local Government to economize, as it knew that its reduced standard of expenditure would be the basis for a correspondingly unfavourable settlement at the next revision. All this disappears under the existing system. A Local Government need not fear, in anything except very abnormal circumstances, the resumption of its surplus revenue by the Imperial Government ; it can count upon a reasonable continuity of financial policy ; it will be able to enjoy fully the fruits of its economies, and it will not be hurried into ill-considered proposals in order to raise its apparent standard of expenditure. On the other hand, the Imperial Government improves its relations with the Local Government by avoiding five-yearly controversies over the settlement ; it can calculate its own resources with more confidence and can undertake reductions of taxation or fresh schemes of expenditure with a clearer knowledge of the consequences than was formerly possible.

44861°. Is there any objection to the present settlements being adopted by the Secretary of State under the Statute of 1858 as his allocation of the revenues of India ?—I read this question as alluding to the grants or appropriations of Indian revenues which the Secretary of State, with the concurrence of the majority of his Council, may make under section 41 of the Statute. The point for consideration, as I understand it, is whether the Secretary of State might conveniently give a definite grant to Local Governments of the shares of revenue which have been placed at their disposal under the settlement arrangements now in force, on condition of their maintaining the services entrusted to them under those arrangements. *In limine*, it may be explained that no grant of the revenues to a Local Government can ever be absolutely permanent and final. The expression "*quasi*-permanent" has been deliberately employed in describing the existing settlements. The Local Governments have been warned that a power of revision is reserved "when the variations from the initial relative standards of revenue and expenditure have, over a substantial term of years, been so great as to result in unfairness either to the province itself or to the Government of India, or in the event of the Government of India being confronted with the alternatives of either imposing general taxation or seeking assistance from the provinces."† If our opium trade with China were suddenly cut off, or if our customs tariff were abolished, or if we were called upon to provide a navy of our own, we should have to consider whether Local Governments can be allowed to retain their shares of the revenues now allotted to them. But, as indicated in the above quotation, a revision of the arrangements might become necessary for less sensational reasons than these. Remissions of taxation or expensive reforms (such as those of the police force) are abnormal forms of expenditure which have to be financed as a rule by the Government of India, through the medium of recurring grants to the Local Governments concerned. The aggregate of such grants may reach in time a considerable figure, and the Local Government is thus in the unfavourable position of having a large fixed grant as part of its resources for meeting its growing expenditure. A re-adjustment would ultimately be necessary, such as has recently taken place in the Madras settlement. Minor adjustments are also of frequent occurrence‡ ; and although these do not affect the basis of the settlements, they show that finality would be extremely difficult of attainment, if not impossible.

It would not therefore, in my view, be either practicable or expedient to adopt the present settlement as the foundation for a permanent grant from the revenues of India to Local Governments. If, on the other hand, the allocation were to be merely temporary or provisional, I cannot see what advantage would be

† I need not refer to certain small items of expenditure which are classed under these heads as provincial or local, *e.g.*, District Boards' railways.

‡ The United Provinces and the Punjab, however, receive only ⅗ths of the revenue under this head.

§ The Punjab gets ⅗ths of the revenue under this head. Otherwise the head is wholly imperial in the Central Provinces and Burma, and wholly provincial in Bengal and the United Provinces.

†The quotation is taken from the usual paragraph in the Government of India's letter communicating final orders on the conclusion of a *quasi*-permanent settlement.

‡A recent example occurred in connection with Government printing. The Central Press of the Government of India used formerly to provide provincial presses with type free of charge. It was decided, in the interests of accurate book-keeping, to charge the provincial presses the cost of type thus supplied ; but as this was a service which had not been taken account of in the provincial settlements, the Government of India gave counterbalancing assignments to the Local Governments affected.

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gained. The control of the settlements would be transferred from the Government of India to the Secretary of State. The many incidental modifications of the arrangements in minor points would have to be referred for his orders. He would have to decide the frequent claims for adjustments that arise in consequence of new services made over by the Imperial to the Local Governments and *vice versâ*. And revision, when revision became necessary, would have to be carried out under his orders. In all these matters the Secretary of State would necessarily have to consult the Government of India, whose interests are as vitally concerned as those of the Local Governments. The result would be increased correspondence with the India Office, and increased centralization to an extent which would be retrograde and undesirable.

44862*. Might the North-West Frontier Province be given a provincial settlement?—The view that has hitherto been taken by the Government of India is that it would be premature at present to make a regular financial settlement with the North-West Frontier Province. The province is a new one and has hardly settled down into normal conditions. Moreover, the expenditure of the province is far in excess of the revenue collected within it, and direct control has been considered necessary as a check against possible extravagance. In the absence of a regular settlement, the Chief Commissioner has been invested with certain financial powers analogous to those of the Heads of the larger provinces [Article 278, notes (*iii*) and (*iv*), and Article 282, note (3) of the Civil Account Code]. There is no objection of principle to giving the province a settlement: it is merely a question of whether the time is ripe for taking such a step. The settlement would in any case be on very different lines from the arrangements in the larger provinces, as the revenue and expenditure capable of being assigned to the province are about 40 and 80 lakhs respectively.

44863*. What is the nature of the control exercised by the Government of India over the budgets of provincial Governments? In particular, what is the general character of the alterations in such provincial budget estimates made by the Government of India? Are these made otherwise than in the interests of accurate estimating? As regards the latter point, how far have the alterations made been justified in fact?—The scrutiny of the Government of India over a Local Government's budget is exercised through the medium of what is called the "Budget Notes." When a provincial budget is sent up through the Accountant General, the Local Government's "Civil Estimates," which give full details of the budget figures, are submitted simultaneously. These however are referred to only incidentally in the Financial Department, and for all practical purposes connected with our examination of the figures, the analysis by minor heads contained in the budget note is sufficient. The budget control is thus thoroughly general in its character. Its objects are to ensure—

(*a*) That the estimates approximate as closely as can be calculated to what will probably be the actual figures.

(*b*) That the Local Government does not budget for expenditure which has not received due administrative sanction, and is not likely to be sanctioned in time to be incurred during the year.

(*c*) That the Local Government is not unduly depleting its balances.

The third of these precautions is clearly necessary for the stability of our provincial settlement system. A Local Government cannot be permitted to raise its scale of expenditure without due regard to the revenues assigned to it; the inevitable result would be the breakdown of the settlement, and the saddling of imperial revenues with additional charges. The budget affords the Government of India their only timely opportunity for reviewing the progress of provincial expenditure and for applying the brake if the pace is unduly rapid.

The other two objects which are kept in view when we examine a Local Government's budget cannot be dispensed with, so long as the imperial and provincial finances are combined in our estimates and accounts, or so long as the Government of India are responsible for the ways and means of the whole administration. In nine cases out of ten, the alterations which the Government of India make in the provincial budget are in the direction of more accurate estimating. The power to make such alterations is rendered specially necessary by the inveterate tendency of Local Governments to over-estimate their expenditure and under-estimate their revenue. I file a table† illustrative of the extent to which this tendency exists in every province. Estimates which depart so widely from actuals mean bad finance; they also mean the provision of larger ways and means than are necessary for the working of Government. It is therefore necessary to correct them; and our only mistake has been undue consideration in the past in not enforcing larger corrections.

I believe that, where a Local Government has expressed dissatisfaction with our treatment of its budget, it has done so under the impression that the alterations made by the Government of India in some way impair its powers to spend its own revenues. The curtailment of a Local Government's spending powers, as I have explained above, may sometimes be necessary in order to safeguard the working of our financial settlements. But this is not, in the great majority of cases, the reason for which the Finance Department interferes with a Local Government's budget. Its object is the correction of a forecast, and not the restriction of necessary and approved expenditure; and the belief that the latter result will follow is a misapprehension. For, in the first place, unless the deduction made from any particular budget grant is really excessive—and this has very rarely happened in practice—the reduced grant represents as much as the provincial Government will actually be able to spend during the year, even according to its original programme. Secondly, if towards the end of the year it is found that there is some danger of the expenditure exceeding the reduced grant, the Local Government can exercise its power of re-appropriation from some other budget head. These powers, which are summarized in Article 295 of the Civil Account Code, are ample. Thirdly, if it is found that the expenditure under all the heads taken together is likely to exeeed the total of all the provincial budget grants (and this is a most improbable case), it is always open to the Local Government to apply for an additional grant from provincial revenues, and unless the amount were exceptionally large, this would ordinarily be sanctioned, as a matter of course. Of recent years there has not been a case in which such an application was refused, except on the ground that it was not actually required.

The only way in which these reductions can affect the spending powers of the Local Government would be if the latter had got into the chronic habit of under spending its grants. In that case, when a grant was reduced, the Local Government might apply its defective machinery to the reduced grant, and might under-spend even that. For instance, if a Local Government presented an estimate of 25 lakhs for expenditure on, say, police; and we calculated that it would probably under-spend to the extent of 3 lakhs, we should then reduce the grant to 22 lakhs. It is possible that the Local Government might apply its usual methods to the 22 lakhs and thereby succeed in spending only 20. This is what usually happens, and the Local Governments have the remedy really in their own hands. But in order to make the matter clearer to them, and prevent further misunderstanding, we are about to make a slight change in our procedure, and fresh instructions to the Local Governments have issued accordingly. In future, when we consider that the proposed budget grant, under any head as a whole, is larger than is likely to be spent, we shall make a lump deduction from this amount, as "probable savings," and shall take account only of the net figure in our estimates. But the Local Government will be authorized to operate against the unreduced figure; and audit will proceed against the latter, subject only to the condition that towards the end of the year, if there seems a probability of the reduced figure being exceeded, the Local Government will be required to provide for the excess either by re-appropriation, or in the last resort by applying for sanction to an additional grant.

44864*. Do the provincial Governments, as a matter of fact, have to come up frequently for additions to their expenditure budgets as finally passed by the Government of India?—In answer to this question,

† *Vide* Appendix VII.

I hand in a table† which shows the applications for additional grants that provincial Governments have made during the last five years, including the current financial year up to date. It omits two applications which were recently made by Bombay and the Punjab, and were refused solely on the ground that it was too early in the year to judge whether or not the anticipated expenditure could probably be covered by the ordinary process of re-appropriation. In reality, therefore, there have been only 18 requests for additional expenditure grants during the last five years; and all of these have been sanctioned by the Government of India, though in several cases it was manifest that the extra grants were not actually required. As column 4 of the statement shows, eight of the applications were needless.

44865*. Is it desirable to relax further the control of the Government of India over provincial budgets?—I hope to have already shown that the control of the Government of India over the provincial budgets is neither unreasonable nor onerous; and that its pressure will be still further lightened by the arrangements for discounting lapses which are now being introduced. I have very carefully considered in what way the control might be still further relaxed, and I regret that I cannot put forward any practical proposition. The only concrete suggestions which the Commission appear to have received from Local Governments are:—

(*a*) that a Local Government should be invested with larger powers of re-appropriation;

(*b*) that it should be enabled to spend part of its balances, up to a defined amount, without the sanction of the Government of India; and

(*c*) that longer time should be allowed for the preparation and submission of the provincial budget.

The first of these suggestions is not understood, as Local Governments already possess the unfettered power of transferring allotments from one head of expenditure (whether wholly provincial or divided) to another. The second suggestion, in the form in which it has been put forward by the Government of Madras, simply amounts to this, that a Local Government should have a reserve of expenditure for which it has not budgeted, but which must be kept at its disposal and may or may not be used. Now in the first place, this is contrary to the accepted principles of the budget system. The Government of India is not in the habit of refusing to give a Local Government an extra grant for inevitable expenditure which had not been foreseen. To provide, however, a standing reserve for contingencies that may not arise is a direct incentive to careless estimating, and probably also to extravagance. In the second place, the suggestion is incompatible with the responsibility of the Imperial Government to provide the ways and means for the whole administration of the country. A provincial balance is not a separate fund locked up in a separate provincial chest; it is a part of the general balances on which we operate daily, and which we have to economise to the best of our ability, just as any private business firm economises in its till money or floating cash. To give Local Governments throughout India the facilities which this suggestion implies, would mean a *pro tanto* increase of our cash balances without any corresponding gain. The proposal has been formulated in a somewhat different manner by the Government of Bengal, who suggest that they should have power to increase their budgeted expenditure by the amount that their actual revenue is in excess of their budgeted revenue; in other words, that they should be at liberty to increase their expenditure provided their surplus is maintained at its budget figure. There are not the same objections to this as to the Madras proposal; but in practice I doubt whether the liberty which Bengal asks for would be found of much value. It would be difficult to form any definite assurance of an excess of revenue until a comparatively late period in the year, when new schemes of expenditure could not advantageously be undertaken. Moreover, an understanding of this sort is apt to lead to incorrect estimating; and finally, the Government of India would be unlikely to make any difficulties in allowing a Local Government to spend any windfall which it obtains at a sufficiently early stage of the financial year to be suitably utilized.

† *Vide* Appendix VIII.

The third of these suggestions is referred to in the evidence which the Royal Commission took at Madras. The proposal, as I take it, is that what is known as the first edition of the budget should be dispensed with, and that the Government of India should be satisfied with the submission of the budget figures in the form which is now laid before the Government of India in the middle of February. This would give the Local Government about three weeks longer than it has at present for compiling its estimates. Having had four years' experience in compiling provincial estimates as Financial Secretary to a Local Government, I cannot agree that the present date for the submission of the first edition of the budget figures is seriously inconvenient. There is a considerable pressure of work on the local Secretariat when the compiling is in hand; but I doubt if any advantage would be gained by transferring that pressure from January to February; and I can certify from personal experience that it is in no way comparable with the pressure in the Imperial Secretariat, which would be enhanced by the acceptance of this proposal. On the one hand, the provincial Government, which now sends up its estimates with the knowledge of what the actual figures have been for the first eight months of the current year, would not be likely to modify its proposals in any material degree if it formulated them at the time when the actual figures for nine months were known. On the other hand, it is a great convenience for the Government of India to work through the provincial budgets and to refer back particular points about which it is doubtful, before the budgets of the big spending departments (Public Works, Military, etc.) come into the Secretariat for examination. If the departmental budgets and the provincial budgets all arrived for the first time in a mass at the beginning or middle of February, I do not at present see how it would be practicable to have the Financial Statement presented to Council before the close of the financial year. The proposal does not seem to me likely to afford any appreciable measure of relief to Local Governments or to lead to any decentralization. If it meant any reduction of work in the Government of India Secretariat, I am sure we should all welcome it; but, as at present advised, I am afraid that it would not make things easier either for ourselves or for the provincial Secretariats.

A proposal which has sometimes been discussed for enhancing the liberty of disposal which Local Governments enjoy in regard to their budget allotments is the following. The Local Government would report its estimated expenditure in the gross, without any details showing how the totals were arrived at. The Government of India would pass the provision, with such reductions as were considered necessary, and the Local Government would then be free to distribute the total in any manner it chose. The only care of the Government of India would be to see that the estimate was a probable one, and that it was within the limits of the revenue assigned to the province. The Local Government would be trusted not to budget for a revenue which it knew it could not collect, or for expenditure which was not administratively approved. This is virtually the plan which was followed from 1872 to 1879, but was then abandoned. In the present expansion of provincial finance, and so long as the Government of India are responsible for the whole of the public expenditure to the Secretary of State, I do not think that a revival of the scheme is practicable. It is impossible for a Local Government to frame a correct estimate in the lump. It must be built up from the detailed provisions, and we ought to be in a position to see that these are reasonable. We must incorporate the budgeted expenditure of the provinces on the recognised administrative services in our annual Financial Statement; to show merely the gross outlay on all the services entrusted to Local Governments would not be a sufficient compliance with our duty to the Secretary of State and, through him, to Parliament. From a statistical point of view, it would be a retrograde measure; and it would justly be resented by all who study our Indian administration. If, however, this objection were met by the Local Governments providing us with the constituent figures of their total expenditure by major heads, I hardly think the plan with this modification would be found to differ materially from our present practice. It is true that we examine the major head figures in considerable detail at present; but, as I have shown above, we do

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this almost entirely with a view to satisfy ourselves that the aggregate provincial expenditure is likely to be worked up to. I do not see how it would be possible to satisfy ourselves as to the accuracy of the estimates unless we have an opportunity of examining the main figures which go to compose them, and in practice the Local Governments would not obtain any larger liberty in the handling of their funds under the proposed plan than they have at present.

44866*. Is it desirable to effect a larger separation between imperial and provincial heads of revenue and expenditure? Would it be expedient to keep the revenue heads divided as at present, but to make all expenditure, that is now divided, entirely provincial?—A larger separation between imperial and provincial finance would apparently be effected by some arrangement by which the imperial budget should exhibit only the imperial revenue and expenditure, omitting those of provincial Governments, while the accounts of provincial Governments should either not be shown at all in the Finance and Revenue Accounts, or be shown separately from those of the Government of India. As a mere matter of book-keeping such an arrangement would be possible. But I am unable to see that it would be attended by any advantage whatever, while, unless it were accompanied by, and based upon, a revolutionary change in the fiscal system of the country, it would yield highly misleading results and be productive of serious public inconvenience.

Under the system now in force, the provincial Governments are responsible for practically the whole charges of the civil internal government of the country. In the eight large provinces, which between them comprise 94 per cent. of the whole area of British India, the expenditure has been provincialized to the extent already described. The provincial expenditure amounts in all to about 24½ millions sterling out of a total of about 74½ millions. To publish accounts or estimates which exclude one-third of the total expenditure incurred by Government agency, especially when the items excluded are of so vital a character, would in my judgment be calculated to mislead the public and to give a wholly incorrect idea of the financial position. To get at the true facts, it would be necessary for the observer to combine the two sets of accounts for himself; and I see no reason for imposing this unnecessary inconvenience upon him, or for opening such a door for possible misconception.

Very similar considerations apply to the receipt side of the accounts. The Government of India reserve as wholly imperial a few important heads which are considered to be not well adapted for provincialization, and divide the remainder in the manner already described. If separation were made in the manner apparently contemplated, the effect would be to exhibit the receipts from these great heads of revenue as being approximately only one-half of what they actually are. So long as the provincial Governments derive the major part of their funds, not from separate provincial imposts of their own, but from a share in the proceeds of general taxation, this result could not be wholly avoided, though it might possibly be mitigated by means of "deduct" entries. That, however, is a rather clumsy device, and is not to be recommended without strong reasons.

The present system of financing provincial Governments by means of a share of all the principal heads of revenue (except a few which are unsuited for this arrangement for special reasons) seems clearly preferable to a system by which they would be dependent entirely on the yield of one or two taxes, and have no concern with the remainder. By the former system, the financial interests of the Imperial and provincial Governments are brought as nearly as possible into unison; troublesome difficulties of classification are eliminated, and the financial progress of both proceeds at an equal pace. A still more important consideration is that by broadening the bases of provincial revenue as widely as possible, we make for financial stability. If a province were dependent on only one or two large heads of revenue, its finances would be subject to serious disorganization if these were to undergo a set-back owing to any special or unforeseen cause. For instance, a province, which retained the whole of its land revenue, and received no share of the other principal heads, would be rendered bankrupt by the occurrence of a severe famine, in which the collections would of necessity be largely reduced. Even as it is, though no Local Government retains more than one-half of its land revenue, the Government of India have found it expedient in the most recent settlements to protect the Local Governments against this danger by guaranteeing them a certain minimum figure under this head, and sometimes also under irrigation.

I have already referred to the possibility of a "revolutionary change" in the fiscal system of India. What I had in my mind was an arrangement by which the Imperial Government would retain the whole of the proceeds of the existing heads of revenue or most of them (which in that case would not need to be maintained at their present rates), while the provincial Governments would be empowered to impose independent taxation, each in accordance with its own provincial requirements.†

Such a system is quite conceivable, and in the distant future I should think it not unlikely to rise above the administrative horizon. But in present circumstances, and for many years to come, it could not be regarded without grave apprehension. I will not dwell on the unpopularity of all new taxation merely because it is new, though such considerations are exceptionally weighty in India. The other objections which are most serious are two. In the first place, it is inevitable that taxation of the kind in question must fall chiefly on the land, for the reason that no other interest is large or rich enough to provide the requisite funds. In this case, the provincial Governments would be levying a kind of second land revenue, over and above the land revenue proper, which would be an asset of imperial revenues. In addition to this there would also be levied the district or local rates, also falling on the land. Even though it were arranged that the aggregate of these three imposts should not exceed its present total (and it is doubtful whether such a stipulation could be enforced), to collect two imposts from a single source in place of one would be inconvenient both to the administration and to the taxpayer, and would tend to engender the suspicion that the total burden of taxation was being increased. Our policy should be to consolidate and unify the existing imposts on the land, and not to multiply them. A second and still more powerful objection is that this system would dangerously facilitate the increase of taxation, while making it more difficult to reduce it. The imperial taxes would no doubt be affected; but if Local Governments were empowered and required to provide their own resources, then when any Government alleged that it required larger funds for general or specific purposes, it would be almost impossible in practice for the Imperial Government to assume the responsibility of negativing the proposal. It is a remarkable fact that in present circumstances, almost all Local Governments are at best lukewarm in regard to reduction of taxation even though fully‡ compensated for it, while not infrequently they are actively hostile. The history of the recent abolition of the famine cesses, and the patwari cess, and the reduction of the salt duty, affords significant illustrations of this attitude. It is a common experience, when the Government of India suggests the abolition of some cess or tax raised for a specific purpose, on payment of compensation from imperial funds, to be met by a counter-proposal that the compensation should be paid, but that the tax should be retained and its proceeds made over to the Local Government for expenditure on something else. The explanation of this tendency is not far to seek. Local Governments and their officers are keenly alive to the importance of effecting improvements in the branches of administration entrusted to them: and

† It is, of course, also possible to conceive a combination of this hypothetical system with the present one, *i.e.*, the provincial Governments might retain a share in some or all of the heads that are now divided, and be empowered to impose independent provincial taxation to meet the remainder of their requirements. It is unnecessary to consider this variation in detail.

‡ Perhaps "fully" is a little too strong a word. Our practice has been to compensate Local Government for the full present loss of revenue arising from remission or reduction of taxation, but not for the loss of the future growth of the impost reduced. So long, however, as the provincial settlements are revised from time to time so as to substitute a share of growing revenues for a largely swollen fixed assignment, this objection is removed, or reduced to very small proportions.

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these improvements invariably mean more money. On the other hand, under the present constitution, they are not subject to the safeguards and restraints which operate on a Ministry which is responsible to the House of Commons, and whose existence depends ultimately on the verdict of the taxpayer. Provincial Governments spend the proceeds of their taxes, but they do not pay them, and they are not responsible to those who do. Until a popular element has been introduced into the Indian constitution, and has been invested with effective control over at least some part of the fiscal system, there are grave objections to increasing in any way the existing facilities for imposing provincial taxation.

It is possible that those who advocate further extensions of the present system are not fully aware of the important changes which have been introduced in 1903 and subsequent years. Sir David Barbour when giving evidence before the Welby Commission in 1895 indicated as one of the greatest drawbacks to the arrangements then in force the fact that at the quinquennial revision of the provincial settlement it was the practice of the Government of India to resume all or most of the increase of revenue which had accrued to the Local Government during the expiring settlement. Since 1903, this grave defect has been got rid of. The settlements are now *quasi*-permanent: there will be no periodical revision; and each Local Government will be secured in the permanent enjoyment of its own revenues save in wholly exceptional circumstances. This reform, coupled with the extension of the provincial interest to every appropriate head, the increase of the provincial shares of the divided heads to one-half in practically all cases, and the consequent reduction of the fixed assignments, the introduction of the system of minimum guarantees, and the new arrangements in regard to famine relief, has materially altered the character of the new settlements. I believe that these now rest on a sound basis, and I am unable to suggest any improvement of importance in them. There is no objection of principle to a greater separation between imperial and provincial finance. On the contrary, Sir David Barbour's view that a large province with a population of 50 millions or thereabouts is big enough to possess an independent financial system, must command general assent. But the Government of India have found it impossible to devise any scheme which would not be attended by greater evils than any which now prevail.

The second part of the question contains a suggestion which would present no practical difficulty. The expenditure under the other "divided heads" could be provincialized in the same way as has been done with land revenue. The extra charges thus thrown upon provincial resources would have to be counterbalanced by our giving each province a larger fraction of the revenue under one or more of the "divided heads." This would probably mean that the provincial share in each divided head would not be uniform for all provinces, a result which should be avoided if possible. I would point out, however, that the provincialization of divided heads would not in any way add to the powers of the Local Governments with regard to the expenditure; their powers in the matter of divided heads of expenditure are exactly the same as if the charges were wholly provincial. It is also open to question whether the provincialization of the divided heads of expenditure would always make for efficiency. Take the case of excise. If a Local Government spent more money on preventive establishments, it might obtain a larger revenue. But if it had to bear the whole extra expense, while getting only half the extra revenue, it might hesitate to move in the matter through fear of actually losing over it.

44867*. Might the period for which provincial Governments are permitted to grant loans under the Local Loans Act be extended, and might provincial Governments be given power to sanction loans by local bodies in the local market?—The rule recently laid down regarding the duration of loans made by provincial Governments to local authorities prescribes that a loan for a longer term than 20 years may not be sanctioned without the approval of the Government of India. This somewhat restrains the liberty of Local Governments, who formerly had power to give a loan for a term up to 30 years in "very special cases." The Government of India found reason to believe that this maximum term was gradually becoming the ordinary period for which loans were being sanctioned; and having regard to the striking growth of local indebtedness, they decided to emphasize the undesirability, in the great majority of cases, of going beyond 20 years. It is hardly ever true economy to defer the redemption of a loan for a longer period. In the case of loans from the provincial loan account, it is rarely necessary, as local authorities are not allowed to borrow unless they have an ample margin for the service of their debt. And it is often clearly wrong in view of the duration of the work for which the loan is taken. Local Governments are apt to forget that all these considerations are involved, and to attach undue weight to the wishes of the present generation of tax-payers, who are naturally anxious to defer repayment as long as possible. I think, therefore, that it is quite justifiable to insist on 20 years as the normal maximum, and to make an extension difficult except for the strongest reasons. The Government of India have to find the money for these loans, and they have a right to see that it is not tied up for unduly protracted periods.

The raising of loans by local bodies in the open market has now reached considerable magnitude, and become a matter of more than provincial importance. The main reasons why the Government of India has reserved the power of sanctioning these operations are two-fold:—

(*a*) to secure that the loans do not clash with the Government's own borrowings; and

(*b*) to prevent the loans from being raised on terms which will be found unduly onerous in future.

The first of these points is an essential condition of borrowing by public corporations. The loan market in India is limited in capacity, and the Government of India, as representing the general tax-payer, must claim priority over other public borrowers. To allow a municipality or a Port Trust to skim the market before the Government raises its annual loan would clearly not be in the best interests of the country at large, and Government must have a general power to regulate the times at which, and the conditions on which, a local body call for tenders. I do not see how it would be possible to delegate this power to Local Governments. The selection of the proper moment for floating our annual loan is a matter of considerable delicacy, requiring prompt decision; and it would not be practicable to take Local Governments into our confidence throughout the operations. A suggestion has been made that Local Governments might be left to sanction local loans, on the condition that no issues should be permitted during those months of the year (say, May to September) when the Government of India have a special interest in the market. This would serve our purposes: but it would not be fair to local bodies, and they would strongly resent it.

The second reason why the Government of India wish to control the floating of local loans is in the interest of the borrowing corporations themselves. It is sometimes argued—and Local Governments are apt to press this view—that the local authorities are the best judges of their own interests. Unfortunately, this is not confirmed by many of the actual cases which come up for decision. I may, perhaps, be permitted to give one or two concrete examples—

(1) A Local Government recommended that a Port Trust should be allowed to float a 40-lakh loan, repayable in 44 years, for the acquisition of land. The immediate revenue expected from the property was more than sufficient to meet the charges (sinking fund payments *plus* annual interest) of repaying the loan in 30 years. The Government of India had to overrule the Local Government, and insist upon the shorter term.

(2) Another Local Government asked, on behalf of a Port Trust, for a loan of 1½ lakhs, to be spent on revetting the right bank of a river, and to be repaid in 60 years. The annual charges (4 per cent. interest *plus* sinking fund) would have been Rs. 6,875. The Government of India had to point out that to repay the loan in 30 years would mean only Rs. 9,000 a year; that the Trustees have a surplus income of Rs. 50,000 a year; that they are only at the beginning of their borrowings; and that the shorter term would in the long run be far less onerous.

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(3) A third Local Government wanted a loan of 50 lakhs for another Port Trust, to be spent in buying land, laying railway sidings and building sheds and offices. The term proposed was again 60 years, although the undertaking was to be immediately remunerative, and the life of many of the works was clearly far less than 60 years. Here again the Government of India, in the interests of posterity, had to cut down the term to 30 years.

The fact is that, in nearly all public corporations in India, there is an influential element who are strongly biassed in favour of the reduction of the present rates of taxation, whatever the effect on the future may be. This view, plausibly disguised, is persistently forced upon the Local Government, who are naturally anxious to support local interests; and the result frequently is that the Government of India are the only authority in the position to form a detached and impartial judgment. I think that the existing rules might suitably be relaxed to the extent of letting Local Governments sanction the raising of loans in the open market for amounts not exceeding five lakhs and for terms not exceeding 30 years; but I would not go further.

44868*. Generally speaking, could provincial Governments be given wider powers (*a*) in respect of the creation of appointments and the raising of salaries the cost of which falls wholly or partially upon them; (*b*) in respect to appointments the cost of which falls wholly upon imperial revenues? Could the restrictions upon provincial Governments contained in Article 283 of the Civil Account Code be otherwise lightened?—† In respect of the creation of appointments and the raising of salaries, the cost of which is wholly or partially provincial, the powers of a Local Government are as follows:—

(*a*) It may create a permanent appointment with a pay of *Rs.* 250 *per mensem*.

(*b*) It may raise the pay and allowances of an existing appointment up to *Rs.* 250 *per mensem*.

(*c*) It may sanction a temporary appointment or deputation for *six months*, if the salary is not at a higher rate than Rs. 50,000 a year.

(*d*) It may sanction a temporary appointment or deputation for a longer period, if the salary does not exceed *Rs.* 250 *per mensem*.

(*e*) It may sanction a revision of establishment which involves additional expenditure of *Rs.* 25,000 *a year*.

The limits of these powers are, in the main, the restrictions which were imposed on the Government of India before August 1907, when the Secretary of State agreed to relax them. The powers of the Government of India, as now defined, are expressed ‡ by substituting for the words italicized in clauses (*a*) to (*e*) above the following words:—

(*a*) Rs. 500 per mensem.
(*b*) Rs. 750 per mensem.
(*c*) two years.
(*d*) Rs. 500 per mensem.
(*e*) Rs. 50,000 a year.

The propriety of extending those enhanced powers to Local Governments, with whom provincial settlements have been made, was considered when the Secretary of State's orders arrived: but it was decided to leave the matter to be dealt with by the Royal Commission, as it was recognized that any such extension would be a momentous piece of decentralization. It is now suggested that the powers in clauses (*a*) to (*e*), as enlarged in the manner described, may be conferred on all Local Governments with provincial settlements. This measure of devolution would save a large amount of correspondence, and would give Local Governments a much freer hand than at present in dealing with the establishments which are a charge upon their revenues.

In respect of the creation of appointments and the raising of salaries, the cost of which is wholly imperial, the powers of Local Governments and minor administrations are defined in Article 278 of the Civil Account Code. It is now suggested that the following extended powers may be given in such cases, subject only to the condition that sufficient budget provision exists:—

(*a*) Local Governments (*i.e.*, those having provincial settlements) may revise establishments when any additional expense involved is met either by an equivalent reduction in the same department or in some other department charged to the same major head, provided that the revision does not entail the creation of a new appointment on pay of more than Rs. 500 per mensem, or the raising of the pay and allowances of any existing appointment to more than Rs. 500 per mensem.

(*b*) Minor administrations (*i.e.*, those mentioned in note (iv) under Article 278, Civil Account Code) may exercise the same powers, but with Rs. 100 substituted for Rs. 500.

(*c*) Local Governments and minor administrations may deal with non-gazetted establishments as at present (Article 278 (*a*) (2), Civil Account Code), but with power to create new appointments, or to raise the pay and allowances of existing appointments, up to Rs. 100 per mensem in each case.

(*d*) They may sanction temporary appointments and deputations, subject to budget provision, if the salary *plus* deputation allowance does not exceed Rs. 100 and the duration of the appointment or deputation does not exceed 12 months.

It is also suggested that the quarterly statements prescribed in Article 278 (*b*) need not be submitted.

In respect to the further restrictions embodied in the rules cited in Article 283, Civil Account Code, certain relaxations may now be recommended in connection with services of which the cost is wholly or partly provincial. They are mentioned *seriatim*, with reference to the clauses of paragraph 4 of the Resolution quoted in the article.

Clause (*3*).—This may be modified as suggested above.

Clauses (*4*) *and* (*5*).—These restrictions may be removed.

Clause (*6*).—In lieu of this, it may be laid down that a Local Government before altering the rates of duty on spirits and drugs in a district which borders on another province, should obtain the consent of the neighbouring provincial Government, referring the matter to the Government of India only in the event of the other Local Government disagreeing.

Clause (*8*).—The first sentence of this clause may be cancelled.

Clause (*10*).—This is obsolete and may be withdrawn.

44869*. Have you any other suggestions to make in respect of the rules which now govern salaries, deputation and other allowances, and rewards or honoraria?—† In regard to salaries, the only suggestion I have to make which is not already covered by the preceding answer is a very minor one. Under Article 279A of the Civil Account Code, the disallowance of an Audit Officer in respect of pay and allowances drawn by an officer under its control may be remitted by a Local Government, on certain conditions, in so far as the payments under objection were made more than six months before the date of the audit challenge. If, however, the erroneous payments were made within six months of the date of challenge, they cannot be remitted without the orders of the Government of India. In cases of this latter type, the Government of India almost invariably accept the recommendation of the Local Government; and I think the remission of disallowances might be left to the discretion of

† The reply to this question embodies suggestions which were made to the Finance Department by Mr. Meyer before the Royal Commission assembled, and which the Department is prepared to accept.

‡ This statement requires two minor corrections, with which I have not burdened the text. In the first place, the Government of India may raise an officer's salary to Rs. 750; this is somewhat different from his pay and allowances. In the second place, the powers in clause (*a*) cannot be exercised at all, and those in clause (*b*) can only be partially exercised, in respect of gazetted appointments ordinarily recruited from England.

† Paragraphs 2, 3, 4 and 5 of the reply to this question embody suggestions which were made to the Finance Department by Mr. Meyer before the Royal Commission assembled, and which the department is prepared to accept.

Local Governments, without reference to the date of challenge, provided only—

(*a*) that the erroneous payments were drawn by the payee under a reasonable belief that he was entitled to them ; and

(*b*) that the limitations in provisos (3) and (4) of Article 278A (*a*) are observed.

In regard to deputation allowances, the present limit to the powers of a Local Government is that the allowance may not exceed one-fifth of the deputed officer's salary or Rs. 300 per mensem, whichever is less (Article 81, Civil Service Regulations). This limitation gives rise to a considerable number of references to the Government of India about unimportant cases in which the equity is clear and in which the discretion of the Local Government would never be questioned. It might therefore be suitably laid down that Local Governments may exceed the limit of one-fifth, provided the allowance granted does not amount to more than 50 per cent. of the officer s salary or Rs. 300 a month, whichever is less. For the present it might be advisable to have sanctions under this extended limit reported, upon half-yearly returns, to the Government of India for information and scrutiny.

In regard to allowances to an official who is appointed to a temporary post, the Local Governments have power to give up to 20 per cent. in excess of the officer's ordinary salary, with discretion to relax the rule in cases where the emoluments of the transferred officer do not exceed Rs. 250 a month. While this restriction may reasonably be maintained in the case of appointments of an exceptional character, some larger liberty might be given in the case of temporary appointments of the same category as permanent posts already in existence. In such a case, *e.g.*, if an additional Commissionership or an additional Judgeship is created as a temporary measure, the salary of the officer appointed to the post might with propriety be regulated by the rules which govern acting appointments generally.

In regard to conveyance allowances, the rule in the Civil Service Regulations (Article 1074) lays down that a permanent conveyance or horse allowance may be given to an officer who has a large amount of travelling at, or within, a short distance from his headquarters, for which travelling allowance is inadmissible under the ordinary rules. No such special allowance however may be granted except with the sanction of the Government of India. There is reason to think that the latter restriction is unnecessarily rigid, and that the exercise of the power given by Article 1074 might safely be left to Local Governments who have provincial settlements of their own, subject to a general definition of the conditions on which, and the limits up to which, such allowances are admissible.

In regard to rewards and honoraria granted to an officer from general revenues or from local funds administered by the Government, the existing powers of sanction are as follows :—

Up to Rs. 100, by the Head of the Department.
Up to Rs. 500, by the Local Government.
Up to Rs. 1,000, by the Government of India.
Above Rs. 1,000, by the Secretary of State.

Inasmuch as considerably higher limits in the matter of salaries and allowances are now under consideration, it is suggested that these restrictions might be correspondingly relaxed, the present safeguards as to the circumstances in which rewards are admissible being of course fully maintained. It is submitted, therefore, that the powers of sanction may be enhanced as follows :—

Up to Rs. 250, by the Head of a Provincial Department.
Up to Rs. 500, by the Head of an Imperial Department.
Up to Rs. 1,000, by the Local Government.
Up to Rs. 2,000, by the Government of India.

The circumstances in which an officer may receive fees from a private source or from an independent public body are prescribed in Article 74 of the Civil Service Regulations. In this case the powers of sanction are as follows :—

Up to Rs. 100, by the Head of the Department.
Up to Rs. 500, by the Local Government.
Above Rs. 500, by the Government of India, unless the fees are for the conduct of University examinations.

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It is submitted that these figures may be altered in the following manner :—

Up to Rs. 250, by the Head of a Provincial Department.
Up to Rs. 500, by the Head of an Imperial Department.
Up to Rs. 1,000, by the Local Government.

44870*. Might provincial Governments have more power in the matter of pensions, travelling allowances, leave allowances, grant of free quarters, transfers to foreign service, and sanction of expenditure outside ordinary rules under Article 278 (A) of the Civil Account Code ? As regards pensions, would the grant of powers which it may seem desirable *primâ facie* to give to provincial Governments involve larger delegation by the Secretary of State to the Government of India ?—It will be convenient to combine the answers to both the parts of this question which deal with pensions. I will refer only to certain proposals for increased powers in this respect which have recently been considered by the Finance Department at Mr. Meyer's instance.

(*a*) When an officer with no substantive and permanent appointment acts in an appointment of which the pay is not less than Rs. 100, the ordinary rules allow him only half the pay of the post. But in special cases, with the sanction of the Government of India, the acting emoluments may be raised up to the full pay of the appointment. It is submitted that this special power might be extended to Local Governments, in respect to officers serving under them ; the rule being declared not to apply to barrister appointments (rule 1 of Article 546) or to officiating Law Officers (Article 657). Half pay is rarely sufficient to attract a competent outsider to an acting vacancy ; and the applications of Local Governments for higher emoluments are never vetoed. — Article 144, Civil Service Regulations.

(*b*) The Government of India have power to grant a compassionate allowance to an officer dismissed for misconduct, insolvency or inefficiency, on the conditions that— — Article 353, Civil Service Regulations.

(*i*) the officer was not appointed in England, and that his pay did not exceed Rs. 250 per month ;

(*ii*) the allowance does not exceed $\frac{3}{4}$rds of the pension that would have been admissible if the officer had retired on medical certificate.

It is suggested that the limit of Rs. 250 might suitably be raised by the Secretary of State to Rs. 500 ; and that the powers of the Government of India in this matter might be delegated to Local Governments in respect to officers serving under them. The analogy of the Government of India's powers with regard to new appointments supports these proposals.

(*c*) A pension is not admissible except for permanent service. But, upon such conditions as it may impose in each case, the Government of India may allow temporary service to count for pension if the pension does not exceed Rs. 10 per month. This limit is 28 years old ; and it is now proposed that it might be raised to Rs. 50 per month. It is also suggested that these special powers might be delegated to Local Governments in the cases of pension which are within their powers of sanction. — Article 368, Civil Service Regulations.

(*d*) Interruptions in pensionable service may be condoned up to the limits, and under the conditions, described in Article 422, Civil Service Regulations. It is now suggested that the Secretary of State should allow the authority (whether Government of India or Local Government) who has power to sanction the pension full discretion to condone any interruption in service, however long, and whatever the status of the officer concerned. It will be understood that there is no question of making good any deficiency in pensionable service, but merely of protecting one period of pensionable service from being sacrificed by reason of not being immediately followed by another such — Article 422, Civil Service Regulations.

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period. The references on this subject are numerous and the recommendations made are almost invariably accepted.

Article 434, Civil Service Regulations.

(*e*) The Government of India's sanction is necessary to the grant of a pension to an officer who is discharged in consequence of a change in the nature of the duties of his office. It is suggested that Local Governments might be left to deal with such cases, subject to the observance of the ordinary rules which govern the grant of compensation pensions.

Article 475, Civil Service Regulations.

(*f*) Officers holding the appointments scheduled in Article 475, Civil Service Regulations, may be given by the Government of India an additional pension of Rs. 1,000 a year on certain conditions specified in the same rule. The Local Government is the only possible judge of the case for an extra pension in respect of officers serving under it; and the power to grant the concession might properly be delegated to Local Goverments.

Articles 642 and 643, Civil Service Regulations.

(*g*) In the Public Works, Railways and Telegraph Departments, the Government of India have similar powers to award additional pensions to the officers on the conditions specified in Articles 642 and 643, Civil Service Regulations. It is proposed that those powers be delegated to Local Governments in respect of officers serving under them.

Article 740, Civil Service Regulations.

(*h*) The Government of India may grant a pension not exceeding Rs. 25 per mensem to an officer injured, or to the family of an officer killed, in the execution of his duty. A Local Government may give up to Rs. 10 per mensem. As the Local Government is the best judge of the circumstances, its application for a higher pension in special circumstances is most unlikely to be refused; and to avoid useless correspondence, it is proposed that the Rs. 10 limit be raised to Rs. 25. The Secretary of State might also be moved to enlarge the Government of India's powers to Rs. 100.

Article 743, Civil Service Regulations.

(*i*) In cases which do not fall strictly within the ordinary rules for wound or injury pensions, the Government of India have powers to sanction

(*i*) a gratuity not exceeding Rs. 1,000; or

(*ii*) when injury or death is due to devotion to duty, a pension not exceeding Rs. 25 per month or a gratuity of equivalent amount.

It is proposed that these powers be conferred also on Local Governments in cases where they would be the sanctioning authorities under the ordinary rules.

Article 924 (*b*), Civil Service Regulations.

(*j*) In general, the Government of India have power to grant a Rs. 10 pension or a gratuity of equivalent amount, in cases where no pension is admissible under the rules, provided that the general spirit of the Civil Service Regulations is observed. It is suggested that the Government of India's powers in this respect might be enhanced to Rs. 100, and that Local Governments with provincial settlements may be entrusted with powers up to Rs. 25 in cases of officers paid from provincial or divided heads of expenditure.

Travelling allowances and Leave allowances.—The rules on these subjects are, for nearly all practical purposes, binding alike on the Government of India and on Local Governments. I cannot suggest any further delegation of powers to the latter.

Grant of free quarters.—This, and the kindred matter of house allowances, are questions on which general principles might be laid down, and general limitations imposed; the working of the rules being then entrusted to Local Governments. I cannot at the moment suggest what limitations would be suitable, as the classes of officers concerned and the conditions of their working are so varied; but as in the case of conveyance allowances, the delegation of reasonable powers to Local Governments should present no difficulty.

Transfers to Foreign Service.—The powers of Local Governments in this matter have been considerably expanded recently; and there does not seem any necessity for further delegation.

Extension of Article 278A of the Civil Account Code.—Here also I have no suggestions to make. The large extensions of powers which are being proposed in other directions ought to reduce the necessity for employing this rule, which appears to me to be already sufficiently liberal.

44871*. You have been furnished with schedules or memoranda showing the proposals made by certain provincial Governments in regard to the relaxation of specific restrictions now imposed upon them by law, by rules having the force of law, by imperial codes (such as the Civil Service Regulations), or by executive instructions which they desire to have relaxed. Would you object, so far as your department is affected, to any such proposals, and if so, on what grounds? Can you suggest similar relaxation in any other matters?—I must ask the indulgence of the Commission for more time to answer this question. The proposals made by the five Local Governments whose schedules I have received, are very numerous; some of them are general and far-reaching; and they all require careful examination.

44872*. Is there any ground for the allegation that the interference of the Government of India with provincial schemes of expenditure goes too much into detail?—This is so largely a matter of opinion that the reply must necessarily be general and provisional. We have all been struck by specific instances of interference which have appeared at the time to be unnecessary. On the other hand, comparatively little is heard of the numerous cases, in which interference has been justified and beneficial. Again, the degree of criticism is largely a personal matter: one officer thinks it necessary to correct a Local Government in details which his successor would leave alone on principle, even when he thought the Local Government clearly in the wrong. It is impossible to provide against such variations in temperament, or to standardize the permissible limits of interference. Personally, my opinion is that there has frequently been a straining after completeness and uniformity which were not absolutely essential to efficiency, or even always to economy. I think that in the last few years there has been less of this than there was, and I do not think it is a characteristic of the Finance Department. The granting of *quasi*-permanent financial settlements to Local Governments was one of the largest measures of decentralization for years; and the additional independence and responsibility which it conferred on the provincial Governments have been fully recognized in this department. The control of the Government of India over provincial finance was of necessity rigid and illiberal during the period when the fall in silver paralyzed all financial generosity. Since then, it has been steadily and deliberately relaxed; and I do not think that Local Governments have ground for any serious complaint of a general character.

44873*. Are you satisfied that the Government of India have an agency for the audit of provincial revenue and expenditure which is fully responsible to them and entirely independent of the provincial Government?—The answer to this question is in the affirmative. The Audit Officer in each province is directly responsible to the Government of India, and independent of the executive power of the Local Government, which is bound to receive and forward any objections which he may take to its action.

44874*. Might provincial Governments be empowered to frame rules under sections 5, 8 and 13 of the Opium Act "subject to the general control," instead of "with the previous sanction of" the Governor-General in Council?—The Finance Department fully accepts the propriety of the alteration.

44875*. Is there any objection to permitting provincial Heads of Departments to make reappropriations within budget heads of expenditure administered by them?—The policy of the Government of India in recent years has been to acquiesce in the conferment of these powers on provincial Heads of Departments subject to two general conditions:—

(*i*) that the re-appropriations are made within the same major head; and

(*ii*) that savings under salaries and establishments are not re-appropriated to other classes of expenditure, and *vice versâ*.

The first of these conditions is essential if confusion is to be avoided; the responsibility for budget control

over the major heads must rest with the Local Government. The second condition has an administrative aspect as well, but there are two financial reasons of great importance which underlie it. One reason is that in our budgets no separate provision is made for leave allowances paid in India, and these allowances are ordinarily met out of savings in the budget allotments for salaries. As the charges for leave allowances are very unequally distributed among the different branches of the Service, it is essential that the central authority of the province should have a free hand in utilizing any lapses in the grants for salaries and establishments. The other reason is that the Local Government ought to have at its unfettered disposal a certain section of the savings in its provincial budget as a reserve against excess expenditure or special calls upon its purse. The practice—in some provinces at least—has been to earmark informally the net savings under salaries in this manner; and it is a distinct administrative convenience that this procedure should be maintained. Subject to the stipulations mentioned, the delegation of the power of re-appropriation in favour of their Heads of Departments (including Commissioners) might reasonably be left to the discretion of Local Governments.

44876*. How far, speaking generally, would you be prepared to allow the delegation of specific financial powers now vested in provincial Governments to Heads of Departments and Commissioners, especially as regards the grant of minor pensions, the creation of temporary and permanent appointments, and decisions in questions relating to travelling and other allowances?—Broadly speaking, the view hitherto taken by the Government of India has been that Local Governments should not be given any general power of delegating to subordinate authorities the powers which they themselves have received by specific delegation. It has been regarded as preferable that the matters in regard to which the devolution of a Local Government's powers is permissible should be scheduled, after due consideration of the arguments in each case. Heads of Departments are stars of varying magnitude, and it is difficult to indicate any general principles which should regulate the delegation of powers to them. As a general rule, it does not appear expedient that they should exercise the authority of a Local Government except in regard to non-gazetted officers under their direct administrative control; and even this general condition will require further limitations with reference to the status of the different departments concerned. The Government of India have recently sanctioned very numerous instances of devolution of authority to Departmental Heads in several provinces; and much still remains to be done. As regards the specific points for delegation which are covered by the latter part of this question, I may, perhaps, be permitted to refer to paragraphs 11 to 50 of the "Note on certain sections in the Civil Service Regulations" drawn up by Mr. Meyer for the Royal Commission. The suggestions embodied in these paragraphs, although there has not been time to examine them fully in this department, proceed on the general lines which the department has followed in dealing with proposals for decentralization as between Local Governments and the authorities subordinate to them.

44877*. Would there be any objection to Commissioners being given divisional budgets, within which, subject to the general control of the provincial Government, they might pass expenditure on Public Works establishments, &c.?—I am not quite clear how far it is contemplated that the divisional budget should extend. The Commissioner has a general surveillance over the operations of a number of departments in his division; and it is difficult to suggest any means by which he could share the financial responsibility for their working, which vests primarily in the Heads of the respective Departments. If, however, the intention is to give the Commissioner certain powers of sanctioning establishment and contingent charges within his division, there is no objection that I can see to his having a corresponding power of allotting the necessary funds from a divisional budget.

44878. (*Mr. Meyer.*) As regards the Secretariat appointments, is it not exceedingly rare, that an Under Secretary moves straight up to Deputy Secretary, and a Deputy Secretary straight up to Secretary?—Yes, very uncommon.

44879. Is it not absolutely exceptional?—It is very rare.

44880. So that usually an officer would hold his appointment as Under Secretary for three years or so and then go out and, later on possibly, come back as Deputy Secretary?—Yes.

44881. And similarly with regard to the Deputy Secretary and Secretary?—Yes.

44882. As regards Secretariat cases, may it be said generally that, outside a very big scheme, such a one as you have mentioned, where there is delay in any case it is because it has to go to more than one department, and it may come back more than once to the Finance Department before it is settled?—Yes, that would be a case of frequent reference to the Finance Department; I described only the case of a single reference.

44883. Have not the Administrative Departments of the Government of India, for convenience, been given certain financial powers?—Yes.

44884. Practically speaking, the same powers as a provincial Government?—In respect of their own expenditure, yes.

44885. With an exception relating to the *personnel* of their own Secretariat establishments here?—That is so.

44886. As regards the inclusion of non-sanctioned schemes in the budget, the strict rule in the Civil Account Code is that no scheme shall appear in the budget until it has been administratively sanctioned?—It is.

44887. Still, as a matter of convenience, you would allow a scheme to pass if it had been under discussion, and it appeared to you to be within measurable distance of being sanctioned?—That is so.

44888. Suppose a Local Government sent in its budget and said, "We propose to split up a district, or to revise the pay of our clerical establishment; we have not yet thought the matter out, still we have put down say five lakhs;" would you accept that?—That would be almost inevitably struck out.

44889. You give reasons against the suggestion that the terms of the financial settlements with provincial Governments should receive the sanction of the Secretary of State and should not be altered without his permission; you mention the difficulties that that would give rise to. In this connection, has not the Secretary of State of late years shown a greater tendency to interfere with the powers of the Government of India as regards the provincial settlements than previously?—He has revived, in a recent case, a power which he had previously enunciated some years ago and which had not been used in the interval. That was a decision, by, I think, Lord George Hamilton, that any revision of a provincial settlement which involved a large transfer to provincial sources of revenue which had previously been imperial, should be submitted for his consideration. In pursuance of that decision, the Secretary of State has recently called for a further examination of the settlement which we have just made with the United Provinces.

44890. Not only that, but in 1903 was it not laid down that the Government of India could not allot funds to Local Governments for the purpose of compensating them for loss of revenue consequent on remission of taxation, without reference to the India Office?—There were a series of restrictions laid down at that time.

44891. Also that they could not give large grants for administrative reforms, and that they could not, in fact, give a province any large money grant, save for the purpose of restoring a depleted provincial balance or maintaining the normal expenditure in case of some special calamity such as famine?—That is so; those were the orders of 1903.

44892. If this proposal that was put to you was adopted, and any modification of the settlements with Local Governments rested with the Secretary of State, is there any probability that the Secretary of State would look more favourably on increasing the resources of the provincial Governments than the Government of India has hitherto done?—It may be a mistake—but it is the prevailing impression here—that grants to Local Governments are scrutinized much more carefully than is altogether necessary.

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44893. To sum up then, if any alteration in the provincial settlements rested with the Secretary of State, not only would there be the inconvenience that you have described in the case of minor adjustments and so forth, but in all probability the last state of the Local Governments would be worse than the first?—I am inclined to think it would be.

44894. In regard to the question of a financial settlement with the North-West Frontier Province; you say that the Chief Commissioner has got considerable powers with regard to appointments under the present arrangements. Are not his powers confined to the relatively small powers allowed to an ordinary provincial Government in respect of imperial expenditure, *plus* provincial expenditure powers only in cases where additional expenditure is covered by a reduction of permanent expenditure in other establishments?—That is the rule.

44895. So that really he is a good deal worse off than if he had a provincial settlement?—Yes; that is to say, he is worse off than if his figures were classified as provincial figures.

44896. The Agent to the Governor-General in Baluchistan complained that his budget estimates were cut about by the Comptroller of India Treasuries, and that he never had a chance of seeing them again; is that quite right?—I think the complaint is a reasonable one, and after the manner in which the Baluchistan estimates were rushed this year, I propose to take up the question of having them prepared in the form of a regular budget note in the future.

44897. So that, as in the case of any other province, the Agent to the Governor-General will see what is cut, and will be able to show cause against it?—He will have two opportunities of examining our corrections. I ought to say that nothing has been done in that respect yet.

44898. But you can and will do it; it is a simple matter?—I propose to take the matter up at once.

44899. In regard to the request which some Local Governments have made that they should be allowed to re-appropriate from balances without reference to the Government of India, you have indicated the objections, but the chief is that it would affect ways and means?—That is the main reason.

44900. It has been suggested to us by one Local Government (Madras, I think) that to save time they might do it within a small amount. That would have to be laid down, but we will put it provisionally at 5 lakhs; that is to say, that as long as their minimum balance was not drawn upon, they could allot from balance to additional expenditure up to 5 lakhs without reference to you, the argument being that that would not be of sufficient importance to disturb the ways and means estimates; what would you say to that?—That argument is not an unreasonable one. If you limit the reserve, so to speak, to 5 lakhs for a province we could probably arrange, without any convenience, to face a maximum excess of 40 lakhs for the eight big provinces. The only remark I would make is that, as a rule, the Local Governments, except in bad years like the present, have always got much larger spending powers than they actually use, and that if they know how to re-appropriate they should never have any difficulty in re-appropriating even as much as 5 lakhs from other service heads.

44901. As a matter of fact, such power of allotment would really be unnecessary?—I think it would be unnecessary; it might, however, be a useful concession to sentiment.

44902. Still, if it pleased the provincial Governments, it would not do any harm?—I do not think it would do any harm, because it would usually be covered by savings.

44903. Then with reference to the proposal of the Madras Government that they should not send up the budget notes at the present date but in the middle of February, you give very strong reasons against that. There is another point, perhaps, that you have not taken into account. The first edition figures may require you to go up to the Secretary of State for modification of proposals previously made for the disposal of an anticipated surplus?—That is so.

44904. And of course it is most desirable that the Secretary of State's sanction to such alterations should be obtained as quickly as possible?—Very desirable.

44905. It would be a grave inconvenience if you had to wait till the middle of February before you could address him and say that you were not able to remit as many taxes as you had previously proposed, or that you had a larger surplus than you thought you would have and proposed to remit more?—It might have the effect of preventing the Financial Statement from being presented within the financial year.

44906. As regards the borrowing powers of Local Governments, you see no necessity for Local Governments to borrow in the open market?—Certainly not.

44907. Would you be inclined to let them take loans from the Government of India?—Within reason, that would be a suitable arrangement; the loans ought to be strictly limited.

44908. They might on occasion be granted loans by the Government of India, for what sort of purposes?—First of all, it should be restricted to non-productive expenditure; and secondly, to expenditure of that class which the Local Government is unable to meet from its current revenues for the year, but which it could meet if the expenditure were spread over a certain number of years.

44909. Of course, if you had a big loan of that sort it would *pro tanto* diminish the power of the Government of India to carry out their productive Public Works?—Yes. I should object to big loans also on the ground that they embarrass the Local Government's successors.

44910. And you might have *ad misericordiam* pleas for remission?—Quite so.

44911. Take Article 278 of the Civil Account Code. That allows Local Governments to sanction special non-recurring charges up to certain limits, Rs. 1,000 for provincial expenditure, and Rs. 500 for imperial, if they are not covered by ordinary rule, but do not involve the setting aside of a rule. We have been told that in practice that condition is so severely applied by the Accountant-General that the power becomes nugatory; is that the case?—I have heard no complaints. My own recollection of cases in a province does not altogether agree with that, but it may be the case with individual Accountants-General.

44912. You object to the raising of these limits; why?—I should object to the raising of the sums if the Commission sees its way to support the various relaxations in other directions which have been suggested. A dispensory power of that class is inevitably necessary when you have got very rigid rules, but when the rules become slacker, I do not think there is any necessity to raise the dispensing powers.

44913. To meet the possible objection about the Accountant-General, might the challenge of the Accountant-General be limited to cases in which payments are repeated from one year to another or are in direct variance with existing rules?—Would that differ very much from the existing system?

44914. Not in spirit perhaps, but the wording might possibly be amended.—I should have no objection to amending the wording.

44915. Did not the orders contained in the Civil Service Regulations originate at a period in which the Local Governments had practically no financial powers?—Yes.

44916. And the other day the Local Governments had only a five years' lease of their revenues under the provincial contract system?—Yes.

44917. Have not these *quasi*-permanent settlements now materially changed the situation as regards this detailed control?—I think they have, if we have a full assurance that the settlements are *quasi*-permanent.

44918. Why do you doubt the permanency of the settlements?—One sees certain Governments, one Local Government in particular, with which *quasi*-permanent settlements of a reasonable nature were recently made, spending at such a rate now that it seems almost inevitable that it will come up very shortly for a complete revision of the settlement. Of course, all uncontrolled increase of spending powers rather endangers the boundaries of a settlement.

44919. Could you not meet that, if necessary, by raising the minimum balance, or by requiring the Local Government not to exceed its current revenues by more than a certain amount every year?—Yes, that could be done.

44920. Do you still consider that the Government of India must issue general rules laying down the principles of travelling allowance and conveyance allowance and leave, and other matters with which the Civil Service Regulations deal?—Generally speaking, certainly.

44921. For instance, the amount of acting allowance, that it should be two-thirds of the difference between the permanent salary of the man's previous post and that of the one in which he is acting?—Quite so.

44922. But is not a large part of the Civil Service Regulations devoted to specific exemptions or applications of these rules with which the Government of India has to deal, and consequently the Local Governments have to come up to them?—Yes.

44923. In such cases, speaking generally, might the powers of the Government of India be delegated to the Local Governments in respect of Services which they pay for wholly or in part; would there be any objection to their framing detailed rules of their own? Of course, there might be particular exceptions where such a general rule of delegation would not apply.—I should be very glad to see a liberal view of that nature taken.

44924. Following that, might not the Civil Service Regulations be made more general in their character, the Government of India laying down principles and their general application, and departure from these in special cases being within the discretion of the Local Government provided it was financially interested, as long as such departures, in the opinion of the Accountant-General, referred only to legitimate or special exemptions, and were not of such a large or recurring character as really to fritter away the general rule?—I think that would follow. It is also very essential in the interests of audit that, if the Civil Service Regulations or the imperial code is restricted to general principles, it should be fully supplemented by provincial codes. I can imagine nothing more disastrous, from the accounts point of view, than uncertainty in these matters.

44925. It has been suggested to us by some people that in case of exceptions from general rules the Local Government might overrule the Accountant-General and leave it to the Government of India, on perusal of the Local Government proceedings, to intervene; would you be in favour of that?—I should entirely dissent from that view. My reason is that audit is audit; I would much rather see rules made liberal and relaxed within all reasonable limits, than any power given to the authority who was audited to overrule the Auditor.

44926. Would that be better than to leave the Accountant-General some discretionary power of challenge?—Yes. He has that power at present within narrow limits, and of course his tendency is to rigidity; but, on the whole, that is a good tendency.

44927. We have had complaints of the meticulous character of a number of the existing rules in the Civil Account Code, and the large amount of trouble and correspondence they throw on District Officers and their superiors; in addition to the two volumes of the Civil Account Code, there are also, apparently, Treasury Manuals in the various provinces. Would it be possible to have a relatively simple code embodying the restrictions necessary from the point of view of imperial finance, and making it clear that in regard to other matters, such for instance as the authority that has to countersign duplicate bills and the extent to which duplicate and triplicate copies of accounts are necessary, the power shall rest with the Local Government on the advice of the Accountant-General?—The proposal is a new one to me; and I can only answer in a general way. But I certainly think that the Civil Account Code has become unduly swollen and unduly minute, and that a great deal could be done in the direction which the question indicates. The rules of treasury procedure would have to stand, as well as matters affecting imperial finance. But much of the petty detail about contingent charges, etc., might go.

44928. (*Sir Steyning Edgerley.*) As to your answer that you entirely dissent from the grant of power to overrule an Audit Officer. The principle that an Auditor should be entirely independent from the authority he audits is one that will receive general acceptance, but, as a matter of fact, the Government of India, in reference to its control by the Secretary of State, has exactly the power from which you dissent so strongly on principle?—Of course, there must be some final authority which decides whether the audit objection is right or wrong.

44929. The suggestion that we have had from the provinces upon this particular point is rather this; that if the Audit Officer objects, as he is bound to do under the rule, and if it is a trifling case which the Local Government knows from its experience will be pretty sure to go through, they might dispose of the matter and include it in a monthly return which should be sent up to the Government of India, practically extending the principle now admitted as between the Secretary of State and the Government of India to the case of the Government of India and a Local Government?—But you do not get rid of the objection that the authority whose accounts are being audited takes the law into its own hands.

44930. Subject to control, because he reports at once or within a reasonable time?—Yes, I do not like the idea; it would be better to leave things as they are.

44931. But you have already got the arrangement yourselves?—I do not think that that states the case precisely. If an Audit Officer could not accept our ruling, we should almost invariably submit the case to the Secretary of State for decision.

44932. You require a statement of counterfeit coin from the Local Governments; the Home Department requires a similar return; Local Governments have also to send a similar return to the mint. Are these three returns all necessary; why should not one return suffice?—I do not think the separate report to the mint is altogether necessary. The Home Department return is required for detective purposes. Ours is required more for currency purposes.

44933. Would not the Home Department return serve your purpose quite well if they sent you a copy?—I have not examined the matter; I will look into it.

44934. Then as to the return of "Recoveries in India of the cost of Privy Council appeals"; is the only reason you want that because it has been asked for by the Secretary of State?—That is the only reason.

44935. If he would agree to abolish it you would see no objection?—Not at all.

44936. Similarly as to the statement of settlement appointments sanctioned by Local Governments and the Government of India?—I should be glad to see that dispensed with by the Secretary of State.

44937. Why do you want a statement of cases of opium smuggling?—Opium is a very valuable source of revenue. Smuggling, especially between provinces, reached a high standard of efficiency at one time, and it was considered absolutely necessary to watch it.

44938. But is the Finance Department of the Government of India very capable of watching the details of opium smuggling?—It affects us as far as our revenue is concerned.

44939. But take salt, stamps or excise, offences all affecting your revenue, but you do not get returns as to those?—No, we do not.

44940. Why do you single out this one head?—I really do not know the history of this statement; but I will have it looked into.

44941. Two other departments tell us that you require returns from them which have to be eventually obtained from Local Governments. The Public Works Department tell us that you require from them an estimate of income-tax recoveries and an estimate of exchange compensation recoveries. Do you still want these?—I should not think so.

44942. The Revenue and Agriculture Department tell us that you require from them, and through them from Local Governments, provincial returns of all alienated lands, under the rules of 1872, and all assignments of land revenue. Such grants are permanent expenditure in one form or another, but there are plenty of forms of permanent expenditure by provincial Governments within their powers as to which you do not require returns. The whole of that question is being gone into now, and I have no doubt that this point will come up in connection with the enquiry.

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44943. You say that under sub-heads 8 "Political" and 9 "Territorial and Political Pensions" that the Government of India have undertaken the whole cost of administration, while reserving eventually the whole revenue under sub-head 8. In the Bombay Presidency, which, I think, has most Native States to deal with, while reserving the revenue of the Bombay Agencies as imperial, you have provincialized the whole of the expenditure?—Yes.

44944. There is a great difficulty about responsibility for famine expenditure; might not the provincialization of the revenue possibly help to settle that question in the Bombay Agencies—not Baroda?—That may be.

44945. Then in the next item, "Territorial and Political Pensions," the Aden pensions, which come to about half a lakh, are of course imperial, but the rest of the item is practically a charge on the land revenue, which comes to about Rs. 5,29,000, and it is really a provincial liability if you are to have a thorough logical application of your principles?—I do not think they are classified under this particular head of account.

44946. Then, as regards the possibility of the Secretary of State adopting the present provincial financial settlements as his allocation of the revenues of India, I understand you to say that under this recent reassertion of authority by the Secretary of State and under his orders of 1903, you really cannot alter the *quasi*-permanent settlements to any great extent without going to the Secretary of State?—Any revision of the settlements which involves a large addition to provincial resources requires the Secretary of State's sanction.

44947. Do you think the contrary is not the case? Could you without his sanction largely decrease the provincial resources?—I am not sure. We had a case the other day in which the Madras settlement was readjusted; it was called a revision, but it was really a readjustment, giving them different shares in the divided heads, but not giving them any larger net resources. In that case we have reported the matter to the Secretary of State; but we understand that his specific sanction is not required.

44948. Your surplus in 1906-07 was 1½ millions; what surplus did you budget for?—£874,100.

44949. In 1907-08 you are about half a million out?—Short of our estimate, yes.

44950. In an agricultural country, might not famine, and in any country plague, disorganize any budget?—Yes.

44951. And after all, the budget is only the best guess you can make at a given stage of information as to what your revenue is going to be?—It is the most careful approximation that we can make of our revenue and expenditure.

44952. What should you say that in an ordinary year, with neither plague nor famine, is a permissible margin of error in a budget? Would you say 3 per cent.?—Two per cent. I should say, as an outside limit.

44953. When famine or influences of that sort upsets your budget, it does not necessarily prove "bad finance"?—Not necessarily.

44954. When alterations are made in the provincial budgets between January the 20th and March the 8th or 9th, is your alteration submitted to the Member in charge of your department, or is it made by the Secretary?—On a matter of importance it is submitted; my practice has been, during the two budgets that I have been connected with, to submit any matter of importance to the Hon'ble Member; minor matters I keep to myself.

44955. Before the alteration goes back to the Local Government, it is an alteration by the Government of India and not merely by the Secretary of the Finance Department?—I should hesitate to say that. The discussion which takes place on the budget notes is a departmental discussion.

44956. I suppose the time from the 20th January to the budget time is a period of very great stress in your department?—Yes.

44957. As regards the third cause for which you alter the budget; do you think that any Local Government can really destroy itself, so to speak, in a single year? You say "The budget affords the Government of India their only timely opportunity for reviewing the progress of provincial expenditure and for applying the brake if the progress is unduly rapid." Have you really got time to fully consider the case of a Local Government in those two months?—It is the only opportunity one has for a bird's-eye view of their financial prospects generally.

44958. But ought you to stop them then, or wait until you hear what they have to say?—The Government of India has laid down definite instructions, for example, that a provincial Government must retain a certain closing balance; if that closing balance is endangered it is reasonable to insist on reductions to maintain it.

44959. But it might be spending so fast as to deplete its balance long before it actually trenches on its minimum budget?—That may occur of course.

44960. Would you then stop them at the budget time on the ground that they are unduly depleting their balances?—If there was a danger of their going below the minimum they ought to be stopped.

44961. But without that danger?—Not necessarily. I would point out however that it is the duty of a Local Government to give intimation in advance of any intention to budget for large expenditure out of its balances.

44962. Do you really think you can give adequate attention to the case which a provincial Government may have for special temporary expenditure in that time of stress? I suggest that you ought to note that they are going too fast, and wait till April or May, when you could discuss it with them.— The result would be, in the meantime, that they had obtained the spending power.

44963. For one year only. Do they not deserve the consideration of a full hearing before you stop them on that ground?—But they have it; the suggested corrections in the budget go to them twice; they have two opportunities of explaining their figures.

44964. But do you suggest that you have time to consider their case in that short period of stress of budget preparation?—We have the broad figures to go upon which indicate the pace at which they are going; we know exactly what their review and expenditure is; I do not know that any further consideration would improve the position.

44965. You do not think that you might learn exceptional circumstances which you ought to know?—Those exceptional circumstances are almost inevitably explained on the budget notes.

44966. And you have time to consider them?—They are very fully considered.

44967. Do you not think that the feeling that they are not perhaps fully considered—cannot possibly be fully considered in that time—is part of the reason for the dissatisfaction to which you refer?—No; my experience is that this particular form of dissatisfaction has been based on a misapprehension as to the intentions of our reductions.

44968. Do you not think that a cause outside those you have mentioned is that the Local Governments feel that they do not get a sufficient hearing on a point of that sort?—I should be very sorry if that was the case; as Secretary to a Local Government, I cannot remember ever having that feeling.

44969. I do not say that you are entirely responsible for it, but would you not say that the system of these reductions tends to promote "the chronic habit of underspending grants"?—I think that if deductions are cut too fine, they certainly have that effect.

44970. Reading the last sentence of your answer to the question as to the nature of the control exercised by the Government of India over provincial budgets, with what you have already told us and with your answer to the question whether provincial Governments have frequently to apply for additions to their expenditure budgets as passed—that there is generally much more money in a provincial budget than they expect—why is it necessary for the Local Government to come up and apply for special sanction for an additional grant, in the event of their going within their own budget but beyond the provision left by your reductions? My suggestion is that you have got their revised estimates in January, which show you how, as they think, the year is to close; at the end of

the year you get an annual statement as to excess expenditure for formal sanction; why do you want this special outside sanction?—It is a budget principle: your audit would be impossible unless you had a grant to audit against; otherwise the excess expenditure would be held under objection by the Accountant General. Our sanction removes that.

44971. But would it not be possible to give them, in cases where it is necessary (you say it is scarcely ever necessary), liberty to run up to their own uncorrected budget figure before they had to apply?—That would be an overspending.

44972. It would be an overspending which would be covered by the return of excess expenditure in the previous financial year?—Quite so, but then the sanctioned budget figure is the lower figure; that appears in both the imperial and the provincial budgets, and the Auditor General works against that.

44973. You say that you are unable to make any suggestion or to put forward any practicable proposition for further relaxation of budget control. Do you see any real objection apart from possibly some (I hope not insuperable) difficulty in audit, to allowing the two budgets to run side by side?—I am afraid I do not understand the suggestion.

44974. The Local Government makes its budget and sends it to you on the 20th January in full detail; you use it in full to make your own budget in March. The suggestion is that you use your own budget for ways and means and for all your own purposes, but that as regards the provincial budget, you do not modify that, but leave it as it stands?—You mean you would leave their uncorrected figures as representing their power of expenditure? Then the result would be that we should have two sets of figures, our figures against which the auditor would audit, and the provincial figure against which the Local Government might be continually overspending the true sanctioned allotment.

44975. That is the objection, but so far as the revenue side is concerned it would make no difference whatever, because the Local Governments do not touch that revenue?—No.

44976. As regards the expenditure side, it would probably amount to three or four items out of the whole?—Very probably.

44977. So far as the adjustment is concerned, your audit might continue as at present?—I am afraid the result would be considerable confusion, and it would be very hard on the Account Department to have to say precisely what particular figures they were dealing with at any particular time. We have given a power, so to speak, of allotment under certain major heads, and it is possible it may be extended to other heads, but the over allotment in accordance with ordinary principles is conditioned by the necessity of covering any excess of expenditure above the budget figure by savings.

44978. Up to the present moment that has never been considered?—No, it is a new thing; it was only begun about a month ago.

44979. As regards ways and means, taking two or three Local Government budgets if there was an excess on the one, and a deficiency on the other, might it not adjust itself?—Yes, that might be done.

44980. (*Sir Frederic Lely.*) Are we to understand that the alterations made by the Government of India in the principal Government budgets are confined to the considerations mentioned in your answer as regards the nature of the control exercised by the Government of India over provincial budgets?—Yes, that was my intention.

44981. Are alterations never made for reasons of policy; for instance if the Government of India considers that more should be spent on this and less on that, is that taken as a reason for making alterations?—That would not be done on a review of the budget.

44982. Is there not a distinct objection to the present system by which a provincial budget goes up to the Government of India in the middle of January, and from that date until the time of its final sanction the provincial Government has not a voice in the matter at all?—But the provincial Government has two opportunities of seeing any corrections that the Government of India may have made; the first edition of the budget is returned to the Accountant General by the end of January or early in February, and the Accountant General then consults the Local Government as regards any changes that have been made in the figures, and as regards objections they have to make, and any re-adjustments they want; they have the notes in February, and that operation is repeated again in the second edition, so that the Local Government has two opportunities for questioning any corrections we may suggest.

44983. Supposing the budget is prepared and is sent up in January, and at the same time suppose it is laid before the Local Legislative Council, and as the result of discussions thereon, or as the result of other considerations, the Local Government wishes to alter some of the items, to reduce some and increase others, or introduce new ones, can it write and say so to the Supreme Government? Would those proposals be accepted?—I think so. We had an occasion this year in which the Bombay Government found difficulty with regard to certain reductions under two service heads, but, as an alternative to our restoring the reduction, asked that an equivalent spending power should be added in the Public Works Department for particular purposes, and that was at once accepted.

44984. Was that after the budget had been submitted?—That was after the first edition of the budget came to us, and after the Local Government had seen the corrections we had made in the first edition.

44985. As a matter of fact, it would be a little more inconvenient to you, to make such an alteration, than it would be to make the alteration on the receipt of the month's estimates?—We often make corrections right up to the 10th March.

44986. With regard to the *quasi*-permanent settlement for Bengal, was allowance made in that settlement for the non-progressiveness of the permanent land revenue?—Yes; that was a feature which was carefully considered.

44987. As to the proposal to cast all the expenditure on divided heads upon the Local Government, you have mentioned one or two considerations which are adverse to that proposal, but I understand that, on the whole, you have no special objection to it?—I did not express any special objection, but I think there are objections. The question, as I understand it, is whether all expenditure could not advantageously be made provincial. The proposal is that the Imperial Government should still continue to share certain heads of revenue, but that its share of those heads should be smaller than at present, and that, in compensation, the Local Government should undertake the whole of the expenditure in the province on provincial services. There seem to me to be two substantial objections to this. In the first place the Government of India would become simply a partner in the Local Government's profits without taking any share in its burdens, and this might place it in an invidious position: the Imperial Government might find itself exposed to the reproach of carrying off a share of the provincial revenue without displaying any corresponding interest in the provincial needs. Of course that objection may be regarded as more sentimental than real, but it is of considerable importance if the Government of India is to protect itself against the accusation of exacting toll from the Local Government. The second objection is the serious difficulty which might occur with regard to increased expenditure upon services the revenue of which is shared between the Imperial and Local Governments. A Local Government might not unnaturally be reluctant to incur heavy expenditure on reforms, such as excise reforms or reforms in forest administration, if it were only to obtain a fraction of the revenue resulting from those reforms, and in fact there might be a direct loss to the Local Government. The point of that difficulty is, it seems to me, that you open a very large door to friction between the two authorities. There is no such opening at present, because if the Government of India bears any increased expenditure in improving the efficiency of a Service from which the revenue is divided that is justified by the fact that they undertake a share in the burden. Then on the other hand, I have not been able to find any sort of counterbalancing advantage in the proposed arrangement, and it would not, for any practical

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purposes, improve the position of the Local Government in the matter of sanctioning establishments. It would increase the dead-weight of expenditure on them, and the increase in the provincial share of revenue would increase the risk of dislocation of provincial revenues in time of famine or the like.

44988. Would it not give the Local Governments to a certain extent a more independent position?—I hardly think so. I think they would become more dependent in bad times on the Government of India than at present.

44989. With regard to the division of the financial burden between local funds and provincial funds, has not the tendency been in recent days to impose too many responsibilities on Local Boards without giving them sufficient funds to meet them?—I quite agree; Local Boards in many provinces—I do not say all—have been very much curtailed in their financial independence, and I should like to see that matter remedied.

44990. The evidence before us is that there is very little popular interest taken in Local Boards, one reason being that they were starved, and that they were called upon to do work without having the money to pay for it?—That is a reasonable grievance, but I do not think it is the only one.

44991. It is not the only one, but it is said that there is not enough money for village demands, because most of it is swallowed up by Government Departments, such as the Medical Department, the Veterinary Department, and the Education Department, and so on?—Yes.

44992. Would you, as a matter of general policy, be inclined to meet that by relieving Local Boards of certain of their responsibilities or by giving them a larger assignment of revenue?—Personally speaking, I should like to see the Local Boards given much larger responsibilities and revenues to meet them.

44993. Local Governments give them grants for specific purposes as it is, but do not these grants vary from year to year in many cases?—Yes; Local Governments give them special grants for special works frequently, and they also give them general assignments to supplement their defective revenues.

44994. Would you approve of giving those grants on a staple basis and making them lump assignments, on the analogy of the settlement made by the Government of India with the provincial Governments?—Precisely; I should like to see District Boards (speaking with personal experience of only one province—the United Provinces) placed on a semi-contractual relation with the provincial Government, receiving either the rates or a definite share of the revenue, also the miscellaneous receipts which they at present enjoy, tolls, ferries and the like; and if necessary having their revenues supplemented by fixed assignments from provincial funds. I should like to see that arrangement made in the form, to begin with, of a quinquennial settlement.

44995. You mention that you would restrict the loans by the Government of India to Local Governments to non-productive objects—what is your reason for that?—The programme of productive expenditure ought to remain in the hands of the Government of India. It must be met from loan funds, and the Government of India is the authority in the best position to raise the necessary money, and also they are in the best position to discriminate between the schemes which are productive and those which are not.

44996. Would that not also apply to non-productive works?—As far as possible a Government does not raise loans for non-productive schemes; the expenditure on irrigation works, however, in certain provinces is wholly provincial, while in others it is partly provincial, and loans for such irrigation works are in effect provincial loans, inasmuch as the provincial Governments pay the interest on them.

44997. When you speak of the striking growth of local indebtedness, may be you do not consider that in itself an evil, if the indebtedness is fully represented by valuable assets?—No; I do not think so.

44998. In fact, is it too much to say that borrowing is an essential to rapid progress?—In all countries, I think, that is the rule.

44999. You say, very truly, that the Government of India in the matter of such loans are in a position to form a detached and impartial judgment; is not their judgment also sometimes inappreciative of local difficulties?—I think they attempt to weigh all the considerations which are placed before them as a rule.

45000. Let me take a concrete case which often occurs. A municipal town is in want of a water-supply and a drainage scheme, the two things running hand in hand, and one without the other doing, perhaps, as much, or more, harm than good. Suppose the estimated cost of each work is 10 lakhs, and the municipality can afford an instalment for repayment of capital of say Rs. 50,000 per annum out of its current revenue; then suppose for the water works they have saved a couple of lakhs, which leaves them 8 lakhs to provide. To raise that 8 lakhs by loan for 20 years it will cost them in round figures Rs. 40,000 a year, which practically absorbs the whole of their savings year by year. For 50 years the instalment would be only Rs. 20,000, leaving them free to begin with the drainage, so that really the difference between the two periods means that for the 20 years' period the town has to go without drainage, which is an absolute necessity of public health for practically a whole generation?—I fancy what would happen in such a case would be that the loan would be consolidated, and the whole amount taken up at once.

45001. Then they would be absolutely unable to meet the charges on a consolidated loan for 20 years?—Yes, that might be so; that frequently happens.

45002. That is a difficult position; is it not of daily occurrence?—Yes, it very frequently happens.

45003. And sanction to a municipality to raise a loan under such circumstances for 20 years would be absolutely useless?—I do not think the Government of India would show any pedantic insistence on 20 years in a case of that sort; cases of that sort have frequently occurred, and in the case of the city of Benares a 60 years' loan was granted, simply because the municipality was quite unable to meet the charges in a shorter period.

45004. Does it not come to this that the Government of India will make a relaxation of that sort which it will not trust a Local Government to do?—It is not a cast iron rule at all.

45005. You propose to confine Local Governments within exceedingly narrow limits—not more then five lakhs and not more than 30 years; would you be prepared to raise these limits?—This was my suggestion for minor relaxations in the case of very small works where a reference to the Government of India might be found vexatious, but I do not think I could advise any wider relaxation of the general rule which we have now laid down, and which really has been framed in the best interests of the local bodies themselves. Local Governments have in the past shown a certain amount of readiness to meet the wishes of local bodies as regards the duration of their loans, and local bodies invariably, as a matter of experience, are certain to overdate them. We have had cases in which a local body wanted to raise money for a productive work, the revenue from which was sufficient to meet the charges on a 30 years loan, but the Local Government in sending up the case advised a 60 years loan. That was clearly a case of the Local Government showing a certain amount of good humoured compliance with the wishes of the local body, and if the proposal had been sanctioned it would have been a serious burden upon the successors of the local body.

45006. Is the fact that one Local Government in one case happened to be over-lenient any reason for strictly limiting the powers of all Local Governments?—I have enumerated three cases with regard to three separate Local Governments, and my experience is not restricted to the instances which I have given; they are by no means exhaustive.

45007. (*Mr. Meyer.*) With reference to the illustration given by Sir Frederick Lely as to a municipality desiring to start a drainage and a water scheme simultaneously and not having the means to meet the loan charges within a period of 20 or 30 years—in such a case would not the Local Government contribute as a rule, either by a lump grant or by bearing part of the charge?—Yes, a Local Government has frequently done so.

45008. (*Mr. Dutt.*) You speak* of the functions of the Inspector-General of Excise and Salt, the first being to keep the Government of India informed with regard to matters relating to excise and salt, but is that not the duty of the Local Government?—Yes; it is.

45009. Then, as Inspector-General of Excise and Salt, he has no special duty?—Yes, I think so. The explanations of Local Governments to the Government of India with regard to excise and salt, confined as they may be to annual reports, are necessarily general, and very often somewhat vague and uninforming in their character, whereas we hope to get from the Inspector-General a much more detailed and personal knowledge of the points involved.

45010. But where such information was required, could not the Imperial Government ask for it directly from the Local Governments?—Yes that could be done; that would be an official reference.

45011. Then the second function which you refer to is furnishing Local Governments in the provincial departments with advice and information; generally speaking, may I not take it that the Local Governments would be *primâ facie* better acquainted with the facts regarding their own provinces than an Inspector-General, who is not very often there?—That may be so.

45012. A third function, to which you refer, is the bringing of the experience of one province to bear upon the conditions of another, but might that not be done by provincial conferences?—Yes, within measure I suppose it could.

45013. It has been suggested, therefore, by certain Local Governments that really, so far as they are concerned, the appointment of an Inspector-General of Excise and Salt has been of no use to them at all; what do you say as to that?—It is a little unreasonable for them to make that statement at so early a stage, because it is quite a new appointment.

45014. The words used were that the utility of the appointment was not quite evident?—Then we hope it will be evident within a very short time.

45015. Then it is your opinion that it is an appointment which is required?—I think so, and I think it will justify itself very soon.

45016. And after the excise matters have been settled and orders passed on the report of the Excise Commission, will this appointment be still necessary to look after the excise arrangements in all the provinces?—Yes, I think that will be found to be the case.

45017. At any rate you think it is too early to judge or to give any opinion as to the utility, or otherwise, of this appointment?—Yes; I think so.

45018. Is that your opinion from the experience which you have gained up to date?—Yes.

45019. But it is liable to modification, and it is possible you might change your opinion, after you have seen the result of the work of the officer in question?—Yes.

45020. With regard to salt, you say* that in Madras, Bombay, Bengal, Eastern Bengal, and Assam and Burma, the salt revenue is subject to the control of the Government of India, and then you refer to the different arrangement with regard to the northern portion of India: is salt largely manufactured in the United Provinces?—No.

45021. Therefore could not the United Provinces be taken away from the second category and added to the other category; is there any reason for keeping the United Provinces under the control of the Northern India Salt Revenue Department?—The whole of the area under the jurisdiction of the Northern India Salt Revenue Commissioner is served by certain specific salt sources which are under his control, and the United Provinces is one of the provinces so served; it has no resources of its own beyond the small amount of ground saltpetre which is made, which is negligible, and the idea always has been to retain under one control those Northern India sources and the areas which they feed.

45022. Do the United Provinces get only about three-eighths of the land revenue and the other provinces one-half?—Yes.

45023. Is there any reason for making that distinction?—No; the only reason is that we have to equate the revenue and expenditure. We might have given those provinces half the land revenue and a smaller share of some other heads. But it has been a matter of practice based on expediency to equalise the shares as far as possible on all the major heads which are divided, and to throw any adjusting difference on the land revenue.

45024. If land revenue is made a wholly provincial head instead of a divided head of revenue, would it not be more difficult for the Government of India than it is now to introduce such reforms in the land revenue administration as would affect the revenue?—That is to say, to control the settlements?

45025. Or to make such rules as have recently been made for remissions in times of scarcity and famine?—It would be more difficult.

45026. Therefore, in the absence of any popular influence over the land revenue administration, is the control of the Government of India desirable and necessary?—I certainly agree that it should be retained.

45027. You refer to the remission of certain taxes; was that remission made entirely at the instance of the Government of India or at the suggestion of the provincial Governments?—I speak under correction, because I was not in office at any of those times, but I do not recollect any of those cases in which the initiative did not come from the Imperial Government.

45028. And you are generally opposed under present circumstances to giving provincial Governments the power of imposing new taxation?—I do not think the time is ripe for that.

45029. And the time will not be ripe until a popular element has been introduced into the Indian constitution?—No.

45030. You say that Local Governments always possess unfettered power to transfer allotments from one head of expenditure to another whether wholly provincial or divided?—Yes.

45031. Sometimes the provincial budget is discussed in the provincial Council after the imperial budget has been passed, and if, in consequence of that discussion in the provincial Council, the provincial Government thinks it desirable to make certain alterations and to transfer some allotment from one head of expenditure to another, I suppose they are perfectly free to do so?—Quite. The budget figures would of course remain; but the Local Government could reappropriate from one head to another with entire freedom.

45032. So that the passing of the imperial budget before the debate takes place in the provincial Council does not prevent a provincial Government from making any alteration if they think it necessary to do so in consequence of those debates?—No, so long as they do not alter the total allotment.

45033. The Secretary of State has recently increased the powers of the Government of India with regard to the creation of appointments; you propose to bestow the same increased power on provincial Governments?—Yes.

45034. Is it your opinion that this discretion is always likely to be used as wisely by a Local Government, especially if it is a one-man Government, as by the Imperial Government?—I do not think we should question the judgment of the Local Government in a matter of that sort.

45035. Is not a greater degree of pressure and personal influence brought to bear on a Local Government than can possibly be brought to bear on the Imperial Government?—Yes, I suppose that is true, but of course one hopes that a Local Government would do what is reasonable.

45036. Is the creation of these appointments up to Rs. 500 very frequent?—No, I do not think it is of very frequent occurrence.

45037. So that by keeping this control you only require the Local Government occasionally to come up to the Government of India for sanction?—Yes, when the limits exceed those which are now proposed.

45038. The correspondence necessitated by this is not very large?—It is very considerable. We prepared a list of the correspondence when this matter was under discussion.

* *Vide* Appendix I*d*.

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45039. Is the correspondence so large, and the work so heavy, that it is absolutely necessary to delegate these increased powers to Local Governments?—I do not think the work is very burdensome, but still it is very considerable, and this is a measure of decentralization which seems to me to be reasonable.

45040. You say that, as a rule, it does not appear expedient that the Departmental Heads should exercise the authority of a Local Government in regard to Gazetted Officers under their direct administrative control?—Yes.

45041. I suppose all members of Provincial Services are Gazetted Officers?—Yes.

45042. And orders as to their appointment, transfer, and promotion should therefore, according to that rule, be passed by provincial Governments, and not by the Heads of Departments?—Broadly speaking, I do not see why certain powers of transfer should not, even in the case of Gazetted Officers, be delegated to Commissioners of divisions.

45043. (*Chairman.*) Can you tell us when the Government of India made the recent order sanctioning devolution to Departmental Heads?—There were a number of cases which came up in 1904, principally from the Bombay Presidency, in connection with the devolution of pension powers and powers as to leave, and it was to that mainly I referred.

45044. (*Mr. Dutt.*) Generally, would you be in favour of making over to District Boards the proceeds of all cesses on land which are now levied with the land revenue?—Yes; the proceeds of all cesses which are levied for District Board purposes.

45045. I am speaking of all cesses on land which are now levied with the land revenue, including, for instance, the Public Works Cess in Bengal?—Yes; I should, certainly. There are certain exceptions. For instance, some relics of the cess for the payment of village services; I do not know that it would be expedient to hand those over to the District Boards, but the district cesses proper should be handed over to them.

45046. There is also a proposal to empower District Boards themselves to impose cesses, as I think they have done in Madras, in order to be able to guarantee local works like feeder lines of railway; that would necessitate a District Board imposing a cess over and above the cess which the Government imposes on the same district and with regard to the same land: are you generally in favour of that procedure?—No; personally I am not. The cess levied in Madras for railway purposes is an isolated case. There was some discussion as to the propriety of extending it to other provinces, and, if I remember rightly, the proposal was vetoed with the concurrence of the Secretary of State; but if you want my personal opinion, I do not want to lay any more burden on the land.

45047. (*Mr. Hichens.*) In regard to the budget, do you only alter the provincial figures either in the interest of accurate estimating, or if they happen to have infringed the rules?—Yes.

45048. As an example of how the rules might be infringed, you said supposing they budgeted for a large scheme which had not been administratively sanctioned, it might probably be cut out. In that case would that appear as a probable saving under the new arrangement?—No; that would be cut out definitely, as outside the scope of the scheme.

45049. Is it reasonable to prohibit a Local Government from budgeting for something which they think they can carry out, merely because it has not been administratively sanctioned?—No; and in proof of that we do allow them to budget for schemes which have not been administratively sanctioned.

45050. You gave us an example, that if they did budget for a large scheme of that sort, it would be cut out. Would you cut it out if there was reason to suppose that the scheme would be administratively sanctioned, or would come up for administrative sanction, before the end of the year?—A great deal depends on the stage which the scheme has reached. Let me give an example: One province in connection with this year's budget provided a large amount for taking over all the secondary schools in districts; we ascertained that the proposals to this effect, which would require the sanction of the Secretary of State, had not yet reached the Government of India. We consulted the Home Department, who were administratively concerned, and they said that the matter would take a considerable time to discuss. We also regarded the financial position of the Local Government, and we ultimately decided to cut the whole thing out. Subsequently the Local Government reported that, in ignorance of the fact that the sanction of the Secretary of State was necessary, it had actually made the transfer, and we restored the provision.

45051. Then you would not delete an item unless you were, humanly speaking, perfectly certain that the administrative sanction could not be obtained before the end of the year?—That it could not come in time to let the matter begin.

45052. (*Chairman.*) "Begin," but not to be completed?—To let the full amount of expenditure be utilized, I should say.

45053. (*Mr. Hichens.*) But, in the last instance, you would allow a certain sum for the portion of the year in which it could be utilized?—Yes; that very frequently happens.

45054. In the interests of accurate estimating, from time to time, you modify the figures of expenditure and put a lump sum at the end of each major head as probable savings?—That is done with a certain number of major heads at present.

45055. The provincial Government is allowed to spend up to its own figure?—Yes.

45056. But if it does so happen that towards the end of the year they find that they have exceeded the reduced head, they have to come up for purely formal sanction, which will never be refused?—Not necessarily; they may re-appropriate from savings on other heads; if they are not able to do that they would, as a last resort, have to come up for formal sanction.

45057. At any rate, is it not a purely formal thing, practically, if a provincial Government does have to come up for sanction?—I do not think we should refuse it.

45058. You could not refuse it?—No.

45059. And they need not come up till well on in the year, and until it is perfectly certain that sanction will be required?—As a rule, they would not come up till quite late in the year.

45060. What is the authority of the provincial Governments to spend money?—The budget is sanctioned by the Government of India.

45061. And, therefore, they cannot spend money except within the lump sanction by the Government of India?—Yes, within the limit of the budget.

45062. And if they exceed that, it is obvious that additional sanction must be given?—Yes.

45063. Mr. Meyer alluded to the point that the Secretary of State scrutinized very carefully any proposals that the Government of India might make for giving fresh settlements to Local Governments. Is it the case that the Secretary of State has cut down the proposals of the Government of India in regard to fresh grants or in regard to settlements?—I do not remember any case in regard to settlements; there are cases in which he has objected to grants which the Government of India proposed to make to Local Governments.

45064. Can you give us those cases?—I can give two or three cases; but none in which the Secretary of State finally refused to sanction a grant which we strongly advocated.

45065. Generally speaking, has it happened more than once or twice?—It is a rare occurrence.

45066. You gave your reasons why you thought it would be undesirable to abolish the divided heads of expenditure. As a fact, is the control of the provincial Government over the divided heads precisely the same as the provincial heads of expenditure?—The administrative control within budget limits is the same.

45067. Is there any difference as regards their control?—As regards Imperial charges, they are subject to certain restrictions laid down in Article 278, Civil Account Code.

45068. I refer to where you say: "I would point out, however, that the provincialization of divided heads would not in any way add to the powers of the

Local Governments with regard to the expenditure; their power in the matter of divided heads of expenditure are exactly the same as if the charges were wholly provincial"?—That is to say, their administrative powers in regard to spending the money.

45069. But the Government of India exercise more influence when the heads are divided than when they are not divided?—Not only that, but they undertake more liability.

45070. You gave as an objection that the local authorities might increase the expenditure under those heads supposing they were provincial heads, thereby increasing the revenue, yet they would only get half of the increase?—That is one phase of it, but not the one that presented itself to me. The difficulty I suggested was that if expenditure with regard to a non-divided head were forced upon a provincial Government by the Government of India, and the Local Government obtained only half the profits that followed from that expenditure, it might be a grievance.

45071. How far could that be got over in regard to divided heads by first of all deducting the expenditure from the revenue and then dividing the net revenue only?—Would not the result be just the same? We do not show, except in the purely Commercial Departments, net figures in our budgets; we show revenue and expenditure; and I take it your suggestion would be to show only net revenue, and to divide that. The result would be precisely the same as at present, and it would be misleading, because you would obscure the expenditure which had been actually made.

45072. I understood you to allude to the extravagance of a certain provincial Government or Governments?—Yes; I referred to one particular Government which is rapidly spending its balance, more rapidly than others; I should not call it extravagance.

45073. In the matter of financial stability is not continuity of government of considerable importance? Yes; continuity is always important.

45074. Would you say, that you had as much stability in a provincial Government, as there is in a Crown Colony?—My own impression is that the continuity is considerable and is reasonable, but I am not quite aware of the limits of the question; is it a perfectly general question as to the whole administrative power?

45075. It was a purely general question as to whether the continuity was as great in the case of a provincial Government here as it is in the case of a Crown Colony.—I should think it was very similar; I do not think there is much reason to discriminate. It is broken to some extent, in the case of the Local Government by the Head of the province being changed at intervals; but I presume that in a Crown Colony the tenure of officers in charge of large departments may also have limits. Of course there is this distinction, that in a Crown Colony you have an Executive Council of which the members, taken as a whole, are not removed once every 5 years, and to that extent it probably might be said there is a greater continuity than there is in a Lieutenant-Governorship, but that is very much on the surface, because underneath it you have the permanent establishment which deals with, and controls, all matters of detail, and it is just as continuous in a Lieutenant-Governorship as anywhere else.

45076. May I take it, normally speaking, that the establishment would exercise a very strong influence on the actions of the Government or the Lieutenant-Governor of the day?—In matters of detail certainly.

45077. At any rate the continuity would be quite sufficient to justify a substantial delegation of powers?—I think so.

45078. With regard to the question of financial delegation, do I understand that you are prepared to adopt the principle that the Government of India might lay down general principles with regard to such a matter as travelling allowances, and that the Local Government might be empowered to amplify them by separate regulations of their own?—Yes.

45079. How far should the principles of the Government of India be really general in regard to, say, travelling allowances?—The question put to me by Mr. Meyer was one which I have never examined in detail and I should not like to specify any particular principles, but there would be no difficulty in picking them out.

45080. Would you be content to lay down the very broad principle that travelling allowances were intended to cover the cost of travelling to an officer?—I should like to add certain other principles, or sub-principles; I do not think that in itself this broad statement would be quite sufficient.

45081. Would your principles be so general as to allow the Local Government to adopt a mileage basis or any other basis that they thought fit?—Yes, within limits. There are certain phases of that particular point, travelling allowance, which the Government of India have always looked upon as dangerous, and they would probably find an opportunity of putting in an injunction against them; they might also lay down the limits of daily allowances and of mileage allowances—that a certain distance must not be exceeded per day. That might be done in the interests of economy, but one need not go much further than that.

45082. That postulates that Local Governments are not likely to be economical?—They are not always economical as a matter of practice; none of us are at times.

45083. If you are going to assume that a provincial Government is going to make a mess of things, would it not be better to give them no power at all?—Must not the assumption be that if they are empowered to elaborate certain rules in accordance with general principles as to travelling allowance, they are not going to be unnecessarily extravagant, but that they are going to carry the rules out in a reasonable spirit?—Yes, but I do not think that abrogates the necessity for limits altogether, but I should make the limits liberal and very general.

45084. You propose to empower Local Governments to revise their establishments up to a maximum of Rs. 50,000 without the sanction of the Government of India. Why should you have any limits at all in respect of entirely provincial expenditure, including of course, the expenditure on divided heads?—Of course that question might apply to all classes of expenditure. It is almost inconceivable that the Government of India which is responsible for the finance of the country should give absolute *carte blanche* to the Local Governments in any matter in regard to establishments; the risk of extravagance is just the same as in regard to other matters. With regard to Public Works there is a larger limit. I cannot defend Rs. 50,000 any more than I can defend Rs. 60,000 or Rs. 40,000, but I do think it is essential that some limitation should be imposed.

45085. You think there is actual danger under certain conditions that the Local Government might be extravagant in this or in any other matter?—I think so.

45086. And you do not think that your power of general control would be sufficient?—No, any more than the control of the Secretary of State over the Government of India would be sufficient to prevent the Government of India sanctioning extravagant schemes on their own account.

45087. With regard to the alienation of land would you be prepared that the Government of India should lay down general principles and allow Local Governments to work out the details?—Yes; but here again within limits.

45088. But are there not limits to-day?—Yes.

45089. Would you extend them very substantially indeed or multiply them slightly?—I would multiply them by a moderate amount.

45090. Your would not be prepared to trust Local Governments to carry out the general principles of the Government of India, subject to the Government of India stepping in, if they appear to be going too far?—It is not really a case of trusting or distrusting them; it is simply a case of having defined limitations upon expenditure which are just as much to the interest of Local Governments, as to the interest of the Government of India. The great pressure which is brought to bear upon a Local Government to make a large gift of land, for instance, to a particular denomination, would be materially modified if it was known that that particular alienation has to receive

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the sanction of the Government of India. The Government of India at present is the only effective critic of provincial expenditure; the extreme criticisms which you sometimes find in newspapers do not really help or check a Local Government; there is very little articulate public opinion of real value; and I think all these particular limitations, and this necessity to come up on all big schemes is valuable in order that they may be examined in the light of independent criticism, by means of which a light is thrown on the proceedings of the Local Government which you cannot get otherwise.

45091. (*Chairman.*) You tell me that the duties of the Inspector General of Excise are to advise Local Governments. The Government of Bombay quoted to us a case in which they said the advice of the Inspector General had been of such a character as to differ very little from orders; I do not know whether your attention has been directed to that?—I have seen the statement in the Bombay evidence; the matter has not come up to the Government officially, and I have very little doubt that before any recommendation which the Inspector General may have to make is accepted, the views of the Bombay Government will be fully obtained.

45092. But is the Inspector General of Salt and Excise entitled to advise the Collector of Salt Revenue (who is a servant of the Bombay Government) upon questions of excise? Are not his functions limited to advice to the Local Government?—He is supposed to confer informally with the Executive Officers, and any advice that he would give would be purely of a friendly and informal nature; it would be in no way binding upon the Collector of Salt.

45093. Do you think that the Inspector General has done nothing improper in the form that this communication to the Local Government has taken?—I have not seen the papers; I am in entire ignorance of the case except from this reference to it.

45094. You say the Inspector General does not call for any returns or reports; is he actually ordered not to do so?—That was part of the terms of his appointment.

45095. You also say that he is entitled to confer informally with Heads of Departments and Local Governments; has there not been some change in the policy of the Government of India as to the informal correspondence between the Inspector General and Local Governments I think more particularly in the case of the Sanitary Commissioner?—I am afraid that this is rather outside my province.

45096. On the whole should the conferring of Inspectors General with Local Governments be formal or informal?—It is extremely desirable that it should be informal at this stage.

45097. What do you mean by "at this stage"?—At the stage before the question at issue reaches the Government of India.

45098. Would you forbid him to correspond formally with the Local Government?—The Inspector General of Excise is not expected to do so.

45099. But speaking generally of Inspectors General?—I think it is advisable that they should not; formal references are apt to be regarded as orders, and sometimes to be resented as orders.

45100. Would the Local Government take up the position that a formal letter from the Inspector General was an order to them to do so and so?—I do not say all letters; some might be asking for information merely, but there is a risk of that.

45101. Then there is a question about Baluchistan and the salt revenue. A case was quoted to us in Baluchistan where the local population had a preference for earth-salt as against salt manufactured by the Government of India Department; these people were forbidden to use their local salt. Have you any thing to say on this point?—The case is still *sub judice*. There was a great deal of discussion about it, both from the point of view of protecting our revenue and from the point of view of protecting the revenue of the Bombay Presidency. The local authorities have strongly represented the preference of the Baluchis for earth-salt, and they have been asked to examine the case again and submit their re-considered opinion to the Government very shortly; it is about a year ago since the matter first came up, and the Bombay Government were asked to report in a year.

45102. Is the Bombay Government in control of salt questions in Baluchistan?—There is a special arrangement by which Baluchistan salt matters are controlled from Sind.

45103. Do you think, on the whole, that the insistence on certain excise requirements against the wishes of a whole population will not be an exhibition of, perhaps, an undue tendency towards revenue considerations?—That might be argued, but I do not think we have the whole facts so much before us that I can express an opinion. The feeling of the department rather was in favour of stopping this, but the feeling of the Inspector-General has been in favour of continuing the permission to use earth-salt within limits.

45104. Is not the Comptroller and Auditor-General in India a very different official from the Comptroller and Auditor-General in the United Kingdom?—The positions differ.

45105. The Comptroller and Auditor-General in England is a mere Comptroller and Auditor-General; he is in no way, as the Government of India man is, an executive subordinate officer?—He is responsible, as I understand, only to Parliament.

45106. He has no executive duties at all?—No.

45107. I understand that the Government of India now have at the headquarters of provincial Governments Accountants General who prepare, and perhaps to a certain extent criticize, the budgets of the provincial Governments?—They compile the budgets; they collect the estimates of the various subordinate budget authorities and compile them, and they very often assist the Local Governments with their advice.

45108. During the process of compilation, which is carried on continually throughout the year, they submit to the Government of India a monthly report of how the actuals stand and what the probable estimates are for the two succeeding months?—That is the report of treasury transactions. It is associated with the budget, but it is not part of the budget procedure.

45109. At all events it enables the Government of India to make a pretty accurate forecast of what is going on in the way of expenditure and receipts in each provincial Government as the year progresses?—Yes; it gives the general progress.

45110. When the provincial budget is actually sent up on the 20th January to the Government of India, the items in it, the major heads of it at all events, have been inserted in that budget very largely under the influence, if not under the control, of an official of the Government of India, the Accountant-General?—I do not think it could be said that he has any particular influence over them. He collects the statements of the requirements of the spending-officers in the province and compiles them, but he does not control them in any way; he has no authority to cut down. I may explain that in addition to the budget there is what is called a revised estimate for the current year; with regard to that he has full powers, because all that we require to know is what is really to be collected and spent, and he tells us, with reference to his own knowledge, and without reference to the executive authorities as a rule; but as regards the budget of the coming year he accepts their figures.

45111. Then I take it that he has no power to suggest to the provincial Government, before the provincial budget is sent up to India, that their expenditure in this or that direction is probably excessive?—Yes; he has powers of friendly advice and assistance in that direction, but he has no controlling power; he might very well say to a Local Government "I find that the total under this head is so much, but in the last five years you have never spent more than so and so; unless you have very good reasons for this large increase it will be advisible to reconsider it"; but he cannot cut it down.

45112. Does he communicate all that passes between him and the provincial Government to the Government of India from month to month?—He does not communicate his informal discussions on the budget to the Government of India; what he does communicate to the Government of India through the Comptroller General is the actual receipts and expenditure of each month.

45113. Is it the case then that before the 20th January the Government of India have some considerable knowledge of what is likely to take place in

respect of any one provincial budget?—As regards the current year, yes.

45114. Not the current year, but the forthcoming year?—No; they have no information as regards the requirements of the forthcoming year until the 20th January, except for a preliminary six months forecast which is made in December, which is a very rough thing; they have no information in detail of what the Local Government proposes to budget for in the coming year.

45115. Then I may take it that the Government of India has no knowledge (except a rough estimate in December) of the budget of the Local Government for the forthcoming year until the 20th January?—The December estimate is a globular estimate for the whole of India, but for the individual provinces the first intimation that the Government of India has of the requirements of any Local Government for the next year is when it receives the budget notes on the 20th January.

45116. You say here that you cannot receive them on a later date than the 20th January for the first time, because it is not until they have come in that the estimates of the great spending departments are submitted to you?—That is so. It is not a matter that follows; it is a coincidence to a certain extent.

45117. When are the estimates of the great spending departments made up?—They come to us about the middle of February.

45118. They do not depend on a fluctuating income?—The railways fluctuate very seriously, as we find to our cost sometimes.

45119. Does the Post Office fluctuate?—No; it is pretty steady.

45120. Or the Public Works Department?—No; that is more or less in one's own hands.

45121. The Military Department?—Yes; the expenditure fluctuates there.

45122. Does the ordinary normal expenditure under military fluctuate?—The normal expenditure does not fluctuate, but the special expenditure does.

45123. Does the Marine Department fluctuate?—No.

45124. Then would it not be possible so far as these departments are concerned to have their estimates rather earlier in the year than the middle of February?—It would be possible, but it would give them a great deal of inconvenience.

45125. Some of the great spending departments in the United Kingdom submit their estimates long before February; they submit them in November?—That is so.

45126. Would it not be possible for the great spending departments in India to submit their estimates of expenditure, say, in December, and thus enable you to take the local budgets later and upon a more close calculation of the knowledge of actuals?—Of course the actuals are just as important in the case of railways as in any other case.

45127. But after all, the surplus actuals of the Railway Department are of comparatively small amount?—They are liable to upset us very largely; they did last year.

45128. By about a million and a quarter sterling?—They sometimes alter towards the end of the year so rapidly as to upset all our calculations.

45129. At all events, as regards these other departments, they could be submitted to you very much earlier?—I should like to consider that; I have never thought about it; I have no doubt it has been considered frequently, but I am not aware of all the reasons for fixing the date. The India Office would also have something to say on the point.

45130. If you could get in these estimates of the great spending departments earlier, could you, by means of working them up, postpone the first submission of provincial estimates to a somewhat later date?—I am rather inclined to think that even without that it would be possible to take the provincial figures somewhat later, if we dispensed with the somewhat minute examination which we now give them.

45131. Take the case of Baluchistan again; it was said there that Rs. 20 was cut down out of a total estimate of Rs. 29,390?—I do not think that that was done by us; that is done by the Comptroller of India Treasuries.

45132. Is not that sort of criticism too minute for the Government of India to indulge in?—I should have no objection to dispensing with it.

45133. I understand that if the Government of India indulged in a somewhat less minute criticism of details it could take the budgets from the Local Governments at a somewhat later date?—I believe it is possible. Even as it is, the pressure upon us is very serious; I am inclined to think personally that we might scrutinize the local figures a little less studiously, and perhaps receive them a few days later.

45134. If you got your provincial budgets at a somewhat later date than you do, would you have less reason to suspect the accuracy of their estimating?—I hardly think so; it would only be a difference between their having eight months' actuals to go upon and having nine months' actuals; after all, in many branches of the administration they are not guided very much by the actuals of the current year.

45135. You yourselves were upset last year by the later actuals of the ninth or tenth month of the Railway Department?—Yes.

45136. Might not the same thing apply to the Local Government?—Not nearly to the same extent; their movements are much more regular.

45137. (*Mr. Meyer.*) Are not these provincial estimates matters of great importance?—They are.

45138. They concern your large imperial revenues in the divided heads?—They do.

45139. And the imperial surplus is likewise affected by the actual extent to which the provincial Governments are either incurring expenditure out of balance or passing surpluses into balance?—That is so.

45140. Suppose, as is suggested, you took all these matters a little later than the 20th January, you would be very bunched up at the end to get the budget out before the 20th March?—Yes, I have said so; I think the pressure would be very heavy.

45141. Of course, you have to alter things with reference to another month's actuals and so forth, but the bulk of the criticism of the provincial estimates takes place on the first edition?—Yes, that is so.

45142. A question has been put as to the small amount of time at your disposal for a real scrutiny. Have you not in each case the notes of the Accountant General?—Yes.

45143. You also have two specially trained assistants in your own office who are used to this budget work?—Yes. One of them is the superintendent of the department, an officer drawing Rs. 500 a month; the other is an officer specially deputed during the budget season from the Enrolled List, probably an officer drawing Rs. 800 to Rs. 1,000, a trained Accounts Officer.

45144. Your function as Secretary is really to pass judgment on opinions, possibly conflicting, that are put before you?—Yes, that is so.

45145. How long does it take you, roughly, to deal with a budget of one of the major provinces?—In the first edition I try to give a day to each large budget; two small provinces probably come into one day.

45146. Then as to taking the estimates for imperial heads earlier, you mentioned railways as fluctuating. Is not customs also a matter to which you have to give special care?—It is indeed.

45147. And in which we want really the very last figures available in order to make a useful guess at what the customs revenue will be at the end of the year?—Yes; they have to be corrected up to the eleventh month.

45148. In regard to these proposals of extending the powers of Local Government in the matter of the creation of appointments and the enhancement of salaries to the same extent in provincial matters as the Government of India now enjoy, thanks to the Secretary of State, will that not really choke off a good deal of work, if adopted?—A very large amount of work.

45149. When a matter comes up for financial reasons, such as the creation of a Rs. 300 appointment, the

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department to which it is addressed, whether the Home, or Revenue and Agriculture, or any other, necessarily proceeds to criticize it from the administrative standpoint?—Yes.

45150. So that this matter, which seem *prima facie* to be a mere financial concession, will really give the Local Government very much larger administrative freedom than they at present possess?—Yes, that is so.

45151. Can you give us any idea of the proportion of references which are now made on these questions which would, on the figures of last year, have been choked off if the Local Government had enjoyed the same extended financial powers which the Secretary of State has recently conferred upon the Government of India?—If the Local Governments during 1906 had possessed extended powers to create new posts up to Rs. 500 *per mensem* (in place of the existing limit of Rs. 250), to enhance the pay of an existing appointment up to Rs. 750 *per mensem* (in place of Rs. 250), to deal with a scheme for the revision of establishment up to Rs. 50,000 per annum in place of Rs. 25,000, and to sanction a temporary appointment or deputation on a salary over Rs. 250 *per mensem* up to two years instead of six months, the result would have been that they would have been able to dispose of 124 cases which had actually to be referred to the Government of India. Many of these cases involved voluminous details, so the actual figures somewhat understate the work involved.

45152. There is a point arising out of that, as regards the Government of India *vis á vis* the Secretary of State. In regard to these restrictions, they only take into account the actual pay; they do not take into account conveyance allowances, and house and office allowances?—I think not.

45153. Would you be prepared to apply the same to the provincial Governments—to allow these to be considered outside salary?—Yes, I think so; I see no objection to that.

45154. Assuming, of course, that the Government of India must continue to lay down general rules as to the conditions upon which such allowances shall be given?—Quite so.

45155. Then as regards this Rs. 50,000 rule. Does not the bulk of expenditure which is incurred in adding to establishments really arise in regard to low-paid appointments?—Yes, in large schemes.

45156. For instance, you might spend lakhs in increasing the pay of clerks below Rs. 100?—You might; we had a case recently of the subordinate forest establishment.

45157. That is the reason why the specific Rs. 250 or Rs. 500 rule has to be supplemented by a maximum total cost?—That is no doubt the case.

45158. Would you be prepared to give the same powers of expenditure to provincial Governments in the matter of wholly imperial charges as they now enjoy in provincial and divided heads?—I would answer that question in the negative. As I said before, I do not think it is a matter of trusting or distrusting the Local Governments. It is a simple matter of ordinary business principles. It does not seem to me to be good business to give an agent, so to speak, *carte blanche* to spend money for his principal, when he has no share in the return. One can quite understand a Local Government taking a pride in developing the revenue from an Imperial Service, but it can hardly be expected to have quite the same interest in keeping down the expenditure for which it has no responsibility, as it would have in keeping down expenditure which comes directly out of its own pockets.

45159. And, perhaps one might add, in regard to which it is constantly pressed by an energetic Head of Department?—Exactly.

45160. So that the net revenue, after all, might be materially diminished, whatever happened to the gross revenue?—That is quite conceivable.

45161. In the Civil Service Regulations are there not about 35 pages taken up with travelling allowance rules, which are specially capable of diminution?—Yes, I think there are.

45162. With reference to a question asked you by Mr. Hichens, you hold that it is desirable, on such a matter as the ordinary rate of mileage, that the Government of India should continue to lay down general rules?—Yes, I think so; they ought to lay down maxima, and somewhat more detailed principles than those mentioned by Mr. Hichens.

45163. The fact is that we have got Imperial Services—our own Indian Civil Service, the Forest Service, the Police Service—in each case all members of one Service, but working in different provinces?—Yes.

45164. Might it not excite discontent if a Forest Officer, for instance, found that in his province he was only allowed to draw 6 annas a mile, and in the next province his *confrère* was allowed to draw 12 annas?—Other things being equal, I suppose it would.

45165. On the other hand, would you allow the Local Governments larger discretion than they now have in regard to giving special mileage allowances for tracts in which travelling is specially difficult or expensive?—Yes, I would not maintain the necessity of coming in all cases to the Government of India.

45166. Then with regard to the matter of substituting fixed travelling allowance for mileage or daily allowance. Assuming that the fixed travelling allowance is fixed so as to be roughly the equivalent of what an officer during normal touring would get under the other rules, would you see any objection to allowing a Local Government to give a fixed travelling allowance?—I speak on that point with a certain amount of reservation, because the department has always very strongly objected to fixed travelling allowances on principle, with certain exceptions. I do not myself think that the arguments against fixed travelling allowances have yet been adequately met. I can imagine, however, that, in a large scheme of decentralization, this would be one of the points which should be left to the discretion of the Local Government, but the Government of India would probably insert an injunction against the wide extension of the system of fixed travelling allowances.

45167. You spoke about the Foreign Service Rules, and you said that they had been lately amended. Can you give us a copy of the new rules?—They are in the latest edition of the Civil Service Regulations. The particular extension of power to which I referred was the larger discretion given to Local Governments in the matter of lending their own officers to Native States. Previously no transfer could be made to Foreign Service of the first kind except with the consent of the Local Government under whom the officer was serving, subject, in the case of transfer to the service of a Native State, to the sanction of the Government of India. That has been relaxed to the extent of allowing Local Governments to grant, without reference to the Government of India, transfers in cases of short periods under a year. There has also been a general addition to the exemptions from the ten-year rule; that is to say, previously there was a general prohibition against transferring officers of under ten years' service unless they belonged to a few specified Services; the list of those Services has now been very considerably extended.

45168. Was not the ten years' rule about the greatest grievance the Local Governments had?—Yes; they complained very much about transfers to Court of Wards, and formalities of that sort, and that has been to a very large extent removed by these corrections.

45169. Will these new rules recognize that a transfer to a Court of Wards or an administration of that sort may really be in the interests of the State, and probably is, and quite differs from the case of a transfer to some outside authority, over which the State has no real control?—Yes; in that respect the rule has been very much relaxed in certain provinces.

45170. You have spoken about giving larger resources to local bodies. With respect to their existing resources, what we have found in several provinces is that the District Boards have to budget for a certain amount for roads, for medical, for education and so on, but that the real management is done by a Government department; the plea being that it can be done far more efficiently in that way. There is another school of thought that says it is better to sacrifice a little efficiency, and to get those local bodies to take a real interest in their own work; it is urged that they will never do that unless you give

them the actual control over the expenditure they are responsible for. Which line would you take?—I should like to be enrolled in the latter school.

45171. We have heard a great deal about the elaborate character of the accounts which the Government Rules exact from the District Boards and municipalities. You had a great deal to do with the control of District Boards and municipalities as Financial Secretary in the United Provinces; can you give us your ideas on that point?—I had a very great deal to do with it, and I was responsible for preparing a Municipal Code of accounts with the ideas of simplifying procedure and removing restrictions which subservience to the restrictions of the Government of India involved. Although we did a certain amount in that direction, I do not think we did nearly enough, and I hope a great deal more may be done. It seems to me it is quite unnecessary to tie down local bodies to anything more than the rough classification which obtains in the Government accounts. It is unnecessary also to insist on the same rigidity of audit. It is difficult to get the Accounts Department to see it from that point of view, but I hope that as Local Boards obtain greater independence they will fight out that point themselves.

45172. Is it not also unnecessary to apply the full rules of the Civil Service Regulations to the *personnel* of these local bodies: all that is required is that a servant of a local body should not get materially larger leave concessions and that sort of thing than a man in Government Service?—Yes; I think a few very general simple rules will be quite sufficient.

45173. You speak about the Commissioner's budget as if it was a matter of establishment charges merely. The question was, of dividing the Public Works budget largely up into divisional budgets, and giving the Commissioner the power of sanction of allotments which the Local Government at present possesses?—I should be entirely in favour of that. It is extremely desirable that the Commissioner and District Officer should be in closer connection with Public Works operations than they are at present; and subject to the reservation of an adequate reserve for large works of more than local importance at headquarters, I see no reason why, in time, Commissioners should not have financial control over most of the Public Works in their divisions.

45174. And in time might you not even go further, and give them general budgets, letting them make allotments for education and other matters, if it were considered advisable that they should have some administrative control over such expenditure?—I see no difficulty about it in theory; in practice it will take some time to work out.

45175. (*Sir Steyning Edgerley.*) With regard to the criticism of the Bengal proposal in your answer to the question whether it is desirable to relax further the control by the Government of India over provincial budgets, if you are right in your argument that Local Governments are inveterate under-estimaters of revenues and over-estimaters of expenditure, is it not the fact that directly the accounts are closed for the year there would probably be a certain sum which this Bengal proposal would affect? You say, "It would be difficult to form any definite estimate of excess of revenue until a comparatively late period in the year." Directly the previous year's accounts are closed would there not probably be an unanticipated three or four lakhs?—That would not affect the accounts of the current year; we are dealing with the current year's figures.

45176. You accept the revised figure in your budget on the 20th March; the accounts are closed, and you find that the Local Government is perhaps four or five lakhs better in actuals than in the revised. The Bengal proposal suggests that they should be allowed to utilize that amount during the year?—I took the Bengal proposal as being a power to add an excess in current revenue to current expenditure. If they mean what you say, I prefer the suggestion that Mr. Meyer made, that they should be empowered to spend up to a certain limit from their balances without reference to the Government of India.

45177. (*Chairman.*) Up to what percentage of their balance can they spend now?—They cannot spend anything from their balance without getting an additional grant.

45178. With the consent of the Government of India, how much can they spend?—That is unlimited.

45179. (*Sir Steyning Edgerley.*) Is not some of this argument as regards the possibility of effecting a larger separation between imperial and provincial heads of revenue and expenditure a little open to criticism? Whether the public are misled by the accounts you publish really depends on what your accounts purport to show; if you say that your accounts only show the imperial share the public will not be misled?—I am afraid it would be difficult to get the outside public to quite understand the difference.

45180. Then you lay great stress on the necessity of purveying for the observer, who has to study the accounts. Could you not do that with the assistance of two or three statistical clerks? I mean, the convenience of the student is not of greater importance than the administrative convenience of the Local Governments?—Still, we would rather not juggle with our figures if we can help it; it is very essential that we should maintain continuity.

45181. Your argument regarding the preferable method of divided heads of revenue must apply, I suppose, with some modification. For example, there is a consideration on the other side that the imperial share in these heads has been made a justification for interference with the freedom of Local Governments in the past which has been rather close?—You mean, insisting on a voice in control; yes, that is so.

45182. The argument as to Local Governments spending the proceeds of taxes, but not paying them, and not being responsible to those who do, is equally true of the Government of India?—Essentially.

45183. And the Government of India also are less in touch with the needs of the people than the Local Government?—I do not know. I should hesitate to say that.

45184. Are not the Local Government very much closer to the needs of the people than the Government of India?—That is so; the Local Government are no doubt closer to their own particular people.

45185. As to your remark about the Local Government possibly hesitating to move in a matter for fear of actually losing over it; have you any illustration behind that fear, or is it simply a fear?—I cannot call to mind any specific instance at the moment.

45186. As to your answer regarding the grant of larger powers to provincial Governments in the matter of appointments. Of course, I do not put it forward as any sort of claim by a Local Government or anything of that sort, but, as a matter of agency, do you not meet the objection that you stated in answer to Mr. Meyer about the treatment of imperial heads for which the Local Governments are agents, when you suggest the condition that budget provision exists; assuming that you put budget provision for an expenditure into your imperial budget (*i.e.*, you have agreed that some expenditure should be made), why should you want all the details about appointments to come up to the Government of India; you have had the scheme before you in order to make the budget provision, and you have given a general approval to it; why do you want the whole matter to come up again in detail if you have got budget provision; why should you not give the Local Government the same power as in divided heads?—The particular scheme presumably has been discussed before budget provision is made for it.

45187. But all the details very likely have not been gone into?—Probably not.

45188. The real difference between the divided head and the head in which the Local Government is the agent for the Imperial Government is the question of budget provision; the Government of India must have the right to say, "We do not want to spend upon this at present"?—The budget provision is an incident in it, but the actual discussion of the specific matter is the main thing.

45189. You do not care to trust that to the Local Government?—I do not think it is a case of trusting or mistrusting them.

45190. You do not think it would be a matter of administrative convenience to entrust it to them?—I suppose it would within limits

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45191. In your answer as regards the powers of Local Governments to grant deputation allowances, you suggest a half-yearly return as a means of control?—I do not press that; I do not much believe in half-yearly returns.

45192. When you, as Secretary, once feel sufficient confidence to be able to dispose of a matter sent up by a Local Government at all, is that not a signal that the matter ought never to have come up?—I do not think that could be applied as the criterion.

45193. It is one of the criteria?—Certainly, but it is not the full test.

45194. It ought to be a signal to make you consider whether it should come up?—Certainly, and it is very often dealt with in that way.

45195. Is there a system of dealing with the papers from that point of view?—I can call to mind half a dozen cases in which the matter had become such a formality that it had never been customary to go beyond a certain officer, say the Deputy Secretary or myself, and we have considered and taken orders on the point whether it was necessary for this particular class of reference to come up any longer.

45196. Have you written to the Local Government to say, "We do not require this any longer"?—Yes, that has happened frequently.

45197. As to borrowing, although I suppose most people would agree that the Government of India should do all large borrowing, we have had evidence that in very small sums for local works you might elicit a certain amount of local capital which would not come to a Government of India loan at all; for instance, the Chairman of the Chamber of Commerce at Cawnpore told us rather strongly that he thought that would be so, and other witnesses have told us the same. The question is whether it would be worth while making the experiment, giving the Local Government power to borrow locally up to 4 or 5 lakhs?—I should have no objection. I may mention, in connection with the statement you refer to, that some years ago Cawnpore wanted 10 lakhs for a drainage scheme, and it had to go to the Bank of Bengal for it; it was not able to raise a penny itself.

45198. It might fail, but there is no objection to trying it?—No.

45199. We have had suggestions by several Local Governments that when an Inspector-General strongly differs from a Local Government, it would be wise, and would probably save time in the long run, if the Local Government were allowed to see his opinion before it went to the Hon'ble Member in the Government of India Department; what do you think of that?—I think there are strong objections to that. The Inspector-General after all is simply an Advisory Officer in the department; he is a departmental officer, and if his views could be called for by a Local Government who objected to the attitude of the Government of India, there is really no reason why they should not call for the views of the Registrar or the Under-Secretary.

45200. That is not the point. A scheme comes up from the Local Government and, in the course of your treatment of it, it goes to the Inspector-General, who notes about it; he very possibly challenges the Local Government's facts, and very possibly challenges their opinion, and may possibly supply a lot of technical matter, of which if the Local Government were aware, they might entirely modify their views. Would it not save time and trouble if such opinion went down to the Local Governments, and they were able to consider whether they should either drop the scheme or modify it so as to meet his objection; might they not be able to say, "It is quite true that the Inspector-General has said so and so, but he has mistaken our local circumstances; there are exceptional conditions which have to be met," and therefore, by that reference, the Government of India, when they come to deal with it, would get a very much truer account of the problem they had to solve?—The Government of India having discretion as to the communication of the papers?

45201. It would be for the Secretary of the department.—That procedure is very frequently followed, for instance, in the case of the Inspector-General of Irrigation; his notes on schemes that come up are constantly referred to the local officers.

45202. If it is not done in other departments, do you see any objection to extending the practice to all the departments?—I should see no objection to this department, for instance, exercising the power of sending Mr. Dane's views upon any particular scheme for the consideration of the Local Government whom he has criticised.

45203. Is not Calcutta a very long way off the routine work of the Baluchistan Agency?—It is indeed.

45204. Is there not anything practicable in the shape of giving them some Agency Audit Department nearer to them than Calcutta?—The thing is not big enough at present; that is the only difficulty.

45205. As regards Foreign Service, you made a distinction between officers going to Native States and going anywhere else where there may be public interests to serve; is it not the very first condition of Foreign Service that it shall be for the Public Service?—Certainly.

45206. Then I do not quite understand the distinction you draw.—I do not think I was guilty of drawing that distinction; I referred to a certain relaxation.

45207. I thought you drew a distinction between Foreign Service under Court of Wards and Foreign Service in Native States?—There are two separate relaxations dealing with the rules relating to those two separate cases. I do not think they are connected at all.

45208. Might not the whole of those rules be worked by the Local Governments concerned; they have been in force now for 20 years?—A good many of them might; I am now attempting to consider the revision of them.

45209. You are inclined to be rather reserved about the distinction between permanent and daily travelling allowances; we have taken a certain amount of evidence from various provinces about that; a good deal of the evidence goes to show that the permanent allowances are in many ways very advantageous, and that they allow of at least equal control over officers travelling as do daily allowances; do you see any reason for debarring Local Governments from choosing which they prefer, and which they consider more suitable in their own particular province? I will give you an instance; in Eastern Bengal officers mostly travel by boat; they have to take the boat for the whole tour; the permanent allowance they represent is very much more convenient for travelling there than the daily allowance. Might not the Local Government be allowed to choose which it prefers?—Yes. It is largely a matter of local conditions; opinions have differed very much about it.

45210. That being so, it is a case where a Local Government might be allowed to choose?—If you give Local Governments large measures of delegation, this probably would be one of them.

45211. (*Sir Frederic Lely.*) I am not quite clear with regard to the limits within which the Indian Government considers the provincial budgets—are they entirely financial?—That is rather a difficult question to answer. I think ostensibly they are entirely financial, but of course one has to consider the probability of administrative sanction being accorded to particular schemes which find a place in the budget; one does not attempt to criticize the administrative value of those schemes, but simply examines whether they have received administrative sanction or not, or, in the case of exceptional schemes which are inserted without previous sanction, whether the general trend of the case is such as to justify us in thinking that they will be sanctioned.

45212. Supposing, for instance, a provincial Government wished to spend 5 or 10 lakhs of rupees in buying land to develop into a Government suburb, would that not be rather a novel proposal?—Yes.

45213. And would probably attract attention?—Yes.

45214. Would the Government of India take any notice of it, if it came up in the draft budget?—If it had been accepted as an administrative scheme, we should say nothing about it.

45215. If the amount was under 10 lakhs, would it not be within the power of the Local Government?—Yes, provided the Local Government was not unduly drawing upon its balance.

45216. You would not feel called upon to object to it on the ground of its novelty or its inappropriateness ?—I do not think so.

45217. Generally, is interference with a budget purely financial, and is it embodied in the three points which you mention ?—That is so.

45218. With regard to the alienation of land, you said you were in favour of extending the powers of the Local Government ?—Yes, the present powers are too restricted.

45219. Do you not consider that there is a considerable difference between alienation of land and expenditure of money ; alienation of land is irretrievable, whereas money extravagance can be rectified by a little economy ?—Quite so ; the alienation of land is a permanently recurring loss.

45220. Therefore are you of opinion that the right of alienation of land should be very carefully guarded ?—Yes, I think so.

45221. And perhaps you would not very strongly object even if it was proposed to retain the provincial rights as they are ?—One element in the restriction now imposed is administrative, and if it is necessary for administrative reasons to watch it with the same care as at present, this department would not have anything to say, but if the administrative objections are waived, the feeling of this department is in favour of a moderate increase in the limits.

45222. Can you tell me whether anything has been done, or is about to be done, with reference to the local cesses in Bengal in the way of readjusting them in a more satisfactory manner ?—As regards the Public Works Cess and the Road Cess, certain recommendations were submitted to the Secretary of State, but action had to be postponed owing to the present financial pressure.

45223. Are they at present in abeyance ?—Yes. I spoke with some reservation because I did not know to what extent you wished a description of what was proposed. What has been proposed is that the two separate cesses, as such, should be abolished, that an amalgamated cess equivalent to the two should be imposed, and should be made over fully to the control of the District Boards. That is at present in abeyance, because we cannot afford to help the Local Boards to the extent necessary.

45224. What is the present policy as to feeder railways ?—It is rather in a state of flux. The branch lines have hitherto been handed over to private enterprise in accordance with certain defined terms which are now regarded as unduly strict ; these branch line terms are now being revised. Light railways which would possibly be of purely local interest are now being regarded as matters which might reasonably concern provincial Governments, and might reasonably be assisted by guarantees from provincial revenues ; but both these questions are still under discussion, and for that reason it is difficult to explain exactly what the policy is.

45225. Are you prepared to give any preference to the alternative methods of guarantee by a Local Board or a rebate on traffic with a main line ?—That would be very much a matter of arrangement with the main line.

45226. As the promoters may arrange ?—Yes.

45227. But on the general question would you admit that the advantage of stimulating local sentiment and eliciting local capital is worth making an effort to obtain ?—Yes, I think that is a very reasonable employment for the surpluses of rich District Boards, for instance, in parts of India where they have not the power to impose a special cess.

45228. It is worth making an effort to attain ?—I think so.

45229. Complaint has been made that the local Audit Officers very often think a great deal more of their own convenience than anyone else's and that their orders are often unnecessary and peremptory in tone, and generally that in minor matters the hand of the *babu* is visible ; would you approve of a suggestion that audit offices, in their rules and methods, should be overhauled by an expert with a view to revision, and possible simplification, as to accounts and vouchers and so on ?—I should be very glad to see anything in the way of simplification.

45230. Would it be worth while to have a thorough overhauling ? Is not the system the growth of many years ?—Yes ; it is subjected to continuous criticism by the headquarters staff, and I think that is essentially the function of the Comptroller and Auditor General ; but at the same time I think I must admit that the whole tendency is towards increasing complication. As regards discourtesy, of course, that is a matter which must be dealt with when individual cases are found.

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45231. But is it not generally believed that Audit Officers are often fettered by unnecessary technical rules and methods which perhaps might be better for revision ?—Perhaps the suggestion of Mr. Meyer might go far towards remedying that, that is to say, if we had an imperial code and separate provincial codes.

45232. That would involve an examination by an expert pretty much in the same way that I have suggested ?—Yes, that would involve examination, but in the department.

45233. (*Mr. Dutt.*) On the other hand, it was suggested that in some provinces the Audit Officers and the Accountant General might in some cases give a somewhat tender interpretation to the existing rules —do you think that is possible ?—As I have attempted to show, I think the essence of audit is rigidity, and I would rather see the rules relaxed and made more sympathetic, than see any change of attitude on the part of the Accountant-General or Audit Officers.

45234. The rules being there, and the Accountant-General being there, you think it his duty to interpret them strictly, and that he would not be an efficient Accountant-General if he did not do so ?—Quite so.

45235. You have said that you have no objection to the notes of Inspectors-General being sent to the Local Governments ; is that not done now when it is proposed to take any action upon them ?—My personal experience is confined to the one Inspector-General in this Department, and so far he is only in a state of pupilage.

45236. Supposing your Inspector-General did submit some suggestions, and the Government of India thought it worth while that some action should be taken, do you not think that the Government of India would, in that case, send a copy of the note to the provincial Government before finally taking any action ?—I think so.

45237. But you would not suggest that the notes should be sent to the provincial Government by the Inspector-General direct before sending them on to the Government of India ?—No.

45238. With regard to loans made by Local Governments to local bodies, you say that the Government of India have to find the money, but is that always the case ?—Yes, unless the local body goes into the open market.

45239. Does not the provincial Government sometimes grant loans to local bodies ?—Yes, but it does so from a loan account which is placed at its disposal out of the imperial cash balances.

45240. So that in every case in which a loan is made to a local body it is the Government of India which finds the money ?—Yes.

45241. You told us that you have no objection to Local Governments being invested with powers to borrow small sums for works of public utility ?—From the Government of India, yes.

45241A. Would you not empower the Local Government to borrow in the open market ?—No, I do not at all like the idea of their going on the open market. I think it would be wasteful.

45242. And local loans would tend to clash with the loans of the Government of India ?—Yes, you might have five or six Local Governments going on to the market at the same time as we were going ourselves ; furthermore, I think it would be wasteful, because they are not likely to get the market on better terms than we do ; their ostensible security would not be regarded by the market as quite so good as ours, and therefore they would have to pay more for their loans.

45243. Would not it also have the effect of adding to the indebtedness of the country if all the Local

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Governments were free to borrow money and went into the market as well as the Government of India?—Yes, I think it would add to the burden on the country.

45244. Is any action taken to limit that indebtedness or to reduce it by a sinking fund as regards the Government of India?—There are certain small sinking funds in regard to railways, but, broadly speaking, the tendency is upwards. There is, however, this very great feature with regard to Indian indebtedness which has to be borne in mind, namely, that a constant transfer is taking place between productive and non-productive debt. The amount of our non-productive debt is very rapidly diminishing.

45245. But beyond that the reduction is only very slight?—It is not very large; there are a certain amount of limited loans which we pay off now and again, but no sinking funds on a big scale.

45246. You speak of a small cess levied in Sind which is not made over to the District Board; are you quite clear that it is in addition to the land revenue, or is it part of it?—The Bombay Government take one view, and the Government of India are rather disposed to take the other; it is a matter which seems to be rather difficult of elucidation, but the Bombay Government view is, in recent settlements at any rate, that the cess has been taken out of the land revenue. The facts are not at all clear as regards the older settlements, inasmuch as the Government of India has been given to believe that the cess was taken over and above the land revenue, and the question has not been quite settled.

45247. Beyond that, and beyond the Public Works cess in Bengal, are there any land cesses which are not made over to District Boards now in India?—Yes, but they are very minor; there is one cess in Madras. I am not speaking, however, of the rural police cesses.

45248. I am only speaking of land cesses.—Yes, there is a cess in Madras which is gradually being abolished, but it cannot be abolished because it has not been wholly levied yet. Then there are various small cesses in Northern India such as the headmen cess and the *lambardar* cess.

45249. Are they assessed to the land revenue?—They are in a fixed ratio to land revenue.

45250. (*Mr. Hichens.*) With regard to the delegation of further powers, do I understand generally your view is that in financial matters in particular you must have control either from above or from below?—Yes, that is so.

45251. And you urge that you must have it from above, and therefore your opinion is that you have not got it from below?—We certainly have not got it from below at present, in the sense of an electorate.

45252. I do not mean necessarily in the sense of an electorate, but practically speaking there is no public opinion which can exercise the necessary control?—It does not bear upon matters of that sort to any material extent.

45253. Supposing the control of the Legislative Councils, for example, were made wider in the sense of scrutinizing the budget and discussing it and so forth, would that modify your view?—It would certainly modify the position as regards control.

45254. It would give a more substantial control, and would therefore justify a still further devolution?—Yes, I think so.

45255. You are aware, for example, of the form of public control that there was in the Transvaal under the Crown Colony Government?—Yes.

45256. Supposing the provinces had a control of that nature, would that, in your opinion, justify the grant of substantially larger powers?—Yes, I think undoubtedly it would.

45257. For example, in the case of salaries and in the case of travelling allowances and various other regulations that have come up, would you then be prepared to give Local Governments the powers to settle these matters themselves on prescribed general principles?—Yes, I do not see why we should not, and I think that is bound to come.

45258. Would you then say it would not be necessary to have a limit for the modification of the salaries of the subordinate *cadre*, for example, of the Public Works?—I am not sure that in many cases the tendency of a more popular Government would not be towards greater extravagance, especially in regard to subordinate *cadres*.

45259. Would you allow them to increase the pay of the establishment, subject only to the financial limits imposed upon them by their resources?—No, I think I should still have certain general principles, and maxima laid down, just in the same way as, I understand, the Local Government Board in England exercises control over the very independent bodies which they have to deal with; I do not know the limit of that control.

45260. But still you would modify the control very substantially?—I would modify it very substantially, and that will have to come—it is inevitable.

45261. Several witnesses have laid a great deal of stress upon the uniformity of pay; for example, some witnesses have told us that the pay of the subordinate ranks in the Public Works Department and various other departments should be uniform throughout the Indian Empire; do you agree with that?—No, I do not; I think that the conditions of different provinces differ so much that the pay must vary.

45262. Apart from the question of control then, you would not limit the powers of the Local Government in this respect?—No.

45263. You do not think is it desirable to have uniformity?—No. May I explain what I mean. Uniformity is of very much more importance when you come to Services, the members of which are liable to transfer between province and province. Imagine, say, an engineer who is serving in Northern India being attracted by the prospects of very much more pay in Southern India than he is getting, and intriguing for a transfer.

45264. Do you object to that?—Yes, I do rather.

45265. But in South Africa, as you know, there was no uniformity between the different Colonies, and that did not lead to any particular disadvantage there.—I think one Colony very often lost a good man because they did not pay him enough, whereas here we do not do that; what we do is to say that a man of a particular position and standing shall get a certain pay, and there is no reason then why he should not do his work anywhere.

45266. In ordinary business the man who can pay the best salary gets the best servant.—Yes, but I hope we shall never have the provinces competing to that extent.

45267. You think there is a danger of that?—Yes, I do think there is a danger of that; in regard to the very small subordinate establishments, there is not the the same danger and therefore there is not the same objection.

45268. You have said that, in your opinion, the District Boards require further financial assistance; would you say the same thing with regard to municipalities?—I think municipalities under stress of very special circumstances deserve the consideration of the Local Governments, but a municipality has very large powers of taxation of its own, and until it exercises them to the full I do not think it has the same claim upon the general taxpayer that a District Board has.

45269. To-day they get no annual contribution?—No.

45270. Do they, as a rule, get any endowment in the shape of land?—The Local Government, in certain provinces with which I am acquainted, has made over considerable areas of Government land to municipalities, which is probably of great value.

45271. Do you approve of the principle that one of the best forms of endowment for a municipality is to give them adjacent land where it is Government property?—I am afraid I have never had to consider it, and I should not like to express an opinion upon it.

45272. At any rate, you know that that is the principle in South Africa, and that when a town is started it is endowed with public land, and what is called the unearned increment or improvement which is due to the rise of the town, is given to the town for its local

purposes?—Yes; but in India we do not often have unallotted public land of any value in the vicinity of our large towns.

45273. That is a principle which is not adopted here?—Not to a large extent; we have restricted ourselves, almost entirely to intra-municipal land which is, of course, of especially high value.

45274. For example, do you consider that the Rangoon municipality might have reasonably expected an endowment from the land?—I do not know the circumstances of Rangoon.

45275. (*Chairman.*) You state that recently the Finance Department have proposed to give greater freedom to Local Governments by enabling them to come up under your new proposals, and that they are to budget partly against what the Financial Department sanction and partly against what they suggest, and if they exceed the actual sanctioned expenditure, then they may spend up to their original proposed expenditure, getting the excess money which they require for that expenditure by re-appropriating from some other head. Is that not practically what your suggestion amounts to?—Yes.

45276. A statement has been made by Mr. Stokes with regard to Madras finance, that a lump reduction in the way you now suggest, followed by a re-appropriation from some major head, must cause great inconvenience, because you have to distribute major heads of expenditure in order to get your increased grant of money. The Local Government does not really get any increased revenue which it may spend, but it only has to redistribute what it already has in order to meet the expenditure which it wants to incur?—In the first place, it would not disturb the other head for any practical purpose, because the excess expenditure, when it occurs, would be towards the end of the year, and the re-appropriation would be from actually ascertained savings under another head.

45277. You have to pre-suppose then that the Local Government has failed to spend up to its budget expenditure (which from my experience is very unlikely), and in order to meet the excess expenditure they must, before they can meet it, redistribute their expenditure under some other head?—The orders are that they must endeavour first to ascer ain whether they have savings under another head. It would be quite contrary to the spirit of the order to suggest that they should reduce the spending power under another head. Let me take a concrete example; supposing a Local Government has, under this new scheme which we have suggested, received a budget allotment of 20 lakhs for education, and is allowed to spend up to 22 lakhs, and if towards the end of the year it finds that it has already spent 20 lakhs and will probably spend another 1½ lakhs, it will at once look round and probably find that under police there is certain to be a very large lump saving; it would simply re-appropriate the 1½ lakhs from police.

45278. So that although they might be theoretically a good deal freer than they were, in practice they are not?—They are freer in this respect, that previously if a Local Government budgeted 22 lakhs for education, and we cut it down to 20 lakhs, it had at once to meet its Director of Public Instruction, its inspectors and heads of schools and distribute that reduction of two lakhs amongst them, all of them resenting and objecting to it and crying out that it restricted their power and utility. But that disappears now, because we say: If you think you can spend 22 lakhs, go ahead and do it; we believe you will only spend 20 lakhs; if towards the end of he year you find you are right and we are wrong, utilize other savings or come to us for a new grant. It simplifies the relations of the Local Government with their departmental officers very materially.

45279. Does it not produce this result, that instead of having to meet their Director General of Education for the purpose of deciding where the cut is to take place, in March, they have to meet their Inspector General of Police in December and decide with him where the cut is to take place?—Yes, but by that time they are generally convinced that they have overestimated, and that there will be very large savings under police.

45280. So that it depends on the latter supposition as to whether your plan is or is not a method of granting greater freedom to provincial Governments?—No doubt, you have taken into account the simplification of the operation with the departmental officers under the first head, which I have tried to describe?

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45281. Quite—I quite understand that you have transferred the disagreeableness of financial reduction from one department to another.—Then towards the end of the year the Accountant General has the whole of the figures before him, and he is in a position to let the Local Government know under which head there will be the saving they are looking for.

45282. But supposing there is none of this anticipated saving which you rely upon, what happens?—Then they would come up to the Government of India for permission to draw on their balances.

45283. Are they to look round and see which of the departments is less likely to grumble, or can they come up to the Government of India and say, "We have a very large balance and we want to spend some of it"?—That would be another case. One can quite imagine their doing that. You mean that they would keep themselves within their budget limits up to the end of the year and then come up with some scheme of utility towards the end of the year and ask for a special grant for the purpose? That of course might always happen, but it does not affect this particular system.

45284. Therefore, in order that the Local Government may enjoy this greater freedom which you propose to give them, they have to be quite certain that they cannot spend up to their expenditure under departments other than that in which you propose to give them this greater freedom?—I do not know that I should altogether put it in that way.

45285. Is it not rather playing off Peter against Paul?—The Government of India takes the risk; it gives to the Local Government this power of allotment under certain big heads, and if the Local Government finds itself in a position to spend up to the full amount, then we have to find the balance in the last resort.

45286. In two or three provinces we were told that the Government of India usually yielded to the representations of the provincial Government, but only after a very great deal of troublesome correspondence; do you admit the justice of that?—Is that in connection with the budget?

45287. I do not know whether it was so much with regard to the budget as with regard to general questions, but it was said both in Burma and in the United Provinces. At all events, you would not agree to the admission of the sweet reasonableness of the Government of India in one respect, or suggest it in the other?—I think they are very reasonable, and I think there is very little prolonged discussion over budget matters.

45288. (*Mr. Meyer.*) We have had a great deal of evidence in the provinces with regard to the large number of transfers, and it has been suggested that to some extent that might be remedied by a relaxation of the rigidity of the leave rules. For instance, as you know, a man who has taken privilege leave in excess of six weeks cannot take ordinary leave again for 18 months.—Yes.

45289. Before that time has expired, perhaps that man has been on special duty and has had a man acting for him; when that special duty was over, would it not be the most convenient time for the officer to take leave if he wanted it, because there would be a man already acting for him, and there would be no need of any fresh change?—Yes.

45290. Therefore, the suggestion has been made that there should be, what one might call a leave ledger, and against everybody's name there should be entered the total amount of leave he had earned and taken, with the balance to his credit, and that he might be allowed to take that balance, provided it was convenient to the Local Government that he should take it, at any time, though he might have returned from previous leave only six months before?—I have heard that system very warmly advocated, and I think there is a great deal to be said for it. The old leave rules were materially altered in the interest of preventing and minimizing transfers, but there is reason to believe that in certain respects they have not had the desired effect, and I have no doubt that very shortly they will have to be reconsidered.

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45291. The fundamental point remaining that a man should not have more leave than at present, and that he should not get leave when it was not convenient to give him leave; otherwise you would be in favour of a leave ledger?—Yes, I think that would be a very good idea.

45292. (*Sir Steyning Edgerley.*) Will you kindly look at the figures of revenue and expenditure in your appendix illustrating the tendency of Local Governments to under-estimate revenue and over-estimate expenditure for the last three years as regards Bombay. As to revenue under the first head of adjustments in 1905–06 the actuals are 12·12 lakhs in excess of the estimate of 43·58?—Yes.

45293. Will you take it from me that 12·12 was put in long after the budget was framed, for the purpose of making good a deficit?—Certainly.

45294 Subject to that, that would make the actuals for the year, in items for which the Local Government or the Government of India could budget, Rs. 4,98,34,000?—Yes.

45295. Then the fact remains that for the estimate of revenue in 1905–06 the Bombay total is nearer to the actuals than that of the Government of India?—Yes, that is so.

45296. And in the previous year also?—That is so.

45297. And in 1906–07 the actuals are nearer the Bombay estimate than that of the Government of India, so that in all three years the Bombay estimate is closer?—Yes.

45298. The gap is very big in 1906–07 because the Government of India in that year were rash enough to cut what the Local Governments thought they could collect in land revenue by 4·75 lakhs; they were warned that they were quite wrong. Turning to expenditure in 1904–05, the Government of India altered the Bombay estimates by Rs. 74,000 only, and they were more accurate than the Local Government, but the Local Government's estimate was within 2½ per cent. of the actuals?—Yes, that is so.

45299. Then in 1905–06 when the Local Government had the disturbing element of famine, as the figures stand, the Government of India are again more accurate, but the Bombay estimate is within 2 per cent., discarding the famine figures. They had to prepare for a certain amount of famine, which luckily did not occur?—Yes.

45300. In 1906–07 they had again to prepare for famine, but discarding the famine figures their estimate is nearer the actuals than the Government of India's estimate, and is within one-half per cent.?—The Government of India's figure there was nearer to the actuals surely than the figure of the Local Government.

45301. Not when you come to take out the famine figures?—But the famine figures were the same on both sides.

45302. I suggest that the Bombay figure is within ½ per cent. of the actuals and nearer to them than the Government of India estimate, and the actual expenditure was ½ per cent. in excess of the estimate?—Yes, that is excluding famine.

45303. So that I venture to suggest that the remarks in your answer to the question regarding the nature of the control exercised by the Government of India over provincial budgets are rather strongly worded under those circumstances. Can you say that in all those three years "the chief fault of the Government of India was in not cutting half enough"?—I admit the figures as you have given them to me.

45304. And therefore the case is not quite so strong as it is put?—It is not quite so strong as it is put in the case of the Bombay revenue estimates.

45305. (*Mr. Dutt.*) As to the effect of recent orders, I understand previous to this change the Local Governments had to make some alteration in their own budgets, and in order to do so they had to reduce expenditure whenever the Government of India modified their budgets?—Yes.

45306. At present they can go on exactly as if no change had been made in their budgets, spending according to their own budgets, and at the end of the year, if they find they are going to exceed their total, then they have to come to you for an additional grant, if they cannot meet additional expenditure by appropriation from one head to another?—That is the position.

45307. Therefore they have been saved a vast amount of trouble in not having to reduce their own budgets according to your corrections in the first instance?—Yes, and not only that, but in not having to distribute the reductions.

45308. (*Chairman.*) Mr. Lamb in his evidence at Bombay said there was an essential difference between the Governments of Madras and Bombay and the other provincial Governments which is not recognised in practice; do you in the first place, so far as the Financial Department is concerned, admit that there is an essential difference between those two Governments and the other provincial Governments?—I am not aware of it; as far as the references that come up to our department are concerned all the Governments are treated on the same footing precisely; the Governments of Bombay and Madras have certain powers of direct reference to the Secretary of State.

45309. But in practice there is no difference admitted as between the Government of India and the Governments of Madras and Bombay?—No, not as far as I know.

45310*. Should provincial Governments be granted borrowing powers, or power to guarantee interest on private enterprises in the matter of feeder railways and the like? And should they be allowed to borrow in the open market?—The proposal that Local Governments should be empowered to guarantee interest to promoters of local railways—light feeder lines and the like—is a proposal that the Government of India put forward more than three years ago. It was subjected by the Secretary of State to certain criticisms; he alluded in particular to the danger of creating a number of petty lines with vested interests which might embarrass the Government in larger measures of railway development. He also requested that the opinions of Local Governments should be obtained. This was done; and a despatch embodying the result of the consultation was actually drafted last year. Its issue has been delayed by the fact that the Railway Board have advised a revision of the terms on which private companies are allowed to construct what are known as branch lines. It is felt that there must be a close analogy between the branch line terms and the conditions of provincial guarantees to local feeder lines; and when the former are settled, the recommendations regarding the latter will presumably have to be modified. The Government of India, however, are in full accord with the principle of provincial guarantees within reasonable limits.

In regard to the grant of borrowing powers to Local Governments, I think that there are very strong objections to giving them access to the open market. In the first place no Local Government could offer a security for its loans equal to that of the Government of India; it therefore follows either that they would be compelled to pay a higher rate of interest than the Government of India pays now, or that they would have to raise their loans at a larger discount. Secondly, it would be impossible for the Government of India to allow any Local Government to default in the service of its loans. If in consequence of mismanagement or misfortune a Local Government was unable to provide the requisite funds, the Government of India would be forced to intervene and make the necessary provision. In other words, there would be a virtual guarantee at the cost of imperial revenues; and as this guarantee would not be formal and would not be announced, we should get no return for it, or at best an inadequate one. Even if the guarantee were formally declared, the loans would not be floated on terms as good as if they were raised by the Government of India direct. Our experience with guaranteed railway loans affords ample corroboration of this statement. Thirdly, if Local Governments were allowed to float their loans independently, difficulty would certainly arise both with the Government of India and between themselves with reference to the time, and perhaps the place, of issue. Every Government would wish to issue its loans at the most favourable season, *i.e.*, between the middle of June and the end of July. Such loans would certainly collide with imperial loans. We have already had

considerable trouble of this very nature in connection with the issue of loans by Port Trusts and Presidency Corporations, the amount of which is very rapidly growing. It has been suggested in the press that if Local Governments were empowered to raise provincial loans, they would be able to proceed more rapidly than at present with local Public Works ; and the case of the irrigation programme in Bombay has been cited as an illustration. This idea rests on a misapprehension. The anticipated result could only ensue, if the aggregate sums borrowed by the Imperial and Provincial Governments taken together were larger than that which the Government of India alone is able to borrow, under the existing system. Now the sums which we could usefully spend on productive works are so much greater than that which it is possible to borrow, that we are under strong and unceasing inducements to borrow year by year the very utmost sum that the market will supply on reasonable terms. Of course the Government of India are not infallible, and it is quite possible that miscalculations have been made occasionally ; but the Government of India are most unquestionably in a far better position to estimate what the market will give than a series of isolated Local Governments could hope to be. Our loans are subscribed almost entirely at Calcutta and Bombay, subscriptions from other centres being of trifling relative importance. If provincial Governments raised their own loans, every Local Government except those of Bengal and Bombay would have to tap a market of which they had no first hand knowledge. I do not believe that more money can be raised in India unless we are prepared to pay a higher price for it ; and for any given amount, the price will be lower if it is raised by the Government of India than by the Local Governments. I would also point out that the cases in which a Local Government would require, or be justified in raising, permanent debt are not really very numerous. For instance, they would never require to raise a loan for war, nor, under present conditions, for railway construction. It is unlikely that a province which was suffering from famine would be in a favourable position to raise a famine loan, and provincial famine loans are open to the further objection, as pointed out by the Famine Commission, that their effect would be to impose the cost of famine relief permanently on the inhabitants of the affected area instead of throwing the charge on the population of India as a whole. The only case that remains is that of productive irrigation works.

There are not, however, the same objections to Local Governments having a loan account with the Government of India. Advances thus taken should be, not for current expenditure, but for the construction of non-productive works ; provided, firstly, that the cost of the work is beyond the immediate resources of the Local Government, and secondly, that it is of such a nature that it would not be convenient or economical to spread the work over a sufficiently long term of years. An illustration of this class of work is to be found in the scheme for the improvement of the Bengal waterways. It is understood that this project will cost not less than a crore of rupees. It can never satisfy the conditions of a productive public work, and cannot therefore be carried out from permanent debt. It is also unlikely that it can economically be spread over more than three or four years. Unless therefore the Local Government is placed in funds for the purpose by the Government of India, it can never be carried out at all. Another illustration can be found in the history of the reconstruction of the Presidency General Hospital in Calcutta some eight or nine years ago. This work was estimated to cost about 35 lakhs of rupees. It was quite beyond the resources of the Local Government, and the only way in which it was possible to carry it out was by means of grants specially contributed by the Imperial Government. There may have been some independent justification for an imperial grant in that particular case, but if we assume that no such justification existed, it would have been possible for the Local Government to carry out the work with the assistance of an advance from the Imperial Government to be repaid by instalments spread over five or six years. An arrangement of this character was, it is believed, once adopted in connection with the Hijli tidal canal.

In making this suggestion, it is necessary to say a word of caution. If advances of this character were given too readily, the temptation to hypothecate provincial revenues in advance might become inconveniently strong, and the future administration of a province might be starved because a former Government had been in a hurry to proceed with some costly, ambitious, and non-productive project. This consideration points to the expediency of imposing some limit to the amount that might be advanced in any case, and more particularly to the necessity for fixing a comparatively short period for repayment. Ordinarily, it would be expedient to require a Local Government to liquidate an advance within five years at the utmost.

45311*. Is it necessary to maintain the difference in powers of sanction by a Local Government in regard to imperial and provincial heads of accounts in Services which provincial Governments manage for the Imperial Government ?—As I understand this question, it enquires whether Local Governments should not have the same powers of expenditure in regard to imperial Services under their control as they enjoy in regard to expenditure on purely provincial Services. I would answer in the negative. It is not a matter of trusting or distrusting Local Governments. It is a simple matter of ordinary business principles : and I am sure it is not good business to give an agent *carte blanche* to spend money for his principal when he is to get no share in the returns. A Local Government may—and often does—take a pride in developing the revenue of an imperial Service ; but it can hardly be expected to have the same interest in keeping down expenditure for which it has no responsibility as it has in keeping down expenditure which comes directly out of its own pockets. So far as my experience goes in connection with the Salt Department, the present rules do not cause any large number of references, and I think they should not be materially altered.

45312**. Could not all expenditure advantageously be made provincial ?—The proposal, as I understand it, is that the Imperial Government should still take a share in certain main heads of revenue, but that the share should be smaller than at present, and that the Local Government should be made responsible for the whole expenditure of the province. There seem to me to be at least two substantial objections to such an arrangement. In the first place, the Government of India would become simply a partner in the Local Government's profits, without taking any share in its burdens ; and the Imperial Government would consequently find itself exposed to the reproach of carrying off a share in the provincial revenue without displaying any sympathetic interest in the provincial needs. This objection may possibly be regarded as more sentimental than real ; but it is of considerable importance if we are to protect ourselves against the accusation of checking provincial activity by exacting an arbitrary tribute from provincial resources. The second objection is the serious difficulty that might often occur about increased expenditure upon services of which the revenue is shared between the Imperial and the Local Governments. A Local Government might not unnaturally be reluctant to incur heavy expenditure on reforms, say in excise or forest administration, if it were only to obtain a fraction of the increased revenue resulting from those reforms. The outcome indeed might be a direct loss to the Local Government ; and if it happened that the particular reforms were proposed by the Government of India, it will be readily conceived how serious an opening would be afforded to friction. At present there is no such opening ; if the Government of India urges increased expenditure in improving the efficiency of a service from which it receives a portion of the revenue, it can always justify itself by the fact that it undertakes a share of the additional burden. Against these two objections, I have been unable to find any clear suggestion of any counterbalancing advantage in the proposed arrangement. It would not, for practical purposes, improve the Local Government's position in the matter of sanctioning establishments and the like. It would increase the dead-weight of expenditure which falls upon the Local Government in bad years ; and the increase in the provincial share of revenue would only enhance the dislocation of the Local Government's finances in a time of famine.

45313°*. Do provincial Governments often apply to the Government of India for power to spend in excess of their original budgets ?—I have already attempted to answer this question by giving a list of the applications

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actually made during the last five years. This list was prepared several months ago, and there have been a few more applications for extra grants in the interval. These however have been wholly the result of the extra heavy expenditure thrown upon Local Governments by the current famine; and such applications are inevitable in such abnormal circumstances. In normal years however the appeals for extra grants are rare, and the need for such grants is still rarer. A Local Government frequently comes up for an additional grant which turns out to be quite unnecessary, as there are sufficient savings on the provincial allotments to meet the additional expenditure. Out of the 18 applications received during the last five years, no less than 8 were of this character.

45314**. Why should not provincial Governments, instead of the Government of India, make additional grants to local taxation?—The answer to this question is that Local Governments *do* assist local bodies very frequently. In certain provinces, if not in all, they habitually subsidize District Boards whose income happens to be unequal to their expenditure; and they are constantly making contributions for education and special grants for public works, hospitals and the like. In the case of municipalities, their intervention is less frequent, as those bodies have taxing powers of their own, which they are expected to exercise in full before appealing to the pockets of the general tax-payer. Here also, however, grants by Local Governments for specific purposes are not uncommon. As an instance of the powers of Local Governments to assist local bodies, I may perhaps mention that Rs. 30 lakhs are being given this year by the Imperial Government to the different provinces in aid of sanitation. There is little doubt that this money will be largely used by the Local Governments in subventions to District and Municipal Boards, and there is no intention on the part of the Government of India of interfering with the amounts or the terms of any such grants which the Local Governments may give.

45315**. What objection is there to the first budget estimates of Madras being sent in a fortnight later in order to enable them to be discussed by non-official Members?—I have already attempted to answer this question. The first edition of the budget notes has to be sent to Calcutta by the 20th January, the rule being the same for all provinces. If the Madras budget were delayed, it would be impossible for us to prepare our preliminary forecast of the budget results until towards the end of February; instead of at the beginning of that month as at present. The main object of this compilation is to enable the Government of India to formulate, with some certainty, its proposals for dealing with the next year's surplus if any. Those proposals have to be submitted to, and considered by, the Secretary of State, whose orders are awaited before the budget is closed. Unless, therefore, we know approximately how we stand at an early date in February, it would, I am afraid, be extremely difficult to present the budget before the end of the financial year. Nor, as I have said, do I believe that the Local Government would be able to improve materially upon its estimate if it were given another fortnight's grace. The preferable course, in the interests of nearly all concerned, would be for the Local Government to frame its figures a little earlier than is now the case, so that any discussion with non-official Members could take place during the first fortnight in January.

45316**. Does the power of the Financial Commissioner in Burma to sanction pensions cause any difficulty?—I am not aware that it does: and I am inclined to think that the power to sanction pensions might, within well defined limits, be largely delegated to authorities below the Local Government. The sanctioning of pension applications, which have been passed as in order by the Accountant-General, is a matter of almost pure routine in a provincial Secretariat except in cases where a reduction of a pension is officially recommended, or where an officer is recommended for a special pension, or where the retiring officer is of high rank in regard to whom, as a matter of courtesy, it is usual to take the orders of the Head of the province. In all other cases, if the Accountant General certifies that the pension is admissible, the power of sanction might well be vested in the authority who has the power of appointment to the post which the retiring officer vacates. Delegations have already been largely admitted upon this principle, and its extension can do no harm.

45317**. Why were rules recently issued under the Local Authorities' Loans Act largely limiting the powers of Local Governments? Were any of the Local Governments consulted before the new rules were issued?—I may perhaps answer the last part of the question first. No draft of the new rules were submitted to Local Governments for opinion. The reason was that the new rules were simply a compilation of numerous orders and instructions which had already issued in modification of the old rules, and there was no principle involved on which the Local Governments had not already full opportunity of expressing their views. I do not think that Local Governments can reasonably complain that their powers have been seriously curtailed. On the other hand, their discretion has been enlarged in other directions, a feature of the new rules on which emphasis has *not* been laid. So far as I have seen the evidence, reference has been made to only two limitations; the first being the injunction against sanctioning local loans for a longer period than 20 years on their own authority, and the second, the restriction placed upon loans in the open market without reference to the Government of India. The former restriction is only a slight extension of the previous orders which debarred a Local Government from sanctioning a loan for a longer term than 20 years except in very special cases, when the period might be raised to 30 years. The latter maximum was rapidly becoming the rule instead of the exception; and the Government of India had observed repeated instances in which a Local Government had apparently yielded to local pressure in sanctioning a longer term than was justifiable in the interests of the borrower. It has also to be remembered that if a loan is given from Government funds, it comes out of the Government of India's cash balances, and the Government of India has every right to ensure that it is not kept out of its money for a longer time than is absolutely necessary. The second restriction was imposed in the best interests of the country at large, and the Government of India have resolutely maintained their right to regulate public borrowings so as to secure the best possible terms for the general taxpayer.

45318**. Is the Government of India unduly anxious to enforce uniformity in respect of excise?—I do not think so. Occasionally complaints to this effect have been received from Local Governments, and have always met with full consideration. The fact is that the difficult and delicate task of harmonizing the moral and the revenue side of excise devolves largely upon the Government of India, and it has consequently had to interfere more minutely than it does in most other branches of the administration. Also the excise administration in several provinces has been weak and wanting in sufficient technical knowledge, and the Government of India have been insistent on large and somewhat complex reforms. It is quite possible that in the details of this policy Local Governments have been asked to adopt methods which are not in all respects suitable to the local circumstances of their jurisdictions. But it was precisely for the purpose of ascertaining those circumstances and of adapting the general policy to them, that the Government of India appointed a strong Excise Committee. I do not think that any fair critic who examines the report of that committee and the orders of the Government of India upon it can seriously contend that there is any undue straining after uniformity. Any errors in this direction that have been committed will, I am confident, be rectified by the assistance of the newly appointed Inspector-General. He is now engaged in a minute examination of local conditions in consultation with local authorities upon the spot; and the knowledge which he will thus bring to bear upon any questions, regarding which the Local Governments are not in accord with the Government of India, should enable a reasonable and satisfactory solution to be arrived at.

45319**. Under the Excise Act, 1896, the Financial Commissioners can make rules as to the disposal of confiscated drugs, and under this Act in March, 1906, he made a rule ordering the destruction of confiscated cocaine, after consulting the Inspector-General of Hospitals. Why did the Government of India in November, 1907, issue an order for the quarterly despatch of confiscated cocaine to the Medical Store Depôt in spite of the provincial Government's protest that the order entailed complicated instructions and disproportionate expense?—The reason why special orders were issued in regard to

cocaine is that the drug is largely used for beneficial medical purposes; and it appeared a wasteful policy to destroy any cocaine which is certified suitable for medical use. Confiscated cocaine is obviously, in this respect, upon a different footing from confiscated hemp drugs, of which no beneficial use can probably be made. The orders regarding cocaine were issued with the concurrence of the medical authorities, and are understood to be working satisfactorily. No protest has been received by the Government of India from the Government of Burma against the orders; but I have seen what Mr. Gates says in his evidence, and I will have the matter looked into from his point of view. I must say however that this particular example of centralization is somewhat unfortunate. If the Government of India were never to issue instructions in a simple matter like this without sending round to all the Local Governments and Administrations in India and asking their consent, we should never get business done at all.

45320**. All leave certificates for more than six months have to be countersigned by the Inspectors-General of Civil Hospitals. Is this necessary?—This is an old rule (Article 835, Civil Service Regulations) which has survived because nobody has hitherto complained of it. The original idea was to keep the Administrative Medical Officer in touch with the work of his subordinates. It has also been suggested that the procedure acts as a check on Medical Officers upon whom pressure might be brought to give leave on flimsy pretences. I do not think there is very much in this, or that the whole matter is of sufficient importance to justify the existing rule. Countersignature might be dispensed with in the case of officers drawing less than Rs. 100 per mensem if not altogether.

45321**. What is the necessity for requiring the sanction of the Government of India to the investment of funds belonging to the provincial Governments, and why should not provincial Governments be allowed to raise their own loans as Local Authorities in England are permitted to raise their own loans, subject to the total loan not exceeding a fixed ratio of income? Have not Port Trusts, Presidency and *mufassal* municipalities and District Boards borrowing powers, of raising loans in the open market?—If a provincial Government invests money, it can do so only by withdrawing the money from the general cash balances of the Indian Government. Those balances are rarely at a higher figure than is necessary for the daily financial business of the country's administration. To tie up any portion of them by investment would thus affect our ways and means, and might necessitate our having to increase our borrowings. It would mean no economy in the end, and it would prevent the Central Government from handling the available resources of the treasury to the best advantage. The claim for a power of investment often proceeds on the erroneous assumption that provincial funds are in some way earmarked and separated from imperial funds. This is not the case; its provincial budget simply gives the Local Government a power of spending, up to defined limits, out of the general purse of the Empire. In answer to a previous question, I have discussed the propriety of allowing Local Governments to borrow independently. Port Trusts, municipalities and District Boards have independent borrowing powers; and several of the larger Corporations raise loans in the open market. Their relation to Government is, I need hardly point out, entirely different from the relation of a provincial to the Imperial Government.

45322**. Is the balance due to provincial Governments, in respect of deficiencies caused by the assignment to them of certain heads of revenue causing greater expenditure than corresponding revenue, made up to them from the excess of land revenue, except in Burma, where such excess is made up from salt and rice duties?—No. If the standard of expenditure determined for a Local Government at the provincial settlement is greater than the standard of revenue assigned to it, the difference is made good to it by an assignment from the general revenues of the Government of India. This assignment is passed, as a pure matter of convenience in accounts, through the receipt head "I—Land Revenue." The practice in Burma is the same as for any other province.

45323**. Would a re-assignment of revenue and expenditure do away with the necessity for special grants, such as those recently made for the development of agriculture (now aggregating 48 lakhs) and education, as well as for police reform?—A re-adjustment of the shares of revenue could be made so as to absorb the special grants referred to: this has just been arranged in the case of Madras. No re-adjustment could possibly dispense with the necessity for future grants of a special nature.

45324**. Could not larger powers be given to local officers to remit revenue in times of distress?—How far would this endanger the financial control of (1) the Government of India or (2) the Secretary of State? How far down in the scale of officials should this extend?—Yes: I think that the existing powers might be materially enlarged without any danger. But I should like to discuss the details with the Department of Revenue and Agriculture before saying more.

45325**. Do the Government of India, in finally returning the budget figures, send a covering letter saying that while reductions made have been with reference to actual probabilities of income and expenditure, yet the provincial Government will not be debarred from incurring any expenditure struck out from their budget, if they have the funds?—The ordinary terms of the instruction are somewhat as follows:—"The estimates originally proposed under some of the heads have been modified by the Government of India, with the object of securing closer correspondence between the budget estimates and the actuals of the year. But I am to explain that it is not intended to restrict duly sanctioned and necessary outlay, and the Government of India will be prepared to consider applications for supplementary grants should the progress of expenditure under any of the heads in question indicate that the budget grant is likely to be materially exceeded."

45326**. Is the control by the Government of India over the Excise Department of provincial Governments closer than in other branches of administration? Is this closer supervision necessary, and, if necessary, would it not point to a complete transference of revenue to the Imperial Government?—I think that the control of excise by the Imperial Government has been, in recent years, closer than in many other departments. The reasons have been (1) that Local Governments were as a rule very ignorant, and often somewhat apathetic, regarding the revenue aspect of excise; and (2) that the constant criticism to which our excise policy is subjected by temperance reformers has necessitated special supervision on the part of the Imperial Government, with whom the responsibility ultimately rests for the moral aspect of excise. I consider that this closeness of scrutiny has been necessary and that it has been justified; but, as the Local Governments must continue to undertake the immediate control and direction of excise, I think that it would be the gravest mistake to deprive them of all interest in the excise revenue.

45327**. Is it found that the appointment of an Inspector General of Excise and Salt has decreased reference and correspondence, besides diminishing control in matters of detail?—This has, in my opinion, undoubtedly been the case, as regards excise.

45328**. Have not certain general rules for guidance been issued in the case of income tax to Local Governments and also in respect of stamps and court-fee labels, or has each case to be referred to headquarters?—These heads of revenue are administered in accordance with law and certain general rules laid down by the Government of India. The references to the Government of India are very few in number.

45329**. Should not a provincial Government have power to borrow to meet loans for assisting encumbered estates under the Court of Wards? The Court find it difficult to borrow at reasonable rates, and now have, in the case of Eastern Bengal, 15½ lakhs at rates varying from 5½ to 9 per cent. Does this not involve unnecessary loss?—I am afraid that I could not assent to this proposition. The Government has many needs of its own, and sufficient difficulty in raising the loans which it requires in the interests of the general taxpayer. I do not at all think it should use its credit in order to cheapen the loans of private borrowers.

45329*a***. Why should (*a*) the objections of provincial Governments to alterations in the provincial budget by the Government of India, and (*b*) supplementary estimates (at the end of February) in Eastern

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Bengal all go through the Accountant-General and be put forward by him? Does this give provincial Governments a sufficient opportunity of stating their case?—There is not the slightest objection to the Government of Eastern Bengal and Assam submitting its objections to the budget corrections direct to the Government of India if it so wishes. Other Governments frequently do so.

45330**. Has the Accountant General authority to alter the figures of the provincial Government's budget without instructions from the Government of India? Does he ever do so?—An Accountant General is wholly responsible for the *revised* estimate, and may alter the figures which the Local Government has suggested, if he does not consider them to be justified But he has no authority to alter a Local Government's *budget* figures against their wish; he can only advise the Local Government if he thinks their proposals are unsuitable.

45331**. Might not the special sanction given to Eastern Bengal to sanction expenditure without specific re-appropriation be made general and extended to all other provinces?—The reference is to an altogether exceptional sanction, which was necessitated by special local circumstances. I do not agree that expenditure should ordinarily be permitted unless it is covered by budget provision, by re-appropriation, or by duly sanctioned extra grants. Any such relaxation would convert our budget system into a useless formality, and would lead to hopeless financial confusion.

45332**. At present when the budget provision for any department of a Local Government is insufficient, and the deficiency cannot be made up by re-appropriation from some other department, either an application has to be made to the Government of India, or by the inclusion of lump sums in the budget for the re-organization of establishments. Would not a better system be to empower Local Governments to appropriate up to a certain limit from their closing balance?—In years where we have a reasonable margin to come and go upon, I do not think there would be any harm in letting a Local Government draw upon its balances within moderate limits if necessary.

45333**. Could not the detail in the Public Works Department preliminary issue of estimates for provincial works—the 6 months and revised estimates—submitted to the Government of India be omitted, and a brief statement substituted showing the proposed outlay under the ordinary budget heads, original works, repairs, establishment, tools and plant?—For the purposes of the Financial Department, this would be quite sufficient. I doubt however if the Public Works Department Secretariat would agree to dispense with the information. Some Local Governments have shown themselves unable to utilize their budget grants without the pressure of departmental supervision from above.

45334**. What precautions are taken to prevent demands for information by the Accounts Department from placing an undue burden on departments of Local Governments, *e.g.*, the demand for monthly consolidated absentee statements from the Director of Public Instruction in the United Provinces?—I cannot say that any special precautions are taken; but I am quite sure that if a Local Government informed us of any demand which imposes an undue burden upon it, the matter would be promptly looked into. I will have enquiry made about the special case mentioned by Mr. Dela Fosse.

45335**. Why was the grant of a house rent allowance of Rs. 50 per mensem to Assistant Collectors of Customs in Bombay delayed in spite of the recommendation of the Bombay Government submitted in January, 1907?—The case referred to is typical of several such representations which have been made to the Government of India. A scheme for house building and house allowances on behalf of Government officers presents a large number of difficult and delicate questions; and the satisfactory and economical treatment of the case as a whole would be seriously prejudiced by admitting individual claims before we had fully worked out the main principles. The Bombay scheme has to be submitted in all its details to the Secretary of State; and he might naturally dislike our dealing with any part of it, even provisionally, before he has had an opportunity of expressing his views upon it.

45336**. Assuming that larger financial control is entrusted to Local Governments, could some system of training in the Imperial Financial Department be devised for selected members of the Indian Civil Service of each province in order to create a supply of Financial Secretaries better able to appreciate financial principles? Could such training be more suitably given in offices of Accountants General, or by attaching officers to the Imperial Financial Secretariat?—I think this would be an excellent scheme. The officers should be attached to the Government of India Secretariat in the same way as has occasionally been done in the Legislative Department. Whatever may be the measure of decentralization decided upon, I venture to hope that something of this sort may be practicable, if only to convince provincial authorities that our methods are not so arbitrary or unreasonable as they are sometimes represented to be.

(*The witness withdrew.*)

Adjourned.

SIXTY-SIXTH DAY.

SIMLA, *Tuesday, April 7th*, 1908.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, *Chairman*.

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Sir HERBERT RISLEY, K.C.I.E., C.S.I., was called and examined.

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45337. (*Chairman.*) You are the Secretary to the Government of India in the Home Department?—Yes, since September 1902. For three years before that I was Census Commissioner for India. Before that again I was Financial Secretary to the Government of India for about six months, with a little break. I was Financial Secretary to the Government of Bengal from May 1891 to August 1898. Out of 34½ years' service I have spent 21 in the Secretariat and 13½ out of it. I hand in a † statement showing the constitution and duties of the Home Department.

† *Vide* Appendix Ie.

45338. You have put in a statement showing the staff of the Secretariat on three dates, 1887, 1897, and 1907; the statement does not show the Inspectors-General and Directors General who work under the Home Department?—No, because they do not form part of the Secretariat.

45339. They are not included at all events for the purposes of this calculation as part of the Secretariat in the Home Department?—No. Their offices are distinct.

45340. Are all these appointments of Directors General new since the 1st April 1887?—No, the

Director of the Indian Medical Service has existed all along. The Sanitary Commissionership, when established in 1866–67, was a distinct post; then in about 1880 it was doubled up with the Surgeon Generalship, mainly for personal reasons.

45341. With that exception, these appointments of Directors General and Inspectors General and their staffs are all new since 1887?—From 1871 to 1889 there was a Director-General of the Archæological Survey. In 1889 the appointment was abolished on financial grounds. It was revived, and its duties defined, in 1902.

45342. You tell us that the Government of British India is vested in the Governor-General of India in Council; do you say that in consequence of a reference to any particular Act, or is it a general statement?—The statement is a quotation from Ilbert's Digest. It is based on the Regulating Act of 1773 and the Charter Act of 1833.

45343. Does not the Act of 1858 vest the Government of India in the Secretary of State?—My statement refers only to the Government of India, and takes for granted its subordination to the Secretary of State under the Act of 1858. That Act declared that India was to be governed by, and in the name of, the Crown, acting through a Secretary of State who was to exercise the powers of the East Indian Company and the Board of Control. It left the powers of the Government of India untouched, but made it subordinate to the Crown instead of to the Company. The relations between the Secretary of State and the Government of India are now regulated by constitutional usage.

45344. You say that "every Local Government must obey the orders of the Governor-General": is that practically a quotation from one of the despatches to which you refer later on?—That again is practically a quotation from Ilbert, and is based, I think, on the Statute of William IV. I have gone a little beyond Ilbert in adding the last words, "including the exercise of its own statutory powers."

45345. This is, at all events, the view which you take of the relations of the Governor-General in Council to the Subordinate Governments in India?—Yes.

45346. You say that the functions of Government exercised by the Home Department are limited to control and supervision?—That is to say, they are only directly executive in respect of Port Blair.

45347. When you say "control," what exactly do you mean; you say you "control" archæology, you "control" internal politics, you "control" education?—It is open to the Government of India to intervene and pass orders on any question whatsoever, whether it falls within the statutory powers of a Local Government or not.

45348. That is in no way limited by Acts passed in India?—No, in no way.

45349. You also tell us that under the rules of business the Home Department can claim to interfere in any question submitted to another department which affects either the general administration or the internal politics of the country; is that so?—Yes; any question connected with general administration, another department would consider itself obliged by the rules of business to refer to the Home Department. Also such matters as the staff of the Telegraph Department, the Public Works Engineering staff and so forth, subject-matter which is in itself rather remote from the business of the Home Department, but which may involve the principles of the Public Service Commission. Generally all administrative questions, and those actuarial questions which apply to Services would be referred to us.

45350. Yesterday the Finance Department told us that they were in a position to claim to consider any questions submitted to other departments of the Government of India, "upon financial considerations," and they explained to us that the financial considerations implied, not merely the possibility of providing money, but whether the money that it was suggested ought to be paid for a scheme was wisely and economically given out Does the claim which your department exercises, plus the claim of the Finance Department, practically result in any question of any magnitude whatever having to go through three departments, namely, the proper Administrative Department, the Finance Department, and the Home Department?—It closely approaches to that. In the case of the Finance Department I can quite see that it is a little difficult to say where the financial question comes to an end and the administrative question begins.

45351. And, in the same way, it would be very difficult to say where the proper administrative energy of one department ends and the Home Department activities begin?—Yes.

45352. (*Mr. Meyer.*) The Financial Department would be consulted in anything regarding expenditure, but in a case originating in the Revenue and Agricultural Department, the Home Department would not be consulted unless there was some special matter in which it was interested—Civilian recruitment, and so forth?—Yes, Civilian recruitment, or the principles of the Public Service Commission.

45353. So that, as a rule, there would only be two departments involved, the Administrative Department and the Finance Department?—Yes, assuming that no general Administrative question such as comes to the Home Department arises.

45354. (*Chairman.*) Do not general questions of administrative importance very frequently occur?—It is rather a question of the magnitude of the scheme.

45355. But, as a matter of fact, they do generally occur?—I can think of cases where they do not. If I remember rightly, the Revenue and Agricultural Department reconstructed the whole of the archæological arrangements without reference to the Home Department; I certainly found the papers strange to me when I took over the Archæological Department afterwards.

45356. Does it require some exercise of memory to recall cases in which the three departments do not interfere?—In the cases I have cited the three departments certainly would be concerned.

45357. And in the subsidiary questions depending upon those?—No doubt. A reference does not necessarily involve interference; the case may simply pass through, and we may say "No objection in the Home Department."

45358. Still, it requires reference and consideration?—Certainly.

45359. I do not quite understand why the Home Department interfere to see whether a thing is actuarily sound; I should have thought that that was more for the Finance Department?—It has been a matter of practice in all these instances to refer these cases to the Home Department. Mostly these actuarial questions are considered in both departments; the Home Department has to see whether promotion is likely to be blocked by a particular arrangement of grading, or whether it is likely to be unduly rapid; it is merely as a matter of practice that the Home Department comes in, as the custodian of those principles.

45360. Might that be quite as advantageously left to the department originally concerned, or solely perhaps to the Finance Department?—I daresay the Finance Department, as the calculating department of the Government of India, might be placed in charge of actuarial questions.

45361. And might perhaps be entrusted with the whole actuarial calculations?—I do not think it much matters which department does it, as long as some one department is in charge of the work, and certain principles are kept in view; but the Finance Department seems to me to be best equipped for the purpose. In that case the Administrative Department concerned would state its requirements from its own point of view, and the Finance Department would carry out the calculations necessary to give effect to them.

45362. With regard to these volumes of proceedings of the department, which have to be transmitted to the Secretary of State; are they what are known as the monthly proceedings?—Yes; I very seldom see them myself; they are dealt with as a matter of routine; the Registrar sends them straight to the Secretary of State.

45363. Are they, on the whole, necessary?—That is rather a question for the Secretary of State.

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45364. But I am asking from the point of view of the Home Department of the Government of India?—It seems to me desirable that the Secretary of State should have as far as possible a continuous record of the work of the Government of India before him.

45365. Do these furnish a useful record; is it necessary that they should be sent so often, or do they really contain valuable information?—Yes; I think it is desirable that they should be sent monthly, because they may be of use to the Secretary of State for the purpose of answering questions in Parliament.

45366. Is that their principal use?—And also to keep the India Office *au courant* with affairs in India; I do not know how they are dealt with in the India Office.

45367. You say that the practice is for the Superintendents in the various departments to submit the files to the Gazetted Officers with notes on them. Do they sign these notes?—Yes; they sign initials on the left hand of the page; the officers who deal with them sign their full names.

45368. Are all letters or despatches drafted subsequently to the reference of files to either the Deputy Secretary or the Secretary; is that the constant practice in the department; does the department never put up a letter at the same time that it puts up the note?—The subordinate officials, the clerks, do that occasionally; in simple routine matters, where it is perfectly obvious that a certain reply is to be given, they put up drafts for approval. There are some things that constantly require treatment of that sort, and for these there are printed forms of draft.

45369. Does the Deputy Secretary or the Secretary, in submitting papers to the Hon'ble Member, put up the draft of the despatch or letter, or are they always drafted after the return of the files from the Member?—The more common practice is for there to be notes, and a decision on the notes, and then a draft; it happens occasionally, not frequently, that it is convenient to make a draft in the first instance.

45370. Does the Under Secretary in the department in charge of the subject note after the superintendent of the department has noted?—Yes.

45371. He does not merely say "I agree," or initial it, but he proceeds to note?—If he agrees, he will simply sign his name, and mark the file to the Deputy Secretary or Secretary, as the case may be. I have given the order of distribution which is rather complicated. Agreement is signified by simply signing.

45372. Then it goes to the Secretary, and he signs or notes?—Yes.

45373. It then goes to the Member, who signs or notes?—Yes, if it is marked to the Member.

45374. Does a considerable proportion of the cases go to the Viceroy?—That depends upon the importance of the question, and also upon whether it involves disagreeing with a Local Government.

45375. Do a large proportion of cases go to the Viceroy?—I would hardly say a large proportion; I do not know that I can tell you the precise percentage.

45376. But roughly speaking; is it a quarter, or a third?—Hardly a quarter. In 1907–08: out of 4,298 cases dealt with by the Home Member, 934, or 21·7 per cent., were submitted to the Viceroy.

45377. A great deal of work is disposed of at the initial stages by the various officers, the Under Secretary or the Deputy Secretary. Are those purely matters of routine?—They may be matters of routine; they may be matters involving an intermediate reference to a Local Government, for example; or, they may be perfectly obvious matters which could be disposed of in accordance with practice.

45378. You have made certain suggestions as to the delegation of powers and so forth, and for decentralization. If they were carried out, would they get rid of a considerable amount of this initial work?—Certainly.

45379. A great deal of it?—Yes.

45380. That would leave practically only the questions of larger importance?—It would effect a substantial reduction of work in respect of matters of minor importance.

45381. You tell us that the Secretary is solely responsible for the entire business of the department, and in another place you say the Home Department is assigned to the special care of an Ordinary Member of the Governor General's Council. Do you mean that the Secretary is responsible for the interior management and machinery of the department, but that the responsibility lies with the Member of Council for the decisions given by the Home Department?—Yes, but the Secretary is responsible for bringing to the notice of the Governor General any question on which he thinks the Governor General's orders ought to be taken. It rests with him to mark the file for the Viceroy or not.

45382. That is to say that, if the Secretary disagrees with the Member of Council it is his duty to go to the Viceroy?—Yes, in cases of sufficient importance.

45383. Is that from time to time as occasion demands?—Yes.

45384. You would suggest to us that there is a divided responsibility for the decisions pronounced by the Home Department?—In what sense do you mean divided responsibility?

45385. That is to say that, if the Secretary can disagree with the Member of Council, he is responsible for referring the case, over the head of the Member, to the superior authority?—The Secretary is the Secretary to the Government of India, not the Secretary to the Member; and it is by reason of his duties to the Government of India that it may be necessary for him to make this reference to the Governor-General, which again may result in a reference to Council.

45386. Therefore there is a divided responsibility?—I do not think that phrase expresses the position correctly. The orders of the Member issue in the name of the Government of India and on their undivided responsibility. The Secretary is responsible only for seeing that they know what is being done.

45387*. Has the demand for returns and information from Local Governments increased of recent years? If so, is this due to the requirements of the Secretary of State or to those of the Government of India? Will you kindly give the Commission a list of the periodical returns which your department (*a*) calls for from provincial Governments, or (*b*) furnishes to the Secretary of State, with a column showing which of these (if any) are in your judgment unnecessary?—†I file a statement showing that of formal reports or returns 19 have been introduced, and 18 abolished, since 1901. Of the 70 items included in that statement 43 are required for one purpose or another by the Secretary of State, while 27 do not go beyond the Government of India. Among the latter I have marked seven which in my judgment are unnecessary. No further reduction in reports and returns is possible without the co-operation of the Secretary of State. The demand upon Local Governments for "information," as distinguished from reports and returns cannot be reduced to statistics, but it has undoubtedly increased of late years owing to the development of the country, the spread of education, the improvement of communications, etc. At the same time the formation of an Indian Committee in the House of Commons has led to more frequent questions and calls for returns, which in their turn add to the demand for information from Local Governments. The following statements illustrate this aspect of the subject:—

Home Department.

Year.	Number of communications made to Secretary of State in connexion with possible questions in Parliament.
1898	16
1899	8
1900	16
1901	2
1902	11
Total	53
1903	13
1904	13
1905	31
1906	43
1907	209
Total	309

† *Vide* Appendix IIe.

Year.	Number of questions on Indian affairs appertaining to the Home Department, asked in Parliament.
1898	66
1899	57
1900	20
1901	15
1902	40
Total	198
1903	38
1904	48
1905	82
1906	153
1907	165
Total	486

45388*. How is the superior staff of the Imperial Secretariat recruited, and how long (generally speaking) are officers kept in the Secretariat consecutively?—The superior posts in the Home, Revenue and Agriculture, Finance and Commerce Departments are recruited from the Indian Civil Service; in the Foreign Department, from the Political Service which includes Indian Civil Service, as well as Military, Officers; in the Military Supply and Army Departments, from Military Officers; in the Public Works Department, from Engineer or Accounts Officers; and in the Legislative Department, from the Indian Civil Service and Barristers-at-Law. The tenure of appointment of officers is ordinarily limited to three years, but may be extended.

45389*. What are the general principles governing the relations between the Government of India and the provincial Governments?—An authoritative statement of the general principles governing the relations between the Government of India and the provincial Governments is to be found in paragraphs 76 to 86 of the despatch from the Court of Directors, No. 44, dated the 10th December, 1834, and in the despatch No. 3, dated 28th March, 1838. The practice in the matter of correspondence between the Secretary of State and the Governments of Madras and Bombay is regulated by the Home Department letter of 17th June, 1872, and the later letters of 1877 and 1879, on the same subject†. The other provincial Governments do not correspond with the Secretary of State.

45390*. Would it be feasible, in matters dealt with by your department, to grant larger powers to provincial Governments after the Government of India had laid down general lines of policy? Would the grant of any such powers, which might otherwise be desirable, be impossible at present by reason of restrictions imposed by the Secretary of State?—When the Government of India have laid down general lines of policy on any particular subject I think it very desirable that the Local Governments should be given ample scope as regards giving effect to the policy, and that the instructions conveyed to them should be general rather than particular. I believe that at the present time the Government of India endeavour to proceed upon this principle. The fact that they desire to be supplied with copies of the particular orders issued for the purpose of giving effect to the general instructions in no way conflicts with the principle. It is merely a matter of convenience, and saves the waste of time involved in hunting through volumes of proceedings. But the principle itself is subject to some necessary limitations—

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(1) Where the Government of India finds the money it must have some control over details—
  (*a*) because without particulars it cannot know how much money will be required;
  (*b*) because when a Local Government has not to pay the bill itself it is not unnaturally tempted to utilize the occasion to raise its standard of administrative efficiency at the cost of the Government of India.‡
(2) When a Service is recruited from England the conditions must be uniform throughout India.
(3) Even when Services are recruited provincially the conditions must be fairly uniform, owing to the growing solidarity of the educated classes throughout India.
(4) Where commercial interests are affected, the administrative arrangements ought to be as uniform as possible. A firm which does business in half-a-dozen provinces will be unfairly hampered if it has to work under half-a-dozen different sets of rules. The case of the petroleum rules is in point.
(5) Where international obligations are involved, *e.g.*, the working of the Paris Convention, the same holds good.
(6) Also in the case of shipping. If sanitary regulations, signals, etc., differ from province to province commanders of vessels have reasonable grounds of complaint.
(7) Certain penal provisions must also be uniform. A sentence of imprisonment for a given time ought to mean much the same thing everywhere, and the conditions of remission (mark system) should also be uniform.
(8) Jail manufactures may also be mentioned. If one province competes with local industries and another does not, the conditions will be unequal; some firm is sure to have a grievance and will come to the Government of India for redress.

45391*. You have been furnished with schedules or memoranda showing the proposals made by certain provincial Governments in regard to the relaxation of specific restrictions now imposed upon them by law, by rules having the force of law, by imperial codes (such as the Civil Service Regulations), or by executive instructions which they desire to have relaxed. Would you object, so far as your department is affected, to any such proposals; and, if so, on what grounds? Can you suggest similar relaxation

† Copies of these papers are contained in Appendix IX.

‡ NOTE.—The following statement shows that the ratio of expenditure to population in Bombay is considerably higher than in any other province in India:—

Statement showing expenditure per 1,000 *of population in Madras, Bombay, Bengal, the United Provinces, the Punjab and the Central Provinces.*

Provinces.	Total provincial expenditure per 1,000 of population for 1894–95 as compiled by Sir James Westland in 1898.	Total provincial expenditure per 1,000 of population for 1899–1900 as compiled by Finance Department in 1902.	Expenditure on higher administrative appointments per 1,000 of population for 1904–05 as compiled by Home Department in 1907.
	Rs.	Rs.	Rs.
Madras	608	870	·86
Bombay	1,135	2,380	1·46
Bengal	325	620	·77
United Provinces	394	760	·90
Punjab	632	910	1·03
Central Provinces	537	860	1·03

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in any other matters?—My proposals in regard to the relaxation of the various kinds of restrictions now imposed upon Local Governments are contained in the statement,† which I hand in.

45392*. What are your views regarding the enactment of a general Act of delegation on the lines of Act V. of 1868, empowering the delegation and redelegation of powers now vested by law in the Government of India and Local Governments, to other authorities down to Heads of districts, but safeguarded by provisions for the prior notification of such intention and the invitation of objections?—I am decidedly of opinion that legislation ought to be undertaken to empower the Government of India to delegate some of its powers to Local Governments, and to enable Local Governments in their turn to delegate certain functions to their own subordinates. The tendency of modern legislation, at any rate in the provincial Councils, has been to require the sanction of the Local Government in a number of cases where that sanction is, as a rule, purely formal. District Officers and Commissioners send up proposals which never get beyond an Under Secretary, and are notified in the Gazette by his orders. This is a clear waste of power. But I do not think the lines of Bombay Act V. of 1868 can be followed. I doubt whether the precedent of the Commissioner in Sind can properly be appealed to, and I am certain that a proposal to delegate in gross would arouse general opposition. It appears to me, therefore, that the proper course to adopt is to draw up a complete delegating Bill, with a schedule showing the powers which may be delegated under each Act now on the statute book, and the officers to whom they may be delegated. As regards future legislation, there should be a standing order in each Legislative Department that the question of delegation should be specially considered when any Bill is being drafted.

45393*. Are there any general rules of the Government of India governing the recruitment of the Provincial and Subordinate Services for provincial Governments?—I understand this question to refer to the Provincial and Subordinate Civil Services. On this assumption, the general rules governing the recruitment of those Services are contained in the following extract from the Home Department letters Nos. 1535–1539 and 1543, dated the 27th and 28th May, 1892, to the Governments of Madras, Bombay, Bengal, the United Provinces and the Punjab, and the Chief Commissioner of the Central Provinces, revised up to date.

"The last question upon which it is now necessary to address the Governor in Council is that of the rules to be laid down for regulating admission to the Provincial Service.

"It is desirable to recapitulate here the conditions which the Government of India and the Secretary of State have determined must be satisfied by candidates for admission to the Provincial Service. They are the following:—

I.—Every candidate for appointment by recruitment must furnish satisfactory evidence—

(*a*) That he is not over 25 years of age, except in the case of barristers, advocates, or pleaders appointed to the Judicial Branch otherwise than by competitive examination. In these excepted cases, Article 63 of the Civil Service Regulations fixes the maximum age at 30;

(*b*) That he has attained a prescribed preliminary standard of education, and specially of qualification in one of the vernacular languages of the province in which he is to be employed. The vernacular standard should be a high one, involving a thorough knowledge of the language, and ability to write and read the written character with facility. In the case of Europeans and Eurasians, this requirement will have to be enforced by means of a special examination; in the case of Natives, evidence of it will be provided by the candidate having passed the University or School Standard Examinations;

(*c*) That he is of sound health, good physique, and active habits; and

(*d*) That he is of good character.

II.—Every person appointed to the Provincial Service by recruitment shall be subject to a period of probation or training, during which time his appointment will be probationary only, unless in special cases the Local Government declares such probation or training to be unnecessary.

III.—The subjects of Native Princes in alliance with His Majesty shall be eligible for appointment, provided they are qualified in other respects.

IV.—Recent residence of at least three years in the province should, as a general rule, be an essential condition of admission, and no barrister, advocate, or pleader should be appointed, as such, unless he has been at least three years actually practising his profession in India and can speak the provincial vernacular.

V.—Europeans who are not natives of India shall be eligible if qualified by the above conditions, for appointment, with the sanction of the Government of India.

VI. No member of the Provincial Service shall be dismissed otherwise than on the result of a judicial or formal departmental enquiry. This condition is practically in accordance with the orders already in force, but it is desirable that it should be definitely laid down in the rules.

"The Government of India also think it desirable that the rules should contain an announcement that the Local Government reserves to itself the right to make promotion to the superior grades of the Provincial Service without regard to seniority, and are of opinion that it might be ruled that seniority shall not give a claim to appointment to the grade on Rs. 500 a month and higher grades. Such an announcement would not in any way interfere with the discretion of the Local Government to retard promotion in particular cases in grades below that on Rs. 500 a month, should it consider that the character of any individual's service has not been such as to justify his receiving promotion in the ordinary course according to his seniority."

These general rules are supplemented by detailed rules issued by the Local Government, with the previous sanction of the Government of India.

45394*. What is, generally speaking, the position of the Imperial Inspectors-General? What do you regard as their proper functions? May they be consulted by provincial Governments as well as by the Government of India? Should their views be furnished to the Local Government before a provincial scheme is dealt with by the Government of India? How far do they, and should they, correspond direct with the Heads of the provincial Departments? Does such correspondence tend to weaken the control of the provincial Governments over their own officers? Would it be expedient to substitute periodical conferences of provincial Heads of Departments for Inspectors-General?—The position of the Imperial Inspectors-General subordinate to the Home Department may be defined as follows:—

Director-General, Indian Medical Service.—"The Director-General of the Indian Medical Service will be the head of the amalgamated Indian Medical Services in India. It will be his duty, among other matters, to propose transfers between the Military and Civil Departments, to recommend for promotion to the administrative grades, and to advise the Government on all questions relating to the admission of officers and subordinates to the Indian Medical Service, to the conduct and services of Indian Medical Officers of all grades, and to the supply of medical and surgical stores. The Director-General of the Indian Medical Service . . . . will be entitled to receive any information he desires from the Surgeons-General, Inspectors-General of Civil Hospitals, Administrative Medical Officers, and Sanitary Commissioners attached to the Local Governments and Administrations, and to communicate with these officers, in regard to the operation of departmental rules and orders; but he will exercise no direct authority over these officers, who will be solely under the orders of the Local Government and Administration to which each belongs."

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Sanitary Commissioner with the Government of India.—"The Government of India have no intention of relieving Local Governments of the direct control and responsibility which they have hitherto exercised in sanitary matters, or of weakening their authority over provincial sanitary establishments. . . . . The main functions of the Sanitary Commissioner will, as heretofore, be to advise the Government of India upon sanitary and bacteriological questions. He will not be permitted to encroach in any respect upon the authority of Local Governments, or the officers under their control. But he will be empowered to consult and confer with them informally upon matters connected with sanitation and will, in this respect, occupy a position closely analogous to that of the Director-General of Education. He should also correspond unofficially with the provincial Sanitary Commissioners and the Heads of provincial laboratories upon points of departmental procedure, forms and statistics, and purely technical questions."

Director-General of Education. — This officer's primary duty is to advise the Government of India on all educational questions. He also confers with, and advises Local Governments, and corresponds unofficially with the provincial Directors of Public Instruction. Unlike them, however, he has no executive power, and it is on record in the Home Department that his designation of *Director*-General was intended to connote guidance and not control.

Director-General of Archæology.—It is the duty of the Director-General of Archæology to secure that the ancient monuments of India are properly cared for, and that repairs and restorations are carried out on the right lines. He exercises a general supervision over all archæological work, assists the provincial officers in ascertaining and formulating the requirements of each province, and advises the Government of India as to the operations for which special subsidies may be allotted from Imperial revenues. The creation of the appointment was not intended to weaken the responsibility of Local Governments for the care of the ancient monuments of their provinces nor, in my opinion, has it had this effect.

Director, Criminal Intelligence.—The position of this officer is described in my succeeding reply.

In my opinion, the existence of these advisory and inspecting officers is the necessary consequence of two modern tendencies—the specialization of administrative business, and the advance of decentralization. As to the former, the demand for higher standards of efficiency and the increased employment of specialists render it necessary that the Government of India should have expert advisers of their own if they are not to choose blindly between several conflicting opinions. As to the latter, however far decentralization may be carried, there will always remain certain general questions upon which the Government of India is, and must continue to be, the ultimate authority. In order to decide these questions it must know the administrative facts involved. It is obvious, however, that the further decentralization proceeds and the more the independent powers of Local Governments are enlarged, the less direct knowledge will the Government of India acquire by means of ordinary official correspondence. Unless, therefore, they are entirely to abdicate their functions of controlling general policy, and of advising the Secretary of State in matters which require his sanction, it is essential that they should have some machinery for keeping them continuously informed of what is going on in different provinces, and to bring to their notice matters which can only be learnt on the spot. In short, if these officers did not exist already, the advance of administrative decentralization would compel the Government of India to create them.

While the retention of officers of this type is in my opinion indispensable, I think it essential to lay down some rules to prevent them from exceeding their functions and generally to guard against their operations weakening the control of Local Governments over their own officers, and setting up friction between those Governments and the Government of India. Premising that all such rules must be applied with tact and forbearance, and must not be too technically interpreted, I suggest the following :—

(I) An advisory officer is entitled to ask officially for any information which may be necessary to enable him to keep the Government of India informed on matters of general importance relating to the branch of the administration with which he is associated ; and, to that end, every facility should be given to him by the corresponding officials of Local Governments. I would make such references official for the simple reason that informal or unofficial correspondence is apt to be mislaid and forgotten. But the distinction is purely formal and is not of the first importance. I would make it, however, a general instruction to all advisory officers that such correspondence should be restricted as much as possible. There is a danger of these things being overdone, especially if they get into the groove of routine.

(II) He should be ready to furnish to a Local Government, or to the Head of the provincial Department concerned, any advice or information at his disposal, which he may properly communicate. The point is that when the Head of a provincial Department is preparing a scheme for submission to his own Government it is *primâ facie* legitimate and to the advantage of the Local Government that the provincial man should be able to get the advice on technical matters of an expert who has wider knowledge than himself. There are, however, two dangers—

(1) That in giving his advice the Imperial officer may unwittingly trench upon questions of general administration and may thus give offence to the Local Government. It would perhaps be possible to guard against this by ruling that when the Head of a provincial Department desires advice on a matter of general administration as distinguished from one of technical knowledge, he should not refer to the imperial adviser without obtaining the permission of his own Government.

(2) That it may be assumed by the local authorities that if they follow the imperial adviser's suggestions their scheme will necessarily be approved by the Government of India, at any rate so far as the functions of their adviser are concerned. It should, however, be understood that this does not necessarily follow. When consulted by a provincial department the imperial adviser can only express his views for what they are worth and subject to the necessary limitations of his position. He is not the ultimate sanctioning authority, and at the time when he is consulted he may not know the entire history of the subject, so that when the case comes before the Government of India points may be raised which will induce him to modify the opinion he expressed to the provincial officer. I have dwelt on this rather fully because it appears to me that the giving of advice to provincial officers is one of the most valuable functions of these imperial officers. If their action in this direction is carefully guarded, it ought not to lead to friction with the Local Governments, and it will certainly tend to expedite the transaction of business. I may mention that the Sanitary Commission with the Government of India has on several occasions been consulted direct by the Lieutenant-Governors of the United Provinces and Bengal, by the Chief Commissioner of the Central Provinces, and by one of the members of the Bombay Council, and that the local officers of all provinces except Madras consult him frequently.

(III) He should endeavour not to multiply reports and returns and thus add to the burden of routine correspondence devolving upon local officials. No such reports or returns should be asked for without the permission of the department of the Government of India to which the advisory officer is subordinate.

(IV) He should tour freely all over India and, when on tour, he should be regarded as the

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accredited agent, though in no way as the plenipotentiary, of the Government of India; and Local Governments should be asked to instruct their officials to accord him all facilities. The more touring that is done the better. The knowledge thus acquired adds greatly to the usefulness of the advisory officer, and it is very desirable that he should establish friendly personal relations with provincial officers.

45395*. Has the creation of the appointment of the Director of Criminal Intelligence with the Government of India centralized control over the provincial police? How far does this officer act as an Imperial Inspector-General of Police for India?—I do not think it can be said that the creation of the appointment of Director of Criminal Intelligence with the Government of India has centralized control over the provincial police, nor would any such centralization be possible under the law now in force. The main functions of that officer are to collect and communicate information relating to special forms of crime extending over several provinces, such as coining, note-forgery, illicit traffic in arms, poisoning on railways, and the movements of criminal tribes. This is indicated by his designation, Director of Criminal *Intelligence* in contradistinction to the work of Criminal *Investigation* carried on by the corresponding provincial departments. It is unusual for him to undertake investigations, and he has only done so in special cases at the instance, or with the approval, of Local Governments who have supplied him with the requisite staff. The Director of Criminal Intelligence has also assisted the Government of India with his advice in dealing with the many questions of police reorganization arising out of the report of the Police Commission. It was intended that he should do this when the appointment was created and the proposal was approved by the Secretary of State. Sir Harold Stuart, the first Director of Criminal Intelligence, had been Secretary to the Commission; he had visited all provinces with them, and had taken part in their consultations with the Local Governments and their officers; and he was exceptionally well qualified not merely to give technical advice, based on his knowledge of police administration, but also to explain to the Government of India the requirements of the various provinces and the point of view of the Local Governments themselves. It was not contemplated at any time that he should act as an Imperial Inspector-General of Police; nor could he do so without special legislative authority.

45396*. To what extent could the necessity of reference to the Government of India in regard to the appointment of Financial Commissioner and other high officials be dispensed with? Are not other Local Governments subject to restrictions in this respect which do not apply in Madras and Bombay?—My proposals under this head are contained in entries Nos. 46–53, 55 and 57–59 of the † statement filed.

45397*. Apart from financial restrictions, is the sanction of the Government of India necessary to the transference of any area from district to district within the same province?—In Upper Burma, any transfer of areas from district to district, for administrative, including revenue, purposes, requires the previous sanction of the Governor General in Council under section 5 (*a*) of the Burma Laws Act, 1898 (XIII of 1898). The sanction of the Governor General in Council to similar transfers in Lower Burma is not required by law; but it has been the practice for such sanction to be applied for. In Madras, Bombay, Bengal, the United Provinces, the Punjab and the Central Provinces, the Local Government has statutory power to alter the limits of districts.

45398*. Is the system of administration through a Board of Revenue or Financial Commissioner preferable to the agency of territorial Commissioners or otherwise? Is it necessary to have both methods in one province?—My experience is confined to Bengal where both methods are in force. In a province of that size, where there are six or seven Commissioners and the revenue work is heavy and intricate, the Secretariat would be overwhelmed with detail if the Board of Revenue were abolished. The same would happen to the Board if the Commissioners were abolished, while the administration generally would suffer by being deprived of a wholesome form of local guidance and control.

45399*. Would it be desirable to enlarge the powers of territorial Commissioners somewhat on the lines of those exercised by the Commissioner in Sind?—I am decidedly in favour of enlarging the powers of Commissioners, but it is not clear to me that the powers exercised by the Commissioner in Sind can properly be regarded as a model. The position occupied by that official is peculiar; it has been determined by local, historical, and, to some extent, personal causes; and it seems to me not improbable that, with more direct railway communication between Karachi and Bombay, the independence of the Commissioner in Sind will come to be reduced. In any case, I doubt whether public opinion in Bengal would acquiesce in so large a devolution of powers from the Local Government to Divisional Commissioners as is carried out in Sind.

45400*. Are sufficient powers given to Collectors and Sub-Divisional Officers?—I understand that I am only asked for a general reply, and am not expected to enumerate the actual powers to be delegated to Collectors and Sub-Divisional Officers respectively. It would be impossible to do that with any approach to finality at the present stage of the discussion. But, in my opinion, the principle to be borne in mind should be that in the interests of efficiency and with the object of saving correspondence, training officers in their work, and developing a sense of responsibility, as large a devolution as possible should be made both to Collectors and Sub-Divisional Officers. If the scheme for separating judicial and executive functions which is now under consideration proves a success when tried experimentally, and is extended to the whole or the greater part of the advanced provinces of Bengal and Eastern Bengal and Assam, it will be necessary to remodel the present sub-divisional system and to create executive sub-districts considerably more extensive than the existing sub-divisions. The officers in charge of these sub-districts ought, in my opinion, to be vested with substantially larger powers than the present Sub-Divisional Officers possess. As they will have no criminal cases to try they can only be given a full day's work by increasing their powers.

45401*. Is the district administration of Bengal and Eastern Bengal too much centralized at the district and sub-divisional headquarters, and would it be desirable to create smaller administrative circles within the sub-division?—I do not understand what this question refers to. It will be seen from my preceding reply that I think the tendency in future will be to increase, rather than to diminish, the size of executive sub-divisions. In the case of judicial sub-divisions, on the other hand, the tendency will probably be in the opposite direction. As litigation increases there will be a constant demand for more courts. Fresh judicial sub-divisions will be created and the size of the existing sub-divisions reduced, so as to give all parts of a district a criminal court within a convenient distance.

45402*. Are there any considerations in respect of the powers of Collectors and Sub-Divisional Officers which specially refer to Burma?—I am not in a position to give a useful answer.

45403*. Are you in favour of the creation of (*a*) Advisory, (*b*) Administrative, Councils to assist Divisional or District Officers? Assuming that such Councils are desirable in the districts, would it be possible to utilize the existing District Boards or to develop them to meet the need?—I think there is much to be said in favour of creating Advisory Councils to assist Divisional Commissioners. Such Councils would be the natural complement of the Provincial Advisory Councils which it is proposed to constitute; they would give the leading men of a division an interest in public affairs and some insight into the practical difficulties of administration; they would render the extension of the Commissioner's powers more acceptable to the public; and they would furnish that officer with a body of reliable and responsible advisers whose opinion would carry considerable weight if they were carefully selected. In my opinion, the divisional Advisory Councils should consist of not more than six or seven non-officials recommended by the Commissioner and appointed by the Local

† *Vide* Appendix X.

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Government for a period of five years, subject to renewal. In making his recommendations the Commissioner would have regard to the desirability of representing the districts forming the division and important classes and interests, but no hard-and-fast rule as to proportionate representation could be laid down, at any rate at present. I do not think it would be desirable, until further experience had been acquired of their working, to give such Councils powers of administrative control, reserving to the Commissioner the right to reverse or modify their orders at discretion. At starting I should prefer to make them purely advisory, in the hope that after the system had been in actual operation for a few years the free working of advisory methods, unfettered by rigid rules of procedure, would indicate in what directions a further advance could be made. It might be possible, for example, to make it a condition that in certain definite classes of cases the Commissioner should only exercise the enlarged powers conferred on him with the concurrence of a majority of his Council, and that where the Council did not concur the Commissioner would, if he proposed to carry the matter further, be obliged to refer it for the orders of the Local Government. But, as I have said, I would begin on a purely advisory basis. If relations of mutual confidence are thereby established, as I hope and believe will be the case, the rest will follow of itself. To start with a fixed division of powers will give rise to antagonism and distrust.

The case of District Officers stands on an entirely different footing. The District Officer is much more closely in touch with the people than the Commissioner, and he has to decide either finally, or by way of recommendation, a number of comparatively minor matters relating to his district, some of which are necessarily of a more or less personal character. He is constantly moving about; he comes into contact with a great number of people, and in this way is more favourably situated for gauging public opinion and consulting the many individuals whose interests are affected than a small Council sitting at headquarters and necessarily liable to be approached in irregular ways and subjected to interested influence. To tie him down to one set of advisers would simply hamper him. The efficient District Officer would derive no benefit from his Council, for his own range of knowledge would be wider than theirs, while an inefficient District Officer might do much harm by indolent reliance on their advice. Apart, moreover, from these objections, the District Officer already has his Advisory Council ready-made in the form of his District Board, and there is no room for a second body side by side with this. If the constitution of the District Board were improved it might serve a useful purpose as an organised consultative body to which the District Officer might refer certain classes of cases. This, however, raises the whole question of the reform of Local Government which can hardly be discussed here. On the whole, therefore, I think the consideration of Advisory Councils for District Officers should be deferred until the system of Local Government has been reconstructed. In carrying out that reconstruction the desirability of constituting the District Board so as to discharge the functions of an advisory district Council ought to be borne in mind.

45404*. Do you consider that the authority of the Commissioner or Collector has been weakened by the creation of special departments or by the centralization of Government in the provinces?—No doubt it is the case that the authority of the local officers has been weakened by the causes referred to. In some degree this is inevitable. How far it is in itself an evil and what remedies should be applied are questions covering the entire range of administration.

45405*. Do you consider it desirable to select officers for the higher posts in the Indian Civil Service with greater care? If so, at what point of an officer's official career should such process of selection, as opposed to mere seniority, begin?—If the independent powers of Executive Officers are to be substantially increased it appears to me essential that the men who are to exercise these powers must be carefully selected. With the spread of education Indian public opinion becomes continually more critical; the tendency to dispute executive authority is everywhere on the increase, and the widest publicity is given through the press to any official proceedings that admit of being represented as arbitrary or injudicious. Under any system of Government occasional scandals are bound to occur, but it is reasonable to expect that they will be less frequent under a *régime* of selection than where the higher posts are left to the chances of mere seniority. The principle of selection has been insisted on by a series of public Commissions and has been affirmed by the Secretary of State, and the Government of India. It was definitely laid down in 1890 that no officer should be appointed to the charge of a district or to be a District and Sessions Judge who had not in the course of his previous service given distinct evidence that he was fit for such office. In my judgment this injunction is perfectly sound in principle. In order, however, to apply it fairly in practice it should be stated so as to make selection come into play when an officer becomes eligible for *substantive* promotion to the posts in question. That would give him a fair chance of proving his capacity while officiating as District Officer or Judge, and in doubtful cases his confirmation might be deferred until the Local Government had been able to test his qualifications fully. In the case of Commissioners the same principle applies only with greater force. Their position is more conspicuous, and their functions are more important and demand more special qualifications. A man may be a good Collector and yet be unfit for employment as a Commissioner. Here again, however, there will be little difficulty in giving every one a trial in officiating appointments, and the rule should be the same—that selection should take place at the stage of substantive appointment.

45406*. Should Government have power to retire officers considered unfit for promotion? If so, on what terms as regards pensions?—Whatever rules may be made with the object of introducing promotion by selection will be liable to be defeated in practice by the reluctance of Local Governments to pass over well-intentioned and industrious men whose characters are blameless and whose only fault is that they are incapable, by temperament or mental equipment, of discharging the higher duties of their profession. For such men excuses will always be found, and the tendency will be to strain the rules in their favour and to appoint them to light out of-the-way districts where their shortcomings will be overlooked, rather than face the odium of keeping them permanently in subordinate posts, and displaying in public the unedifying spectacle of a senior Civilian serving out his time for pension as a Joint Magistrate. These remarks apply more particularly to the initial stage of selection, when the question is whether a man is fit to be a District Officer or a Judge. There is a better prospect of principles being enforced at the later stage of promotion to a Commissionership, since the consequences of supersession are not so serious. On the other hand, the danger of incompetence leading to open scandal is greater in the case of a District Officer or a Judge, who has constantly to take specific action on matters that come before him, than in that of a Commissioner, who is to a great extent an appellate, revisional, or recommending authority. At the present day the evil effects of executive or judicial incapacity are so widespread that an effective remedy is imperatively called for. In my opinion, the only remedy that is likely to prove effective is that suggested by the Famine Commission in 1880, and by the Public Service Commission in 1887—that officers declared unfit for promotion to the substantive rank of District Officer or District Judge should be liable to compulsory retirement on pensions proportionate to the period of active service rendered by them. Whatever this might cost would be amply repaid by the rise in the general standard of efficiency which would directly and indirectly result. The proposal is limited to the stage of promotion specified. It is not required where promotion to a Commissionership is withheld. An officer passed over at that stage has usually served long enough to be able to retire on full pension. If he has not, there is no hardship in requiring him to wait.

45407*. Would it be possible to decrease transfers (*a*) by the alteration of the leave rules; (*b*) by paying less attention to seniority in acting appointments; (*c*) by distributing the leave and deputation reserve of officers over different grades or otherwise?—The question of decreasing transfers was carefully considered by the Government of India in 1900-01. The

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results of the discussion were embodied in the Home Department Resolution Nos. 224–240, dated the 25th January 1901, of which I hand in a copy†. By that Resolution various measures were adopted, and various suggestions were made to the Local Governments and Administrations with the object of materially reducing the number of transfers. These may be summarised as follows :—

(1) The leave rules were modified to the extent set forth in paragraph 4 of the Resolution.

(2) It was suggested that the provisions of articles 197 and 211, Civil Service Regulations, should be strictly enforced.

(3) It was laid down that transfers must not be made to meet the private wishes of officers.

(4) The practice of giving acting promotions by seniority was condemned.

(5) Local Governments were instructed to enforce more strictly the provision in article 98, Civil Service Regulations, that privilege leave vacancies should be filled as a rule by officers on the spot.

Heads (*a*) and (*b*) of the question are covered by the orders of 1901 to which I have nothing to add. As regards (*c*), according to the accepted method of calculation by which the India Civil Service is recruited, the reserve for deputation, leave and training is the difference between the actual number of superior and inferior posts and the strength of the Service as deduced from the number of superior posts. Thus supposing the number of superior and inferior *cadre* posts in Bengal to be (87+35=) 122 and the Service strength to be 175, the reserve for the above purposes is 175—122=53. These 53 officers are provided for in the lowest grade of the Service. It is not possible to distribute them over different grades. The only way in which the reserve can be increased is by adding to the number of superior posts. If for example a new grade of Joint Magistrates on Rs. 1,200 a month were created, and one such officer were posted to every district, the number of transfers arising from short leave vacancies might be greatly reduced. To increase the number of inferior appointments, without making a corresponding addition to the superior, would produce a serious block of promotion.

45408*. Are you in favour of any limitation of the present rights of appeal to the Government of India and the Secretary of State (*a*) on administrative matters ; (*b*) on questions personally affecting officers of the Public Service ?—I do not understand what is meant by head (*a*) of this question. As to (*b*), I agree with the proposals made in the note of 7th November 1907 by the preliminary Committee on Decentralization. The draft rules appended to that note would, in my opinion, save much waste of power on the part of highly placed officials, and would afford ample security against injustice. They would, of course, not debar the appellate authorities from intervening in particular cases of hardship.

45409*. Are you in favour of the enhancement of the powers of (*a*) Presidency Municipalities, (*b*) district municipalities, and (*c*) Sub-divisional Boards ?—Looking to the important commercial and imperial interests liable to be affected by the administration of Presidency Municipalities, and the international obligations connected with their sanitary arrangements, I doubt whether there is much room for the enhancement of the powers of these bodies. Whatever may be the form of the municipal constitution, Government will, in the last resort, be held responsible for the administration of the great cities of India, and, therefore, must reserve to itself some right of intervention and control only to be exercised in grave emergency. In Calcutta and Madras, however, I think the provision requiring the previous sanction of the Local Government to any project costing one lakh or more might be relaxed and the Municipality allowed to sanction works up to a higher limit. On the other hand, I do not agree with the suggestion that the control of Government over the appointment of Health Officer should be surrendered. Experience both in India and in England seems to me to show that it is very necessary to strengthen the position of the Health Officer and to give him adequate security against arbitrary dismissal.

In the case of most district municipalities, where the population does not approach the scale of a city, the interests at stake are not so important, and I think the committees might be given a freer hand than they have at present. Minute supervision destroys their sense of responsibility and detracts from the value of self-government as a test of the capacity of the educated classes to manage local business and to care for the interests of the uneducated masses. If the Commissioner of the division were given ample power to intervene in cases of gross mismanagement, I think it would be possible to dispense with the minute and rather vexatious supervision of municipal budgets which is exercised under sections 74 to 80 of Bengal Act III of 1884, and the powers of the committees under section 61 might be extended. This would be a very popular concession, and if it were made I think the powers conferred on the Local Government by section 9 need not be dependent on the recommendation of the committees themselves.

As regards Sub-divisional Boards, which I understand to mean the Local Boards of the Bengal Self-Government Act of 1885, my view is that the machinery of Local Government in the more advanced provinces ought to be remodelled so as to consist of—

(1) Elective Committees for groups of villages.

(2) Elective Committees for Sub-divisions.

(3) A District Committee or Board of moderate dimensions consisting of delegates elected by the Local Boards with the District Magistrate as Chairman.

The District Committee should exercise only those general functions which cannot be delegated to the Local Boards, such as the distribution of funds among the Local Boards, the settlement of disputes between them, the allotment of the duties of the District Engineer, &c. The Local Board should be the chief working unit, and election to it should be arranged so as to secure the representation of important classes and interests.

45410*. Is it desirable to dissociate the Collector from the Chairmanship of the District Board or any other local body, and should such separation affect the contribution now made from Government revenues to District Board funds ? Were the Collector so dissociated from the direct conduct of local affairs, what view would you take of a proposal to associate special representatives from municipalities and other local bodies in a Standing Committee to discharge, under the presidency of the Collector, functions of outside control over such bodies which are at present reserved to Government or its local agents ?—In my opinion it is not desirable, in the interests of the development of local self-government, to dissociate the Collector from the Chairmanship of the District Board. Under modern conditions these Boards deal with very large revenues, and their administration extends to a wide range of public business affecting all parts of a considerable area and embracing a great variety of subjects. The head of their executive ought to be a good man of business, with considerable administrative experience, intimately acquainted with all parts of the district and familiar with the machinery of Government and the methods of official correspondence. He must in short be a professional administrator. Only an exceptionally gifted amateur would be capable of carrying on the work, and we cannot count upon finding such men in sufficient numbers to render it possible, as a general rule, to entrust the business of a District Board to an elected non-official Chairman which I presume is the change contemplated. To do so would be to invite conspicuous failure which would be liable to discredit the elective principle and would positively retard progress. It is one thing to make the Board largely or entirely an elective body, and to confer upon them very extensive powers ; it is quite another thing to deprive them of their most capable adviser and to leave them without a competent executive. There is another point to which I attach considerable importance. If the Collector ceases to be Chairman of the District Board, official control over that body must be exercised, from outside, by him, or at his instance. This puts the Collector in what I consider entirely wrong relations to the leading people of his

† *Vide* Appendix XI.

district. It makes him a hostile critic where he ought to be a fellow-worker and a friend.

The case of municipalities is in my opinion entirely different. Here I would leave the elected bodies as much as possible to themselves, and let them learn by experience to manage their own affairs without the assistance of an official Chairman. In most *mufassal* municipalities the area to be dealt with is small, the work, though involving a good deal of detail, is simple, and there is no reason why an elected Committee should not perform it efficiently. Whatever mistakes they make will recoil upon themselves and will not, as in the case of a District Board, affect people living at the other end of the district with imperfect means of making their grievances heard.

45411*. Are the existing resources of Rural Boards and municipalities adequate to the proper execution of the duties assigned to them?—Speaking generally, I think it must be admitted that the resources of District Boards and district municipalities are not sufficient to enable them to work up to modern standards of local administration. In municipalities this is most conspicuously the case in respect of schemes for water supply and drainage, the advantages of which, especially of the former, are now pretty generally realised. Similarly in some rural areas in Bengal the old sources of water-supply have fallen into disrepair, and the District Boards are approached with demands far beyond their financial resources. In other parts of the same province the silting up of old channels and changes of levels are believed to cause malarial fever, and large schemes of drainage are advocated which the local bodies are unable to carry out.

45412*. Would it be desirable to establish District Boards in Burma?—I have not sufficient knowledge of Burma to be in a position to give a useful reply to this question.

45413*. Could further powers or functions be granted to village authorities?—For many years past I have held the opinion that in Bengal and Eastern Bengal and Assam it is both possible and desirable to develop self-government in villages or groups of villages by means of small elective Councils. I would entrust to such Councils the following powers:—(1) Small civil and criminal jurisdiction to be exercised by Benches. (2) Powers of permissive taxation with the sanction of the District Officer. (3) Power to borrow money on the security of the taxes, with the joint and several guarantee of the Council, for the purpose of water supply. (4) Simple municipal powers mainly for the purpose of sanitation. I do not include in these the administration of the chaukidari tax, because I think the village chaukidar ought to be paid from provincial revenues. I believe the people of Bengal are intelligent enough to be perfectly capable of working a scheme of this kind and that it would be a valuable mode of national education. I would not extend it broadcast, but would try it in the first instance in a few selected areas. The proposal does not purport to be a revival of the ancient Indian village community, which has long been extinct in Bengal, if indeed it ever existed there. On the contrary, it seeks to create an entirely modern organization adapted to the requirements of advanced villages in a progressive province where the people are anxious to manage their own affairs and wish to be provided with suitable machinery for doing so. I make no attempt to elaborate the details here. That could best be done by a representative committee, which might be instructed to frame proposals suitable to different types of villages and different grades of education and intelligence.

45414*. What is the method of recruitment in England of officers of the Indian Educational Service, and what instruction is afforded to such officers, before arrival in India, in the language, literature, or history of the country?—The method of recruitment of officers of the Indian Educational Service in England is described in the statement relating to "educational appointments" published in the *India Office List* under the authority of the Secretary of State. Officers thus recruited are required to leave for India within three months, and no instruction is afforded them, before their arrival, in the language, literature, or history of the country.

45415*. What, generally speaking, are the relative spheres of educational work which might be entrusted to—(*a*) local bodies; and (*b*) provincial Governments? Is it desirable to associate District Officers more closely with secondary education and normal training?—The following extracts from the Government of India Resolution of 11th March 1904, on educational policy, appear to me to furnish a sufficient reply to the first part of this question:—

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"From the earliest days of British rule in India private enterprise has played a great part in the promotion of both English and Vernacular education, and every agency that could be induced to help in the work of imparting sound instruction has always been welcomed by the State. The system of grants-in-aid was intended to elicit support from local resources, and to foster a spirit of initiative and combination for local ends. It is supplemented by the direct action of Government, which, speaking generally, sets the standard, and undertakes work to which private effort is not equal, or for which it is not forthcoming. Thus the educational machinery now at work in India comprises, not only institutions managed by Government, by District and Municipal Boards, and by Native States, but also institutions under private management, whether aided by Government or by local authorities, or unaided. All of these which comply with certain conditions are classed as public institutions. They number, as already stated, 105,306 in all; and over 82,500 are under private management.

"The progressive devolution of primary, secondary, and collegiate education upon private enterprise, and the continuous withdrawal of Government from competition therewith was recommended by the Education Commission in 1883, and the advice has been generally acted upon. But while accepting this policy, the Government of India at the same time recognize the extreme importance of the principle that in each branch of education Government should maintain a limited number of institutions, both as models for private enterprise to follow and in order to uphold a high standard of education. In withdrawing from direct management, it is further essential that Government should retain a general control, by means of efficient inspection, over all public educational institutions.

* * * *

"19. In so far as District or Municipal Boards are required to devote their funds to education, primary education should have a predominant claim upon their expenditure. The administration of primary schools by local bodies is already everywhere subject to the general supervision of the Education Department as regards tuitional matters; but the degree of control differs in different provinces, and where it is most complete, primary education is most advanced. It is impossible to extend that control to financial matters, as there are other objects besides education which have legitimate claims upon local funds. But it is essential, in order to ensure that the claims of primary education receive due attention, that the educational authorities should be heard when resources are being allotted, and that they should have the opportunity of carrying their representations to higher authority in the event of their being disregarded. In future, therefore, so much of the budget estimates of District or Municipal Boards as relates to educational charges will be submitted through the Inspector to the Director of Public Instruction before sanction."

As regards the second part of the question, my experience is that a District Officer who takes a genuine interest in education is in a position to exercise valuable influence on both high schools and colleges at his headquarters. The extent of his influence must of course depend to some extent on his personal qualities, but his experience in affairs and his administrative training will always be of use to these institutions and it seems desirable that some means should be devised of giving him a recognised status in relation to them. I suggest that this might be done by making him a member of the governing body of a college or of the managing committee of a high school. In the case of normal schools he would make occasional inspections, and would watch the effect of their working on the quality of the teachers in primary schools.

45416*. Is the influence of the educational codes too rigid and uniform? Might further discretion be allowed to local bodies in regard to school committees and managements?—The only educational code that I know of which aims at uniformity for the whole of

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India is the code for European schools. This arose out of the opinion recorded in September 1901 by a conference of the Directors of Public Instruction for Madras, Bombay, Bengal, the United Provinces, the Punjab and the Central Provinces, that it was desirable that there should be special rules for European education, that they should be, as far as possible, uniform throughout India, that the Bengal code should be taken as the basis of discussion for a uniform code, but that before being generally prescribed it should be revised by a committee of experts representing the provinces in which the subject is of most importance. This was accordingly done, and Local Governments were consulted on the draft. Their replies were duly considered, and in 1905 the revised code was brought into effect. The experience since gained tends to show that uniformity is unattainable in view of the varying conditions in the several provinces, and Local Governments have been permitted to modify the code to suit local circumstances.

45417*. Has the educational policy applied to Burma been modelled on that of India proper rather than on the indigenous institutions of the province?—My knowledge of Burma is not sufficient to enable me to answer this question.

45418*. What are the objections to giving provincial Governments complete control over the *personnel* of their Medical Services and distributing a proportion of the reserve among them?—This question has been exhaustively treated by the Director-General, Indian Medical Service, in his evidence, which was written in consultation with me and expresses my views.

45419*. Would it be advisable to appoint a committee to consider and report annually upon proposals for decentralization, as was suggested in the Legislative Council last year on the occasion of the Budget Debate?—If a well designed Delegation Act is passed on the lines suggested above, I doubt whether there will be any necessity for a committee of the kind suggested. Decentralization will then take its place as a normal process of administration, and will go on regularly as occasion requires at the instance of the Local Governments and the Heads of Imperial Departments. Nothing would be gained by storing up these proposals, most of them relating to matters of detail, for examination by a committee during the cold weather, and in my opinion it would be better to deal with them in the ordinary course of business.

45420. (*Mr. Dutt.*) You have given us some extracts from Home Department letters relating to the appointment of men in the Provincial Services. Do these rules contemplate that the Provincial Services should be recruited by the provincial Governments?—That is so, certainly.

45421. Should the orders about promotion and transfer of men in the Provincial Services be passed by the provincial Governments; with regard to the promotion and transfer of people like Deputy Collectors or Assistant Collectors or Assistant Surgeons should orders be passed by the Local Government?—Certainly; I do not see whom else they could go through.

45422. Not by Heads of Departments or by Commissioners of divisions?—You might possibly allow transfers within a division to be made by the Commissioner.

45423. But all orders for promotion should be passed by the Local Governments?—Yes; it would be impossible for a Commissioner to deal with promotion on a general list.

45424. Would you favour the idea of a Deputy Collector being transferred from one place to another within a division by the Commissioner without reference to the Secretariat?—I see no objection to that.

45425. Is it the fact that sometimes an officer of the rank of a Deputy Collector is sent to a particular district or a particular sub-division by the Secretariat for special reasons, which might conflict with the views of the Commissioner?—That would not happen if he was placed at the disposal of the Commissioner for the purposes of the division. It would involve a change of system. At present the Deputy Collectors are in direct touch with the Chief Secretary; a man comes and says he would like to go to such and such a sub-division; he would like, for example, to be posted at Alipore, because it enables him to look after the education of his children, or he would like to be posted to Behar, because it is healthy, and so on. Under the system that is suggested he would be posted to the division, and the Commissioner would determine which districts in the division he was to go to from time to time.

45426. Do you prefer the system of Deputy Collectors being posted to divisions, leaving the Commissioner to post them in one place or another within the division, or do you prefer the present system?—I should prefer the Commissioner system, because it is within my experience that there are an enormous number of Deputy Magistrates in Bengal, and the question of their detailed transfers does certainly overburden the Secretariat; there is a great mass of demi-official correspondence which is not of very great importance. I believe ample justice would be done to the Deputy Collectors. Of course there would be little difficulties with regard to individual preferences for one district over another, but it could be arranged that each man had his turn in a good or healthy district. I should regard that as a more satisfactory state of things than the present.

45427. You would divide the work between the Secretariat and the Commissioner?—They would have to allot men to the division.

45428. But when a man was transferred from one division to another, the Secretariat would have to come in?—Yes.

45429. You have told us that in regard to Directors General and Inspectors General, it is necessary that the Government of India should have expert advisers of their own; does that remark apply to all the Directors General and Inspectors General?—I think the Government of India ought to retain all the Advisory Officers that it has got, so far as the Home Department, at any rate, is concerned.

45430. You consider that the expert advice of the Director-General of Education is desirable and absolutely necessary?—Most desirable; I think it has been very useful to Local Governments, and so far as my information goes, the Local Governments have found him very satisfactory.

45431. You speak of the functions of the Director of Criminal Intelligence; you tell us that the main functions of that officer are to collect and communicate information regarding the special forms of crime in different provinces. Does that take up the whole time of an officer of the rank and position of the Director-General of Criminal Intelligence?—It is much more than collecting and collating, and communicating information; it means a great deal of very intricate correspondence.

45432. You think that the work that he has to do is sufficiently important for an officer of his position and pay?—Certainly. I think the appointment is absolutely indispensable. It is not at all generally known to what extent crime is spread over the different provinces of India; crime in India is more organised, and reaches further, than most people believe.

45433. With regard to these experts, the Bombay Government have objected to their having direct correspondence with officials under the Local Government, and the Madras Government has also suggested that any correspondence that may be necessary should be conducted through the Secretariat of the Local Government; what is your opinion on that subject?—I quite realise that the position is a difficult one, and it has been recognised from the first that there is a good deal of tact and forbearance required to prevent friction with certain Local Governments. In my opinion, if the Director of Criminal Intelligence is to get information in time to be of any use, he must be allowed to correspond direct with local officers. But such precautions should be taken in the way of furnishing copies of correspondence and so on as may satisfy the Local Government.

45434. So that when he corresponds direct a copy of the correspondence should be furnished to the Local Government?—Yes. Suppose a gang of coiners or forgers operating in several provinces is being followed up, and the Director-General

has to correspond through the various Local Governments, it would often mean simply missing the clue.

45435. So that there are reasons for his corresponding direct with the officials under the Local Government, but you hold that in those cases the Local Government should be furnished with copies of the correspondence?—I think so, certainly. One of the main reasons for having as Director of Criminal Intelligence an officer of high standing and experience, who has had to deal with Local Governments and has had Secretariat experience, was that he would realise, more than any ordinary departmental man would, what the openings for friction are, and how desirable it is to avoid them; and the Local Governments also would realise that his intentions were good, and would exercise a certain amount of forbearance. I was Census Commissioner myself for three years, and I had occasion then to see very plainly what susceptibilities there were to be regarded, and how carefully one had to walk.

45436. You would allow that power not only to the Director of Criminal Intelligence but to all other Directors and Inspectors-General; you would allow them all to correspond with subordinates of the Local Governments, on condition of their furnishing copies of that correspondence to the Local Government?—Yes.

45437. (*Chairman.*) I understand that the practice hitherto has been to correspond unofficially; is that so?—That was arranged in the case of the Director-General of Education, but, as a matter of fact, ever since the year 1866, when the office of Sanitary Commissioner with the Government of India was created, the Sanitary Commissioner has corresponded officially with provincial Sanitary Commissioners.

45438. You propose now to change the system of unofficial to official correspondence?—I think so. I prefer official correspondence simply as a matter of convenience; unofficial correspondence comes to be practically demi-official letters; they are kept in an untidy fashion, they are extremely likely to be mislaid, and I do not see any force in the distinction. Moreover on the unofficial system there is greater opening for the impression that the Imperial Officer is going behind the Local Government.

45439. (*Mr. Meyer.*) What is the exact position now in regard to the Sanitary Commissioner; does he correspond unofficially or officially?—The exact position at present, I think, is that the Government of Bombay has demurred to a decision passed last year, reviving the original orders authorising him to correspond officially on certain subjects; but, curiously enough, at the time when those orders were passed, nobody knew about the earlier practice. All other Local Governments have accepted the decision that correspondence should be official.

45440. In deference to the representations of the Government of Bombay, and possibly of some other Local Governments, did you withdraw the official correspondence order and revert to the unofficial?—No; it is not quite like that. When the Sanitary Commissioner started originally, in 1866, he was on terms of corresponding officially with the provincial Sanitary Commissioners with a limitation as to certain subjects, departmental subjects, procedure, and so forth; he was warned off administrative questions. Then he was merged in the Surgeon-General, or Director-General of the Indian Medical Service. In 1904 the Sanitary Commissioner was revived as a separate officer, and then the question arose how his correspondence was to be worked, and we followed the precedent of the Director-General of Education, overlooking entirely the earlier precedent in the case of the man himself. That was why it was made unofficial.

45441. But at this moment is the correspondence unofficial or official?—It is official under protest from Bombay; I think that describes the position correctly. No other Government has objected to the correspondence being official.

45442. (*Sir Frederic Lely.*) Is there not a special danger of official references degenerating into instructions, or being taken as such?—If the position is defined, it seems to me that official correspondence is less likely to degenerate into instructions than unofficial. If you are corresponding officially you know where you are; copies of the correspondence can be sent to anybody. The great thing, it appears to me, that you want to avoid is the suggestion that these Advisory Officers are in any way going behind the back of the Local Government, and that is far more likely to be avoided by plain straightforward official correspondence than by any unofficial or demi-official arrangement.

45443. (*Mr. Dutt.*) You are decidedly in favour of enlarging the powers of Commissioners, but you do not seem to approve of enlarging those powers on the lines on which the Commissioner in Sind exercises his powers?—That is so.

45444. You do not approve of a general Act of delegation under which the Government may, by Gazette notifications, transfer to the Commissioner, or to lower officers, any legal powers which they from time to time think advisable?—No, I do not.

45445. You think that when delegations are required they ought to be made by amending Acts, or a number of delegations might be made by one amending Act?—You would pass an Act, I take it, with a schedule attached to it. That Act with its schedule would dispose of all your delegations up to date. When you had cleared the ground in that way, it would be an instruction to all the legislating authorities and to the departments that had to do with them, that they were to consider in any particular Act what powers should be delegated and to whom. Having made your clean sweep by the original delegating Act, delegation would go on in the ordinary course of business in the usual way. That is my conception of it.

45446. But even if the Legislative Department did not do that, it would be possible in a subsequent year, say, two or three years after the first delegating Act, to pass a second one?—Exactly; and of course mistakes may be made. It may be necessary to delegate some further power, or it might be found that something had been delegated which ought not to have been; such mistakes may have to be corrected by a subsequent delegating Act.

45447. You say: "If the scheme for separating judicial and executive functions which is now under consideration proves a success when tried experimentally and is extended to the whole or the greater part of the advanced provinces of Bengal and Eastern Bengal and Assam, it will be necessary to re-model the present sub-divisional system, and to create executive sub-districts considerably more extensive than the existing sub-divisions"?—Yes.

45448. It has been suggested to us that the administration in Bengal is less in touch with the people than it is in Madras and other provinces, because we have no circle officers, as they have in Madras and Bombay, that is to say officers like *mamlatdars* and tahsildars; what do you say as to that?—Owing to the Permanent Settlement there is no subordinate revenue collecting agency in Bengal.

45449. Do you think it is necessary to appoint Revenue Officers in circles within a sub-division on the same lines as they are appointed in Madras and Bombay, so as to bring the executive administration more in touch with the people?—I think it is quite possible that the necessity for doing that may arise for independent reasons. When the survey and record of rights comes to be extended to the whole of Bengal and Eastern Bengal, it will be necessary to find some means of keeping that up to date, and the unit for keeping it up to date will most certainly have to be something considerably smaller than a sub-division, so that if, as I understand, it has been settled that the survey and record of rights is to be extended to the whole of those provinces, that of itself will necessarily give the opportunity of creating these subordinate circles. It will also bring the administration into closer touch with the people.

45450. You say that if the constitution of District Boards were improved they might serve a useful purpose as organised consultative bodies to district

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officers in the place of Advisory Councils. Do you suggest that District Boards might perform the functions of Advisory Councils?—That is my view, assuming the Board to be re-constructed.

45451. It is your opinion that the Act would have to be changed a little in order that a District Board might perform those functions?—Yes. My opinion is that the entire system of local government in Bengal requires re-construction from the bottom. I do not know whether that is relevant here, but the whole thing hangs together.

45452. If a District Board has to perform the functions of an Advisory Council would the present Act have to be modified in order to make that legally part of their duties?—The Act, I take it, would define their duties with reference to the subject-matter with which it deals; it would define their functions in relation to the Local Boards and such other units as there happened to be. My idea is that the District Board, having been created for the purposes of local government, might be used by the Collector for purposes somewhat beyond those functions, but it would not be possible at present to put these advisory functions into any Act; you could not define them; they would have to be worked out experimentally.

45453. So that at present you would utilize the members informally and without any sanction of law?—Exactly; when the size of the Board has been reduced and its composition made more representative.

45454. And after a certain degree of experience? Then would come the time for considering how far you should give them a legal status in respect of their advisory functions.

45455. With regard to the question of limiting the present rights of appeal you say that you agree with the proposals made in the note of the 7th November, 1907?—I am afraid I was out of order in referring to that note, which I supposed to be in the possession of the Commission.

45456. Would you prescribe some definite rules for all Local Governments or would you allow Local Governments to make their own rules? Some Local Governments have expressed the opinion that they do not urge any large alterations in the existing rights of appeal; if that be so, would you force these rules upon them or would you leave them to dispose of matters as they thought best?—I put in a †copy of the rules as existing and as proposed. I think it might be open to Local Governments to mitigate the rules in any particular case.

45457. So that you would leave a certain amount of discretion to all Local Governments?—Yes.

45458. And you would not force rules upon Local Governments if they did not want them?—No.

45459. Then I think you want to tell us something with regard to your ideas as to District Boards and Local Boards?—In my view the grouping of villages in Bengal should be the basis of the whole scheme of local self-government, and I should like to see all the advanced districts divided into a number of unions—villages grouped into unions—each union to be governed by a small elected council, somewhat on the model of the old Indian panchayat (which was not necessarily five people) and that these councils should have the powers of permissive taxation, powers of borrowing, small sanitary powers, and small civil and criminal jurisdiction to be exercised by benches. You would not perhaps get all that way at once but you might begin with the Prussian system of village arbitrators (*Schiedsmänner*) or something of that sort. These unions would be grouped under the Local Board, and the Local Board would be the main governing unit, and do all the executive work. Over them again you would have a District Board elected from among the Local Boards, but not a large body; a small body of ten or twelve people would be sufficient to perform the general functions reserved for the District Board. They would settle the budget as between the Local Boards, they would decide questions of roads and bridges and things of that sort, which affected several Local Boards; they would also determine how the District Engineer's work was to be divided amongst the Local Boards. They would be merely a supervising and controlling authority. If started on those lines my hope is that in course of time those bodies will grow to be useful advisory bodies both for local purposes and other purposes as well. That is the general idea.

45460. (*Mr. Hichens.*) You refer to a despatch from the Court of Directors to the Government of India dated the 10th December, 1834. That despatch, after pointing out that the superintendence, direction and control of the civil and military Government of all the said territories shall be vested in the said Governor-General in Council, goes on to point out that it would be incumbent upon the Government of India to draw, with much discrimination and reflection, the correct line between the functions which properly belonged to the Local and subordinate Governments, and those which belonged to the general Government; in other words may I take it that this despatch practically invites the Government of India to lay down a policy?—Yes, I think so.

45461. I do not want to bother about the policy which was laid down then, or the various successions of policy, but I should like to know what the policy of the Government of India is to-day?—On general lines that is the policy which the Government of India aims at now.

45462. But what is it? The Government of India were invited to lay down a policy; what policy did they lay down?—What I understand this despatch to mean is that in any particular case you should discriminate and reflect carefully as to the line which divides the functions of a Local and subordinate Government and a general Government.

45463. Then may I take it that to-day the position is that the Government of India have not laid down in general terms their policy in relation to the Local Governments, but they decide each question as it comes upon its merits?—Quite so. It is, I believe, impossible for anybody to lay down any general proposition which can be applied.

45464. You mean to say it is impossible really to put it in more specific terms?—There is no formula in the world that I am acquainted with which states what functions belong to a Local and subordinate Government, as such, and what belong to a general Government, as such. In dealing with any particular question, whatever it may be, police administration, education, or what not, you bear in mind that the Government of India is a general Government which wants to look at large questions of policy, and that the Local Government is dealing with details, and you endeavour to shape your orders accordingly.

45465. One must be content with a very broad definition, and that definition must be, of course, liable to exceptions; is the principle on which the Government of India goes that they deal with matters of principle and the Local Government deal with matters of detail?—Yes; but a particular detail may involve a principle, and may for that reason require the Government of India to intervene, however reluctantly.

45466. In other words the Government of India lay down the general principles, and the Local Government is responsible for carrying them out?—Yes; but I should like to point out that you have not here the guiding factor which you have in certain other cases of Federal Governments. Where you have a Federal Government, which consists of so many Sovereign States, those Sovereign States gave up this, that and the other defined functions and kept everything else, which makes the matter so much clearer. That is not the case in India. The Local Governments never were sovereign and independent. From 1833 up to the time of the Strachey decentralizations, the Government of India had everything in their own hands, and no Local Government could create the

† *Vide* Appendix XIII.

smallest appointment without sanction. Since then the Government of India has surrendered many functions, but each surrender requires a separate order, since the residuary authority rests with the Government of India and not with the Local Governments, as is the case in most federations.

45467. I suppose that may be qualified by saying that there are certain details where uniformity is desirable, and that in such cases the Government of India would not leave the Local Governments uncontrolled or unfettered?—Yes; in such matters as travelling allowances, house allowances, and things of that sort, which are, on the face of them, mere details, but it has been always held hitherto that there must be a certain amount of uniformity in these matters, otherwise you have the conditions of service made very uneven as between different provinces.

45468. Can one say, generally speaking, that details are merely the expression of principles?—They ought to be merely the expression of principles, and in so far as the Government of India passes orders on matters of detail, it proposes and attempts to do so as the expression of some principle.

45469. Would the policy of the Government of India come to this, that they lay down general principles and are prepared to trust the Local Governments to give expression to them?—Yes, that is the theory. It is not so easy to apply it in practice.

45470. Without interfering in every detail of interpretation, would that be the position?—That is the difficulty. But the interference is only occasional.

45471. You say it is desirable that Local Governments should be given ample scope as regards giving effect to the policy, and you say that the principle itself is subject to certain necessary limitations. Why do you think that the growing solidarity of the educated classes throughout India postulates uniformity of conditions?—Taking the two provinces of Bengal and Eastern Bengal and Assam, and their Provincial Service, that is recruited on the basis of the Calcutta University examinations. They take for their Provincial Service what corresponds to first class men, and if the conditions of service as between those two provinces differed very materially, if one province gave very much higher pay and allowances and so on than the other, all the best men would go to one province. That is one of the things I have in my mind—that where two provinces recruit their Services from one University, the conditions offered must be fairly uniform, or not only will the province suffer, but the class of people will be discontented; they will say, "It is very unfair that our first class men who go to Bengal start at so much a month and get up to so much higher, but if they go to the other province they start at so much less and rise to so much less," and you will have the same complaint if there is any material difference in the way of promotion.

45472. As a matter of fact, is it the case that Provincial Services are usually recruited in the province itself, or do the provincial Governments habitually go outside their own province for recruits for the Service?—They are habitually recruited within the province. In the particular case I am taking, one University serves two provinces. The same holds good as between Bombay and the Central Provinces, and I think you will find that the Punjab draws men from both the Punjab University and Allahabad.

45473. I suppose the same thing might apply, for example, to the States in America, might it not; or to the municipal services in England? There, to some extent, aspirants for Government or municipal service go to common schools or common universities?—Yes; but you have not got to reckon, either in England or in America, with such a compact literate class as you have here.

45474. Do you mean the compactness of the literate class would in fact make them form Trades Unions?—Yes. At any rate they would hang together, and so would their newspapers.

45475. Do you think the way to prevent that is by having uniformity of conditions rather than allowing each Government to settle matters for themselves?—I think there must be a reasonable uniformity of conditions. So far as I remember the pay of the Provincial Service, as it is at present, was settled by the Government of India in 1882 on the general ground that you were employing people of the same sort of intellectual calibre, and that you wanted to give them much the same pay and prospects everywhere.

45476. (*Chairman.*) You say "a reasonable uniformity," but is there not an absolute uniformity?—No, there is not an absolute uniformity.

45477. (*Mr. Hichens.*) Do the local conditions differ very much in the different provinces?—For instance, Burma is a much more expensive province than any other.

45478. But apart from that, is there any particular similarity between Madras and the Punjab, for example, or between Bombay and Bengal?—There is a general similarity as regards standard of living and habits between the literate classes all over India now, and that similarity is constantly becoming stronger.

45479. Is there more similarity would you say than there is between Italy and France?—Much more; to begin with they have a common language which the Italians and Frenchmen have not, namely English, and that is a great factor.

45480. Is that the essential distinction you draw?—You will find at the present moment that the educated Madrassi and the educated Punjabi are closer to each other than the Frenchman and the Italian; they have in English a common medium of communication; they adopt very much the same sort of standards of living, they have at present no national rivalries and antagonisms such as exist between Frenchmen and Italians, their newspapers run on similar lines, and in respect of matters of pay and allowances they certainly will play each other's game.

45481. And therefore that is a strong case for prescribing uniformity?—Yes; if you do not prescribe it, you will have it forced upon you.

45482. What is your answer to the question—"Would it be administratively desirable to establish a Council Government in any province other than Madras and Bombay, and if so of how many members should each Council consist"?—I am instructed not to answer that question.

45483. (*Chairman.*) May I ask by whom you are so instructed?—By the Viceroy.

45484. By the Government of India or by the Viceroy?—I think I may say by the Government of India.

45485. Were those instructions passed in Council?—Orders were passed by the Viceroy and circulated.

45486. Orders passed under the hand of the Viceroy?—Orders passed under the hand of the Viceroy.

45487. But not, so far as you know, at a meeting of a Council of the Government of India?—Not formally passed in Council, but circulated to Members of Council and concurred in by them.

45488. Are you instructed to offer any opinion upon it personally?—I am instructed to offer no opinion upon it personally.

45489. (*Mr. Hichens.*) I understood that the Secretaries to the Government of India were to give evidence on questions of fact. Would you be prepared to answer any question of fact with regard to this particular question?—I find it extremely difficult to draw the line between questions of facts and questions of opinion. My instructions are to have nothing whatever to do with this question, and you would place me in a very difficult position if you pressed me.

45490. (*Chairman.*) I would like to know whether the instruction was direct to you or whether you

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were simply told?—I was instructed not to answer the question, and I was further instructed not to give reasons.

45491. (*Mr. Hichens.*) I should like to put this question to you: Has the question of extending Council Governments to other provinces been considered within recent years by the Government of India? That is a question of fact, but do not answer it if you do not want to.—Yes; it has been considered but the results are confidential.

45492. It has been considered, but you are not at liberty to tell us the conclusion which was arrived at by the Government of India?—No.

45493. With regard to Advisory Councils, do I understand that you are in favour of such Councils for Commissioners?—Yes.

45494. Would Advisory Councils deal with matters concerning local government in the sense in which the term is used in England; such as references from District Boards and municipalities, and so forth?—Yes.

45495. Would that be one of their primary functions?—Yes.

45496. Would they deal with other matters?—Yes. Take, for instance, the case of the Commissioner of a division in Bengal, who now controls all the various municipal budgets; I do not see why you should not turn these over to an Advisory Council; that is just the sort of thing, if I were a Commissioner, that I should set such a Council to do.

45497. Would the Advisory Council deal with other classes of matters outside those of purely local government interest?—It would be open to the Commissioner to ask their advice on other matters, and no doubt if the experiment were to be tried the Head of the Local Government would instruct the Commissioner to make very extensive use of it. That would be the natural policy; the thing would be on its trial, and you would experiment with it very freely.

45498. Would you not have some specific terms of reference for your Advisory Council, you could not appoint them without defining to some extent what their powers were to be; what class of matter outside purely local government questions would you refer to Advisory Councils?—Largely they would be local matters at first, I think. Let me take a case which is making a good deal of noise in Bengal, the question of village water-supply; that would be an excellent thing to refer to an Advisory Council of that kind, and it would be the best possible test of its practical worth and utility. There is a cry in Bengal now for a pure water-supply for the villages, a most difficult question and a large question involving infinite expense, and the people feel very strongly about it. I can understand a Commissioner going to his Advisory Council and saying, "Now gentlemen, here is what the people are saying, what would you do?"

45499. Should I be right in saying that a village water-supply is a matter which can be dealt with by a District Board to-day?—Yes. It could, if it had the money, which it has not.

45500. That is essentially a Local Government question?—It is in theory, but in practice the provincial Government, and not the local authority, is appealed to on the subject.

45501. I was asking whether there was anything outside local government matters with which they might deal?—I can think of such questions as rural police with which I have had to do myself, and in regard to which I should have been very glad to have had an opportunity of talking with people of that sort, but I would not bind myself to take their advice.

45502. Would the most important functions of this body be to consider matters of local importance rather than matters of general provincial importance?—I should think so certainly at first, and if they prove themselves useful with regard to that sort of matter it would be possible to extend the scope of their powers. There is, for instance, the whole range of education; they might be associated to some extent with the secondary schools on the spot, and be made use of in that way.

45503. (*Mr. Meyer.*) Bearing upon the last question, would measures to be taken to combat plague be a thing which might be referred to an Advisory Council?—Certainly, and dispensary management as well.

45504. Would that not be a matter in connection with Local Boards mainly?—Yes; Local Boards cover a wide range now.

45505. Every now and then Government sends down references to its District Officers as to questions of proposed legislation and so forth; would you put those before the Advisory Council?—Yes.

45506. But you would not have any uniform schedule; you would leave it to the discretion of the Commissioner?—I think you must start with that. You might hereafter come to greater precision, but in the first instance I think you must proceed experimentally; but no doubt all men will not proceed on the same lines, and some Commissioners would refer more than others.

45507. You would have material differences, but possibly out of that very diversity, you might get valuable experience as to the utility of these Councils?—That is what I look forward to.

45508. The creation of provincial Advisory Councils is now under consideration; would you be in favour of starting divisional Advisory Councils simultaneously, or would you wait until we have some experience of how the provincial Advisory Councils work?—I see no objection to starting them simultaneously.

45509. In regard to the question of centralization and decentralization, as you say, it is quite impossible to lay down any definite lines because things change from year to year?—Yes.

45510. And matters which you might safely leave in the hands of a Local Government at one time might, in a period of political excitement, be desirable for the Central Government to take up?—Exactly. I think I have mentioned in the list of reports that there are certain reports which we get now owing to purely temporary causes, and if those causes came to an end the reports would come to an end.

45511. In one way, do not the advance of railway communication, the spread of English, and the solidarity which you have spoken of amongst the educated classes tend to a certain amount of centralization which is inevitable?—It is unfortunately the case that those causes do make for centralization.

45512. On the other hand, you are perfectly convinced that in a number of other matters where the Local Governments have been hitherto restrained either by law or practice, the fetters might be taken off them?—Yes.

45513. As regards the question of recruitment, the Chairman asked you whether, as it was an actuarial matter, it might not be done entirely by the Finance Department, but is not recruitment a question of general administration?—Yes; that is so.

45514. And it is possible, that the Finance Department might look at it purely from the point of economy?—Yes. What I understood the Chairman to have in his mind was that the Finance Department should be used merely as a sort of calculating machine, and that the Home Department would say, "We want such and such a Service, and so on; these will be the grades; will you, the Finance Department, tell us whether those will produce a uniform rate of promotion or not?" and then the Finance Department would make out a kind of table.

45515. As a matter of fact, have we not in the Secretariat calculations which have been made out; for instance, you have very elaborate calculations for the Indian Civil Service?—Yes; one was made by Sir David Barbour in 1882, I think, and another was made two or three years ago by Mr. Barrow. I may mention incidentally that Mr. Barrow's calculations differed only by a small

decimal from Sir David Barbour's calculations as to the strength required to keep up the Service.

45516. So that really the possible point at issue between the Home and Finance Departments would not be so much the actuarial calculations, as the expediency of increasing a higher grade; the Finance Department might say that they thought the expense was unnecessary, and the Home Department might say it was desirable in order to encourage promotion?—Yes.

45517. (*Chairman.*) Would it be your opinion then that the Finance Department would consider the question not merely from the financial, but also from the administrative point of view?—The Finance Department would give in to the opinion of the Home Department on the administrative question.

45518. (*Mr. Meyer.*) You have officiated as Financial Secretary?—Yes.

45519. I put it to you that it is almost impossible to draw the line between purely financial and purely administrative considerations, and though, as you say, the Finance Department would give in to a spending department if they were convinced the thing was an administrative necessity, it is open to them to urge, and they frequently do, that they are not convinced that it is an administrative necessity?—There always must be a debatable zone, and it is in the debatable zone that the disagreements arise.

45520. I put it that no treasury can draw a hard-and-fast line between pure finance and administration?—Quite so. It depends very much on the temperament of the treasury. One treasury may be more assertive than another.

45521. As regards these monthly proceedings, do you get them from the Local Governments?—Yes; and they are examined in the office, and if there is any entry that is considered important enough for me to see, it is submitted.

45522. May I take it that they serve a useful purpose?—Yes.

45523. They enable you to see, not only what the Local Governments are doing, but occasionally to pull them up if you think they are acting *ultra vires*?—Yes; but only very occasionally. What we do find them useful for now is that when a Local Government writes a letter about some question or other, and in the course of the discussion an incidental issue is raised which the Local Government has not foreseen and consequently has not written about in the letter, then having got their proceedings volumes, we can find the complete correspondence. I have known that happen on several occasions.

45524. And I suppose the Government of India proceedings would be similarly useful in the India Office?—Yes.

45525. Have you had any instance in which the Secretary of State has written to the Government of India with reference to something contained in those proceedings?—Some years ago the Secretary of State drew attention officially to the scantiness of the information supplied to him, and to the Government of India, in the proceedings of the Bombay Government. I cannot think of anything else at the moment. I find in our records three cases in which the Secretary of State referred directly or indirectly to these proceedings. Further search would probably disclose more.

45526. It is sometimes made a reproach with regard to our system of Secretariat procedure that it involves a great deal of noting; in the Home Offices, I understand, noting is reduced to a minimum. You were on duty in the India Office at one time?—Yes; I know something about the system in the India Office and in the English Colonial Office, and there is exceedingly little noting there.

45527. Did you find that the India Office system of reducing noting to a minimum was convenient or not; you had to consult certain records there last year?—It appeared to me to be in some respects inconvenient. In the course of my work there last year an important constitutional question was raised by the Legal Adviser to the India Office on the basis of a note of Sir Henry Maine, written while he was a Member of the Council of India. Of that note there was only one copy, namely, the original, which was bound up in an enormous volume, the size of a merchant's ledger. This volume had to be carried about, and on one occasion when we were working with it the marker slipped out and no one could find the place, and a clerk had to be sent for. There was also a difficulty in procuring copies of a certain despatch of Lord Lytton's Government.

45528. I understand that in the particular instance you mention there was a note, but unfortunately there was only a single copy of it; I was rather asking whether the system of disposing of a paper containing an important despatch, with no note, or hardly any note, to show the conclusions which had been built up, was, in your opinion, a convenient one, or whether you had any evidence on the point in connection with your own work?—I think in this country nothing is absolutely essential, owing to the frequent changes of officers. It is less so in England, where the staff is more permanent, and the clerks are of quality far superior to ours.

45529. I should like to know whether you, working at the India Office as you did last year, found any inconvenience from the system there of not noting?—It was impossible to tell the reason why important decisions had been arrived at unless there was somebody who had been present at the time, and who happened to remember the circumstances.

45530. Was that your actual experience?—Yes. I was shown an important despatch, the genesis of which was entirely obscure.

45531. (*Chairman.*) Did that result in any practical inconvenience?—The incident had only a remote bearing on what I was doing at the time, but I can conceive of cases in which it might be very inconvenient to be confronted with an important decision and to have no means of ascertaining the reasons for it. I can remember an actual case in Bengal where the Government of India asked for the reasons for a certain proposal which had been worked out by the Lieutenant-Governor and the Secretary in personal discussion. Both happened to be on leave, and the question could not be answered till one of them returned.

45532. (*Mr. Meyer.*) Where a Secretary is in personal disagreement with the opinions expressed by his Honourable Member, is he obliged to take the matter to the Viceroy in every case?—No.

45533. It is only when he considers that the matter is of very considerable importance and that the Member is gravely wrong, that he does so?—Yes, his duties in the matter are defined in a statutory rule.

45534. But as a matter of fact he would very rarely do it unless he thought it a big matter?—Quite so, and he would do it, of course, only after discussion with the Member.

45535. Naturally, and the member would again have his say after the case had come back from the Viceroy?—Yes, and he could ask for a reference to Council.

45536. So that there can be no question of a Secretary getting the Member's order upset behind that Member's back?—No, none whatever.

45537. (*Chairman.*) Can the Member issue an order as emanating from the Home, or any other, Department unless he obtains the concurrence of the Secretary to the Government of India in the department in question?—Yes; the orders of the Member are the orders of the Government of India, whether the Secretary concurs in them or not.

45538. (*Mr. Meyer.*) As regards the appointment of Director of Criminal Intelligence, is that precisely a new appointment?—There was a curiously ill-defined appointment called Superintendent of Thagi and Dakaiti, which had to do with the policing of Native States and with a certain amount of *quasi*-police intelligence outside the Native States, but I do not regard the Superintendent of Thagi and Dakaiti as really an exact precursor of the Director of Criminal Intelligence.

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45539. Still, he was to a certain extent doing work in connection with the co-ordination of crime, which the Director of Criminal Intelligence no doubt does in a more complete and scientific way now?—Not in the provinces, I think; only in the Native States. He was mainly under the Foreign Department, and I never had very much to do with him.

45540. There has been a good deal of complaint in the provinces with regard to the Director of Criminal Intelligence sending out requests for information of a more or less peremptory character, which impose a great deal of work upon the province or district staffs; have you anything to say upon that?—I have on one or two occasions pulled up the officiating Director of Criminal Intelligence, who I thought was asking for more than he ought.

45541. You say that you interfered with the officiating Director in regard to the matter; was that on a complaint from any Local Government or on your own motion?—There was a demi-official complaint from one Local Government, the United Provinces, but before that I had told him that he was sending in to me a great deal more information than I wanted, and I inferred from that that he must have been asking the Local Governments for a great deal more than I thought was necessary.

45542. Is the United Provinces the only Local Government which has complained, officially, demi-officially, or otherwise?—Two other Governments complained demi-officially.

45543. Speaking generally, do you think the complaints made by provincial Governments or their representatives before us, were justified?—I think the United Provinces complaint was justified. The other complaints were due to misapprehension.

45544. But as a general rule would you say the complaints were justified?—As a general rule I would say no.

45545. Have you thought of any means of checking the zeal of such an officer as you have mentioned, such as requiring reference to you before he starts calling for information?—No; I cannot say that I have. It is rather difficult in this case because these enquiries were enquiries about individuals, and their object was to complete *dossiers* or history sheets regarding those individuals, and it is not easy to lay down a general rule which will limit enquiries of that kind.

45546. As regards the other Inspectors-General, would it be possible to exercise any check on their enthusiasm for information?—I think so, certainly to the extent that they should not call for any returns without obtaining the consent of the department.

45547. Have you read the evidence given by Colonel Leslie, the Sanitary Commissioner of the Government of India?—Yes; I have, but it is some little time ago.

45548. He took rather a centralizing view, and his idea was that sanitary matters should be brought much more under the control of the Government of India, that they should appoint the principal Sanitary Officers in the provinces, and so forth—do you agree with that?—No; I do not, if it can be avoided. I am opposed on principle to these small centralized Services which are very troublesome to work. But it often happens that a Local Government has no qualified men. Some years ago, when I was in Bengal, we had to ask the Government of India for a Sanitary Commissioner. If you specialise sanitation, as is the modern tendency, that involves centralization. A Local Government cannot keep a stock of specialists.

45549. As regards imperial Inspectors-General, it has been suggested that one useful purpose they serve is that they can modify, if one may say so, any possibly doctrinaire tendencies on the part of the Member of Council or the Secretary to Government here, who thinks that because a thing has worked well in his own province it will work well elsewhere. That an Inspector-General can say, "I have been in this or that province and I can assure you the plan will not work there for such and such reasons"; do you think there is much force in that?—Yes; I think for instance a Director-General of Education going round and seeing what the circumstances of the different provinces are, can give you a very useful general view of things. What I feel about an officer of that sort is that supposing I had not got any educational expert by my side I should have to be my own educational expert, and the chances are that I should take a much stronger, and probably much narrower, view than one does under present conditions. What one would have to go on in that case would be one's own experience (in my case, experience of Bengal), and one's own reading of English and foreign educational literature, and doubtless one would form a strong opinion.

45550. To take a purely hypothetical case, you might desire to enforce in the Punjab some system which you knew had answered well in Bengal?—Quite so.

45551. With regard to your remarks as to village autonomy, would it not be rather fatal to the popularity of any village autonomy scheme to give a village council powers of additional taxation?—Permissive taxation, I said.

45552. But suppose they exercised it?—That is their look out.

45553. Do you think that they would not become unpopular, and that there would not at once be appeals to Government to abolish these unions or to remit the tax at any rate?—My answer would be that local taxation is the main purpose of local self-government.

45554. You have had a great deal of experience with regard to local self-government in Bengal; was it the fact there that the extension of municipal institutions or Local Fund unions was unpopular by reason of its involving fresh taxation?—There is a great feeling now in Bengal in favour of sanitation, there is a great demand for improved water-supply and so forth, and it is absolutely impossible that those demands can be met without some system of local taxation by the villagers themselves, and I believe they are quite intelligent enough to work the system well.

45555. An alternative system has been suggested to us elsewhere, namely, that each village should receive a certain proportion of the land cess levied in that village for local employment—what would you say to that?—A certain proportion of the Road Cess?

45556. We will take it as land cess, as a generic term; the suggestion is not that the whole of the land cess should be given to the village in which it is levied, because that would leave no money at all for the superior Local Boards; but that each village should be assured of some definite proportion of the land cess levied there, and be allowed to spend it on small local works, wells, tanks, and so on?—I do not see why the unions should not be given a share. They cannot get the whole.

45557. Would you really trust these village Councils, who would be men quite inexperienced in finance, to borrow money?—I do not see why they should not borrow money just the same as the Co-operative Credit Societies, who are much the same kind of people, after all.

45558. (*Sir Steyning Edgerley.*) Will you please put in formally certain despatches which have been given to us, between 1903 and 1907, as regards the proposed increase of establishment in the Home Department?—I will do so.†

45559. ‡From the statement of returns introduced since 1901 given by you, the Home Department appears to require both a fortnightly return from the Government of Eastern Bengal and Assam on the political situation, and also a weekly return as regards the particular district of Backarganj. Does not the first really cover the second; do you want them both?—The fortnightly return, if I remember right, was asked for some time in 1905.

† *Vide* Appendix XIV.
‡ *Vide* Appendix II*e*.

45560. That goes to the Secretary of State; you cannot help that report; but there is also a weekly one which you have for your own purposes?—Backarganj is rather a turbulent district; there are special reasons for wishing to know about that.

45561. You tell us that you do not think the weekly police and political abstracts from each province are necessary. If you abolish them how are you going to keep up the weekly report of the Director of Criminal Intelligence on the political situation in India?—I contemplate the abstracts going to the Director of Criminal Intelligence and being analysed and abstracted by him in his weekly report, so that the Home Department would get only the pith of it.

45562. At present the abstracts do not come to you; they go to the Director-General?—They go to me too.

45563. From which provinces?—I think from all of them.

45564. Not from Bombay?—Bombay sends a letter on Wednesday to the Director, and he then, I understand, prepares his weekly report.

45565. As regards the report on the working of the Dekkhan Agriculturists Relief Act, that Act has now been extended to the whole Presidency, and it all falls into the annual report on Civil Justice; do you still require this separate report?—I really do not know very much about the subject; one only hears about the subject at intervals when somebody proposes to make a change in the Act.

45566. But it is rather a troublesome report to write?—As far as the Home Department is concerned, I should not think it mattered very much; I do not know what the Revenue Department would say.

45567. What use do you make of the statement showing the state of the files of the Calcutta High Court?—It is analysed and abstracted and percentages are calculated from it; I have frequently known it referred to when there was a question of an Additional Judge.

45568. If a question of an Additional Judge comes up, surely the case has to be made out on its merits separately?—Yes; nevertheless the returns are used; I have known them used on several occasions.

45569. So far as the Home Department is concerned, could not the list of civil servants eligible for the High Court, the statement showing the recovery of cost in Privy Council appeals, the return of sittings of High Court Judges, the statement showing the state of the files in the Madras High and City Courts, and the similar statements for the Allahabad and Calcutta High Courts, all go subject to the consent of the Secretary of State where necessary?—I should think so, certainly, if the Secretary of State agrees.

45570. The Home Department gets a separate report about the accounts of the receipts and charges of the Administrator-General of Bengal, and you also get (which you send to the Secretary of State) the Auditor's report on those accounts; is that not sufficient?—The two reports deal with entirely different subjects and both must be retained. One relates to the management of the estates, and the other is a revenue and expenditure account of the Administrator-General's office.

45571. Will you examine (at your leisure) whether the report which you send to the Secretary of State, and which you, of course, receive under the Act, does not cover the same ground?—I will do so.

45572. You have introduced a report on the working of the Poisons Act. There has been a Poisons Act since 1868, and this annual report has not been considered necessary for over 30 years; there has been no particular change in the law; why is that wanted now?—A new Poisons Act, taking large powers, was passed in 1904. It is necessary to know how it works, especially as the control of arsenic might affect trade.

45573. That was merely an amendment of a previously existing Act which has been in force for forty years without this annual report?—The previous Act extended only to Bombay, and had been of small effect owing to defects in its form and limitations in its scope. The Bombay Government described it in their letter of 16th May, 1902, as having been a dead letter in the City of Bombay, and as having shown no adequate results elsewhere.

45574. You call for a "Return showing the strength and armament of the police force"; you also have the "provincial Police Reports," one of the appendices to which (statement E, I think,) gives you practically the information which you require in this special police return?—I see no reason why the special return should not be embodied in the Police Report. But this will involve some expansion of columns 7-9 of Appendix E which do not give all the particulars required by the Army Department.

45575. You have also recently instituted a return of counterfeit coining. Of course that is an important subject, but the Local Government at present has to send one annual return to the Mint at Calcutta, one annual return to the Finance Department, and one annual return to you, all covering the same ground; why should not one do?—Clearly one ought to do; I do not remember the details; the Finance Department must have asked us to call for it.

45576. But they get their own return apparently?—There is no doubt we are not directly interested in counterfeit coining.

45577. So far as the Home Department is concerned, you care nothing about it?—That is so.

45578. What is the special interest of the return showing the "Annual operations of the Board of Examiners at Calcutta"?—The Board of Examiners at Calcutta is directly under the Home Department.

45579. You think you require an annual return?—Yes, we are bound to know something of what they are doing.

45580. (*Chairman.*) They are Examiners of what?—They run the examination in the Higher and Lower Standard, Hindustani High Proficiency Examinations, and so forth; they spend a good deal of money. We must have a report.

45581. (*Sir Steyning Edgerley.*) You give us some interesting figures about the frequent calls for information by the Secretary of State. May we take it that you could not possibly institute any system of information to the Government of India which would enable you to answer these inquiries without reference?—A good many of them are answered without reference.

45582. You are aware that in pursuance of the liberty reserved under paragraph 85 of the old despatch of 1834, the Secretary of State gets a certain amount of information for his purposes direct from the Local Governments?—From two Local Governments, by means of telegrams to the Governors of Bombay and Madras; I think that is what you are referring to.

45583. Do you get copies supplied, under the Standing Orders, of all the replies?—Not that I know of. All I have seen were some replies in 1897 relating to the plague troubles then.

45584. Do you see any objection to the system by which the Secretary of State answers questions in that way, getting the facts directly from Madras and Bombay?—No; I do not know that I do. I understand that the telegrams are private. The saving of time may be material.

45585. Is the "Imperial Gazetter" at all authoritative?—The "Imperial Gazetter" was examined in proof by the Government of India and the various departments; it was intended to be authoritative.

45586. Let me read you this extract from the "Imperial Gazetter": "The actual work of administration is, however, divided between the Government of India and the Local Governments. The Government of India, that is to say, the Governor-General in Council, retains in his own hands all matters relating to foreign relations.

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the defence of the country, general taxation, currency, tariffs, posts and telegraphs, and railways. Ordinary internal administration, assessment and collection of revenues, education, medical and sanitary arrangements and irrigation, buildings and roads, fall to the share of the provincial Governments. But in all these matters the Government of India exercises a general and constant control." Can one take it in any sense that that subdivision of administrative functions is a modern-day compliance with this old instruction of 1834?—I can only say that I think the Government of India endeavours to act in accordance with paragraph 83 of the despatch of 1834.

45587. That is not the point; I do not wish to suggest any doubt but that they do. The point is that in two paragraphs of that despatch you are invited to consider "to what extent and in what particulars the powers of Government can be best exercised by the local authorities, and to what extent and in what particulars they are likely to be best exercised when retained in your own hands. With respect to that portion of the business of Government which you fully confide to the local authorities, and with which a minute interference on your part would not be beneficial," and so on. Have you ever tried to divide the functions of the two Governments in that way?—I think the "Gazetteer" statement is substantially correct, but the division cannot be carried to the point of eliminating control by the Government of India.

45588. You say "I believe that at the present time the Government of India endeavour to proceed upon this principle." What do you mean by "at the present time"; shall we say within the last ten years, or do you mean actually to-day?—I think that, let us say, three or four years ago the policy of the Government of India was directed rather more towards uniformity for its own sake than it is now; that is the implication suggested by the words "at the present time."

45589. May we take it that five years ago, in these despatches which I have asked you to put in, the Secretary of State was evidently rather uncomfortable as to whether you were not entirely going outside the sphere suggested for you in 1834?—You refer to the despatch in which he made observations about decentralization; that is so.

45590. May we take it that your last letter to Bombay of June, 1907, on the subject of the railway police reorganization, and your last letter, of December, 1907, on the subject of the district police reorganization, are an exemplification of your adherence to the principles of that despatch?—The Secretary of State refused to allow the Government of India to adopt a different method.

45591. I only ask you whether you consider that those letters are in accordance with the principles of this despatch of 1834 which, you say, is the guiding despatch?—I do not think you can consider that apart from the circumstances of the particular case; we had to deal there with a question in which we have to find the money, and it was for that reason that there was that minute examination of the Local Government's proposals.

45592. You say that "one of the limitations on the principle is because, when a Local Government has not to pay the bill itself, it is not unnaturally tempted to use the occasion to raise its standard of efficiency at the cost of the Government of India"; and you have put a note to that which purports to show that the ratio of expenditure to population in Bombay is considerably higher than in any other province in India. Now, what is the object of that note?—The note illustrates the suggestion that when a Local Government is not finding the money for a certain class of expenditure it is subjected to certain temptations.

45593. Is the suggestion that the Bombay Government is able to make its own reorganizations at the cost of the Government of India without control correct; is not the control of the Government of India over the Bombay Government exactly the same as it is over every other Local Government?—Yes.

45594. Then this is really a criticism of your Finance Department?—How so?

45595. Simply because you say that they have allowed the Bombay Government to be so extremely extravagant?—I fancy some of this dates back to very ancient times, before the decentralization of provincial finance.

45596. Then what is the object of putting it in now?—Simply to show that Bombay has a higher standard of expenditure.

45597. Has it not all been sanctioned by the Government of India and the Secretary of State?—Presumably.

45598. Then it means to say that, with regard to Bombay, either the expenditure was necessary or else your own Finance Department has adopted a different standard of treatment of that particular Local Government?—It was always suggested in the old days that the importunity of Bombay was such that it got more than other Local Governments out of the Government of India; that is a matter of tradition.

45599. Even so, it is no illustration of your point 1 (*b*)?—It is intended to show that the Bombay standard of administration is above the normal standard.

45600. And they have made out a good case for that to the Government of India and the Secretary of State?—They have succeeded in convincing the Government of India at any rate.

45601. Then how is it an illustration of your point 1 (*b*)?—Working up to a higher standard of administrative expenditure.

45602. With the consent of the Government of India and the Secretary of State?—That conclusion is irresistible.

45603. Therefore it is not an illustration of your point 1 (*b*)?—I think it is an illustration of asking too much.

45604. May I also point out that that statement is incomplete? Why is not the Burma Government put in; it is in British India and it existed in those years?—I do not know why the Finance Department took only these provinces.

45605. Is it because the Burma population is about half that of Bombay, and if it had been included the figures would not have been so favourable to the suggestion?—I cannot say without looking at the original papers.

45606. Will you kindly complete that statement as to Burma, and I should like the years 1907-08 added also. I should also like a statement of expenditure per square mile area with the same figures, and also a statement of revenue, provincial and imperial, per population and square mile area?—I will supply that.†

45607. (*Sir Frederic Lely.*) With reference to your answer to the question whether it is feasible to grant larger powers to Local Governments after the Government of India has laid down general lines of policy, you refer in the early part I understand to the special grants made occasionally by the Government of India. Should those grants be regulated by the supposed requirements of the provinces or by their relative claims on general grounds?—By requirements I suppose; I do not quite know what is meant by "claims on general grounds."

45608. Suppose there is a surplus of half a crore, should it not be distributed on general grounds to the several provinces, and left to them to apply to their particular needs as estimated by themselves; would that not be the more correct policy?—I do not quite know how you would arrive at a conclusion on that basis.

45609. There are several conditions that might be taken into consideration in addition to the demands of each province. As I understand now, special grants are distributed practically according to the demands of the various provinces?—When it was decided that there was to be a special grant given for the purpose of education, my remembrance is that we tried various

† *Vide* Appendix XV.

tests—tests by population, tests by number of educated people, and so forth, and it was worked out in that way. The population test is *primâ facie* a fair one.

45610. You arrived in that way at a certain sum to give to each province?—Exactly; we took all the circumstances we knew, and all the statistics we could get, and worked them in different ways, and if we found the different ways corresponded fairly, we assumed that we had got at an equitable distribution.

45611. What is the essential difference between a grant of that kind and the settled revenue which the province received; why should the Government of India have more claim to dictate and interfere in this grant than in the case of settled revenue; in each case does not the money come from public funds?—The Government of India determines on the strength of its own budget that it can spare, say, 35 lakhs for education; that 35 lakhs has to be distributed among certain provinces; I can understand its being distributed by population and by various other tests, but I do not understand how the provinces could automatically distribute it among themselves.

45612. Suppose a distribution is made, in what respect does that money differ essentially from the money which the province gets under its settlement?—It is merged in it. When once the grant has been made it merges in the provincial revenues of the province absolutely.

45613. Then on what ground does the Government of India claim to interfere in the details of that money more than in details of the other provincial revenue?—In the particular case that I have in mind it was for primary education. All the Government of India asked the Local Governments to do was to tell them how much they spent on primary education for a year or two, simply in order that the Government of India might be satisfied that the grant had been used.

45614. You say "The Government of India must have some control over details, because without particulars it could not know how much money will be required": suppose that the grant has been made, on what ground does the Government of India further claim particulars as to its expenditure?—Take the other case; the Government of India say, "We are going to re-organise the police; we are prepared to spend 150 lakhs on it"; then they ask each Government for particulars, in order to show the précise sum that they will require to carry out the proposals of the Police Commission.

45615. But the assignment once made, it becomes part of the provincial revenue?—That is so, but it cannot be spent without the sanction of the Secretary of State, and the Secretary of State required detailed proposition statements to be sent him showing down to the last constable what had been sanctioned. It was out of that that there arose the necessity of asking for details; it was imposed upon the Government of India by the Secretary of State. The Government of India in sending their despatch Home asked him to permit them to give approval to the schemes of the Local Governments as they were sent; we sent Home a certain scale and we said, "Now, if you agree to this scale, allow us to sanction everything up to that scale, sending you Home statements showing what we have sanctioned." He would not agree to that, and he said, "You must send home first complete proposition statements." That has been the origin of all the trouble that there has been with the Local Governments; it has caused all the delay.

45616. (*Chairman.*) Did the Secretary of State also accept or did he query the numbers in each case?—The orders passed on these proposition statments, where they have been passed, are exceedingly short and simple.

45617. But did the Secretary of State in dealing with these questions ask as to the numbers or curtail the numbers of police required by the different Local Governments?—He asked for proposition statements showing every single man employed.

45618. Were the numbers curtailed?—He accepted our proposals in every case, to the best of my remembrance.

45619. (*Sir Steyning Edgerley.*) Did he order a different system of scrutiny and treatment in this particular case from that which is necessary in the case of every scheme costing over Rs. 25,000?—No, he did not, but my point is that he rejected a proposal of ours which would have simplified the whole thing.

45620. (*Sir Frederic Lely.*) As to these various points that you give us, I am not able to follow any principle running through them. You say as a ground for the interference in details by the Government of India that "when Services are recruited provincially the conditions must be fairly uniform." Now in the Bombay Presidency there are certain village accountants who are very lowly paid and not paid in accordance with the responsibilities they have to incur; it was proposed by the local officers that they should be given pensions on the superior service scale. That would have met the difficulty, it would have been entirely popular, it was strongly recommended by the local officers and supported by the Local Government. I understand that the Government of India refused to sanction it on the ground that similar village officers in other parts of India did not receive similar treatment. Do you think that that was justifiable?—I think the point of view of the Government of India was that if this was extended to village officers all over India, it would open a very large and indefinite prospect of expenditure. I am not acquainted with the case, which belongs to the Revenue Department, but I am not prepared to say that they were not justified in the attitude they took.

45621. Do you think it is such a matter of imperial interest that the *patwari* in the Central Provinces should get the same pension rates as the *talati* in Gujarat?—I think a large and indefinite addition to the pension charges may well be an imperial question.

45622. But it was not on that ground, I understand, that sanction was disallowed; it was on the ground of uniformity?—In writing this I was not thinking so much of the smaller Services; I was referring to the educated class; I was thinking of the two or three castes which form what is called the educated class, or the middle class.

45623. The reason given in this particular case for refusing to sanction the proposal was on the ground of uniformity. Then, you speak of "commercial interests"; do you really mean to suggest that wherever commercial interests are affected the Government of India should deal with the matter?—What I mean to suggest is that when the Home Department was dealing with the petroleum rules and the carbide of calcium rules, they had complaints from firms like Graham and Co., who were dealing with petroleum over a very large area, that it was absolutely intolerable that there should be different rules in the different provinces; and it was difficult not to sympathise.

45624. In both those articles is there not an element of danger involved, and also the element of expert knowledge, which is usually at the command of the Government of India? You would not go so far as to put all commercial matters under the Government of India, surely?—Either that, or that the rules should be made to a certain model, so that firms shall not find absolutely different sets of rules in force in the various provinces in which they sell petroleum.

45625. Would you have a model schedule of octroi duties in every municipality?—No, I do not think that arises here.

45626. Clearly the octroi schedule would affect the inland commerce of the country as much as anything?—I do not think the cases are parallel. If you take so much petroleum into a town you pay at a given rate; but here the whole sets of rules are different; they affect transport, storage, &c., over large areas. If they vary from province to province business men who take no account of administrative boundaries naturally

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have a grievance. They also complained about octroi becoming a transit duty, and the Government of India laid down general principles.

45627. I admit that petroleum may be on a special footing; I am asking you about your broad statement that where commercial interests are involved the Government of India ought to interfere?—I say administrative arrangements ought to be as uniform as possible.

45628. As regards jail manufactures, you imply that if any firm is likely to have a grievance, that is a sufficient reason for the Government of India to override the provincial Government; surely it would be a rather more correct statement that if any firm has a grievance it should go to the provincial Government?—No doubt it does go to the provincial Government in the first instance, but it does not invariably get satisfaction, judging from the correspondence which has come before us.

45629. People do not invariably get satisfaction even from the Government of India?—What I mean is that a question of this kind, the question of competition between jail manufactures and outside manufactures, has practically got to be dealt with on a larger basis than that of a single province.

45630. Do you mean, in plain words, that when any firm is likely to have a grievance the Government of India is entitled to interfere, even to fixing the price of a yard of carpet?—That sounds like a *reductio ad absurdum*, but I do not think it is. As a matter of fact, firms are very apt to come to the Government of India on matters of this kind. And whatever principles are laid down must hold good everywhere.

45631. I have a quotation here from the report of the Police Commission: "It is help and advice tactfully given that are required, and if the offer of advice and assistance be backed by the power of reference to the Government of India in case of obstinate or unintelligent rejection of it, such reference will rarely if ever require to be made. It is seldom that responsible officers will not do all they can to obviate the substitution of a peremptory order for advice or a request courteously tendered."—What is the appointment referred to?

45632. That is with reference to the appointment of the Director-General of Criminal Intelligence?—The provincial title is different; the provincial men are called Directors of Criminal Investigation.

45633. It is with reference to the question of a Director-General for the whole department, and it implies that this officer is to come with the power of the Government of India behind him, and with a practical threat that if his advice is not followed the Government of India will be down on the offending Government. Is that a view which is held now?—That, I think, misrepresents the entire position.

45634. But is there not a danger of the present position drifting into that?—Not in my opinion. If any impression to that effect has got formed, I think it is due to the Government of India having, with the approval of the Secretary of State, made use of the services of the Director of Criminal Intelligence for the purpose of advising them upon these very intricate questions of re-organization. That was done every bit as much in the interest of the Local Governments as of the Government of India. Here was an officer who had been round with the Commission, who had made up all the statements of strength, all the detailed estimates in communication with their men, and he was the one person who was in a position to put fully before us the Local Governments' point of view. We called him into council, not in the least with the object of over-ruling the Local Governments, but of understanding what actually was wanted. I quite see the impression to which it has given rise. Advising on police establishments was a purely temporary function, and the police re-organisation is very nearly over now.

45635. It is a view which you entirely repudiate?—Entirely.

45636. Is not the case of the Director-General of Criminal Intelligence as regards free intercourse with officials rather stronger than that of the others; he would be allowed freer intercourse with the officials of the province on certain matters than the other Directors-General?—I think not, if I understand your question correctly.

45637. I suggest that he may have a freer hand in intercourse with the provincial officers than the other Directors-General?—I should not think so, certainly; I should rather think that he would walk more gingerly than the others.

45638. You have certain proposals for a change in the system of appeals which you suggest should be sent to Local Governments for their acceptance or rejection. Suppose a Local Government does not wish to change the practice at all, on the ground that the people are much attached to the right of appeal and that no change is desirable?—I should be inclined to let the Local Government have its way. I quite realise that any restriction on the right of appeal is very unpopular in this country.

45639. It would be running counter to a certain feeling that is prevalent?—The natural idea of everyone in India is that he ought to have an appeal to the Privy Council at least.

45640. With reference to the resources of the Rural Boards and municipalities, you say emphatically that they are not able to meet all their responsibilities; how would you remedy that; would you reduce their liabilities or would you increase their funds?—That is a difficult question. In the face of modern requirements, I do not see how you are going to reduce their liabilities, and you can only increase their funds by taxing somebody.

45641. Do you think the tendency of recent days has been rather to impose too much work on them, such work as veterinary work, medical work, and many other miscellaneous duties?—The crucial case, of course, the real thing which has overburdened municipalities everywhere, is the water supply; there is nothing the people feel more strongly about than water supply.

45642. Do you not think that there are certain functions which have been imposed upon them of late which are not entirely appropriate to them?—I think that in Upper India, particularly in the Punjab, the departments have gone rather far in the way of compelling municipalities to spend particular proportions of their income on particular things. I think you will find there is a section in the Punjab Municipal Act which empowers the Lieutenant-Governor to determine that so much per cent. must be spent on this, and so much on that. I think that is wrong.

45643. You rather favour the formation of Advisory Councils?—For Commissioners.

45644. Do you not think that one serious objection to that would be that it would be a fifth wheel in the coach; have we not enough talking Councils already?—What are the other Councils?

45645. There are many others looming in the distance, but at present we have Local Boards and District Boards and Legislative Councils and municipalities; do you not think that they supply enough in the way of talk for public needs?—I did not contemplate that the Commissioner's Advisory Councils would be specially a talking body.

45646. If you get them together and introduce public topics, how are you to prevent talk?—There would not be much opening for public speaking; I presume the Commissioner would keep them to the point.

45647. What would be the size of your Council?—A dozen I should think at the outside.

45648. That would be almost as large as a rural municipality. Do you think it is advisable to add more to the existing machinery in preference to strengthening the present machinery; do you not think that the latter is the better course for reform to take?—I approve of this particular addition, because I think it will in course of time

help to associate the people more closely with public business, which is the main object at the present time.

45649. You would not rather connect the District Board more closely with public affairs by requiring the Collector to refer to them on occasions when advice was needed?—I think you might come to that in course of time, but you should not begin with it.

45650. With regard to the Director-General of Criminal Intelligence. In addition to the complaint which was demi-officially made by the United Provinces Government, the Chief Commissioner of Baluchistan told us that he had serious complaints in regard to the manner in which the Director-General of Criminal Intelligence was taking independent action in that province without his knowledge, and seriously hampering the work of the police and other criminal investigation agencies of the province for which he alone was responsible. Will you explain that matter to us?—The papers on the subject are confidential. All that can be said is that certain misunderstandings existed which have now been removed in a manner which meets the complaints of the Chief Commissioner.

45651. (*Chairman.*) The Finance Department told us yesterday that they did not require that separate accounts should be kept by provincial Governments, except the special grants which are made either for police or for education, and that when they applied to other departments of the Government of India, such as the Home Department, the replies which they got as to the information which they sought led them to believe that the Home Department did not require these separate accounts to be kept. Can you tell us what the state of the case is?—My remembrance is that we said the reports might be discontinued.

45652. It is not a question of reports; it is a question of whether you require separate accounts to be kept by the provincial Governments for the special grants made to them?—There was a special grant of 35 lakhs made for primary education, and statements were called for showing how it had been spent. The object is to guard against its diversion to secondary education. As soon as the grant has been fully allocated the necessity for the statements ceases.

45653. Were detailed statements required, or only bulk statements?—Merely bulk statements. The amount of detail given varied in the different Governments. Madras gave two figures, being the totals of direct and indirect expenditure. Other Governments gave more.

45654. Therefore any allegation by a provincial Government that it had to keep separate accounts for this purpose must have been due to a misunderstanding on their part?—No separate accounts were prescribed. The Local Governments were simply asked for statements showing how far the grants had been utilised.

45655. At all events, you think that whatever may have been the case in the past, the necessity for making any return or report as to the disposal of the sums connected with these special grants no longer exists?—Certainly. I should think that by now the grants must have been fully applied.

45656. (*Mr. Meyer.*) Would you put in one of these statements that you have been referring to as to education and police?—I will.† I think the police statements were asked for partly in order to enable the Finance Department to tell how much more money the Local Governments wanted the next year; their purpose was entirely innocent.

45657. (*Chairman.*) We were told by the Secretary to the Government of Bombay that, while the relative positions of the Government of India and the Governments of Madras and Bombay were in theory different from those of other provinces, in practice they were identical. So far as your department is concerned, is that the case; do you give greater weight or greater consideration or greater latitude to those two Governments than you do to the other provincial Governments?—No; I do not think so.

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45658. I gather from the despatches that the position was as follows: Under the despatch of 1834 the Governments of Madras and Bombay were told that they might correspond direct, as formerly, with the Secretary of State, but that they should immediately send copies of more important letters to the Government of India. Under the despatch of 1870 they were told that modifications of the general rules affecting the several Services (in addition to the limits as to new offices, salaries, gratuities, and allowances), were made which included all these subjects in the questions on which they were bound to address the Secretary of State through the Government of India?—That is so.

45659. And that was further extended under the despatch of 1877 by the Government of India to memorials concerning any legislative proceeding as to subjects upon which they could only communicate to the Secretary of State through the Government of India?—Yes.

45660. Would you agree that that has been a gradual extension of the control over the two Governments named, so far as correspondence with the Secretary of State is concerned?—I think so.

45661. And therefore there has been a gradual absorption of power by the Government of India as against the two Governments concerned?—Yes.

45662. Do you think that on the whole that increased control of the Government of India (I am only dealing with these two Governments) is a wise and a necessary step?—I think all the Local Governments ought to be on the same footing as regards their relations with the Government of India.

45663. Would you say that relaxations might be made in the case of the other Governments, or would you increase the control over Madras and Bombay?—I should like to put them all on the same footing as regards direct correspondence with the Secretary of State. I cannot see that this survival of direct correspondence in the case of the Madras and Bombay Governments serves any useful purpose, and it certainly on occasions gives rise to misunderstandings.

45664. I gather that you would rather centralize control as regards these two Governments than decentralize?—Decentralize everywhere as far as you can, but let all the Governments be in the same position.

45665. What I understand you to say is that you would further restrict the powers of these two Governments in the matter of correspondence?—Yes.

45666. Then you tell us that the demand upon Local Governments for information has no doubt been increased; do you differentiate between demands for information and demands for opinions? We were told in Baluchistan and in the North-West Frontier Province that the demand for opinion was circulated indiscriminately to all Governments whether they had any information to give on the subject or not—Do you mean when legislation is contemplated, for example?

45667. Yes; or even upon administrative points?—It is difficult to say *à priori* whether any particular Government is or is not affected. It seems to me that the proper procedure is to send the demand to all of them; then if they say, "This does not concern us," you are on safe ground; if, on the other hand, they have something to say, they would certainly have a grievance if general orders were passed without their being consulted.

45668. Has the demand for what is called opinions increased, as well as the demand for information; they may possibly, as you see, be two distinct things?—I can only say in a general way that as Government generally becomes more complicated the demand for opinions *primâ facie* does increase. Greater activity, whether legislative or administrative, means more consultation.

45669. And it has increased of late years so far as the Home Department is concerned?—Yes.

† *Vide* Appendix XVI.

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45670. We were told that there were certain cases, for example, the fees of medical officers, and one or two other instances like that in which the Government of India issued general orders to the provincial Governments without having first consulted them as to the advisability of the general orders so issued. Can you tell us anything about that?—I think there was a complaint from Bombay on that point.

45671. On the question of medical fees?—On the question of medical fees, I am not sure that the matter was thoroughly understood. There was a complaint, a reasonable complaint, that details regarding the ailments of Rajas and conspicuous people of that sort found their way into administrative offices, and the object of the procedure which has now been suggested is that in the first instance these questions of fees should be considered by the professional experts concerned. In the first place, taking fees for operations, it seems desirable that there should be some sort of general uniformity throughout India in cases of this kind, the uniformity being based upon what is the English practice. It was thought to be unreasonable that a given operation should earn a fee of, say, Rs. 1,000 in Bombay and Rs. 3,000 in Rajputana. If you have these variations, it comes to the notice of the doctors concerned; then the matter finds its way into the medical papers, and there are all the makings of a scandal. It was also felt to be desirable that the Local Government should have a full say in the matter at the appropriate stage, that is to say, after the professional officers have determined that such and such a fee was fair for such and such an operation, then the Local Government should come in and say, "But there are special circumstances connected with this case which we are cognizant of, and we therefore think so and so." That was the point of view of the Government of India. There was no desire to usurp any authority as against the Local Government. On the contrary, the object was to bring them in at an appropriate stage.

45672. But it was thought wise to issue general rules which, I suppose, were published under the Resolution of the Government of India, and these permitted the Local Governments to criticise that Resolution and to obtain an alteration of it?—The rules date from 1888, and the question was merely one of amending them.

45673. What do you think is the better mode of procedure?—It is clearly better to consult Local Governments first.

45674. But in this particular case it was thought wiser to issue the Resolution first and then get the criticisms of the Local Governments upon that Resolution?—My remembrance is that the Resolution was issued and criticism was not invited.

45675. Criticism came subsequently, and the Resolution had to be modified in consequence?—There was some obscurity in the Resolution which had to be explained.

45676. Taking the case of primary education, a statement was made by Mr. Taylor in the United Provinces that the Government of India first of all laid down the policy which ought to obtain with regard to primary education, and then proceeded to consult the provincial Governments as to the wisdom of their suggestion; do you recollect that case?—Yes; I think the explanation is that in 1901 a conference sat in Simla, upon which all the provincial Governments were represented by their Directors of Public Instruction, and that conference passed resolutions which covered the whole ground of education. Certain principles were then formulated, and letters were sent out to all the Local Governments saying, "These are the conclusions which the conference has come to on the matter of primary education; now we should like your views." That was the procedure in that case.

45677. Was a letter or a Resolution published?—Letters were written. It was just before I came in as Home Secretary. There was a general Resolution later on in 1904.

45678. Can you tell me whether the facts are as alleged by the witness in the United Provinces or not?—I understand you are referring now to the later, and still unsettled, question of free primary education. As to that the facts are, as well as I remember, that the matter came up in debate in the Legislative Council, and the Finance Member made a speech in favour of free primary education; the subject was then examined in the Home Department, and a letter was written to the various Local Governments stating the case for free primary education, and asking them to examine it and see what difficulties there were in the way of giving effect to it.

45679. Were those letters to the provincial Governments made public or not?—They were.

45680. But it was in the form, not of the declared policy of the Government of India, but in the form of saying, "This is a matter which has attracted public attention, what are your opinions upon it?"—That is so. It is difficult of course to consult Local Governments upon policy without making some statement of it, and the form in which it is usually done is that we say, "The Government of India are disposed to think," "The Government of India as at present advised consider," and so on, and then make some specific proposals on which we consult the Local Governments instead of consulting them in the air.

45681. But in this particular case, did the Government of India say, "Such and such is our policy; we propose to carry it out"?—It more or less committed itself to the policy of free primary education assuming it to be feasible, and I imagine that several Local Governments will have shown, at any rate, that its feasibility is very doubtful.

45682. Would you prefer in a matter of that sort, that the Government of India should first of all say, "This is a matter which has attracted public attention, what are your opinions upon it?"—I think so; I think in the matter of free primary education the Government of India went too fast and too far.

45683. With regard to the question whether there are any general rules of the Government of India governing the recruitment of the Provincial and Subordinate Services, you give a lengthy history of the Provincial and Subordinate Services, and a question was asked you as to those Services, but you only answered it, as I understood, so far as relates to the Provincial Services?—The detailed rules cover both the Provincial and the Subordinate Services.

45684. Do the rules which you set out here govern both the Provincial and Subordinate Services?—Yes.

45685. (*Mr. Dutt.*) Are you quite sure that these rules govern the Subordinate Service also?—I said the detailed rules. The rules quoted here relate only to the Provincial Service. I did not reproduce the detailed rules here, because they are very long.

45686. (*Chairman.*) Does Rule 2, "Every person appointed to the Provincial Service by recruitment shall be subject to a period of probation or training," and so on, apply to the Subordinate Service?—Some of the rules relating to the Provincial Service apply to the Subordinate Service. Thus Rules I. (*b*) and II. apply to Sub-Deputy Collectors in Bengal. Others again are varied in their application. For instance, an officer serving in a department under the Board of Revenue may be nominated as a Sub-Deputy Collector up to the age of 40, although Rule I. for the Provincial Service fixes 25 for the Executive Branch.

45687. (*Mr. Dutt.*) With regard to primary education, in reply to the question as to the relative spheres of operations of local bodies and provincial Governments, you give an extract from a Government of India Resolution, dated 11th March, 1904, in which it is stated that primary education should have a predominant claim on the funds of District and Municipal Boards?—In so far as they are required to devote their funds to education.

45688. Quite so. Then further on, it is said, "That the educational authorities should be

heard when resources are being allotted, and that they should have the opportunity of carrying their representations to higher authority in the event of their being disregarded." Apart from that, do you think it desirable that local bodies, like District Boards, should generally manage their own schools, and have a free hand in establishing or disestablishing village schools, have their own staff, and generally do the whole of the work themselves?—The reference is to the Bombay system which was regarded with favour at the Simla Conference in 1901, and that system, as I understand, does not give the local authorities a very free hand in the matter.

45689. But, so far as this extract goes, the educational authorities are only to be heard when the resources are being allotted, but so far as the inspection and management and the establishment of schools is concerned, are you of opinion that the District Boards should have a free hand instead of delegating those duties to the Education Department?—I think the right principle is that the District Boards should have a perfectly free hand to establish and manage primary schools, but that the inspecting staff should be under the Education Department.

45690. Referring to your "schedule of proposals for decentralization," item 15 is, "power to appoint, fix the salaries of and remove, Deputy Collectors in Bengal and Eastern Bengal and Assam," and you propose that that power should be delegated from the Governor-General in Council to the Local Government; but is not that power now exercised by Local Governments?—It is rather a curious point. In practice it has always been so exercised, and it was only in a particular case where the Local Government had, as we thought, unjustifiably dismissed a Deputy Collector and made him an excise inspector, that we observed that under a certain section of this Regulation IX of 1833 the Local Government had no power to do so. The Government of India propose to amend the Regulation.

45691. With reference to item 39 of the same schedule, you propose that Local Governments should have the power of making alterations in the appointments included in the Provincial Educational Service, provided that the number of appointments in that Service is not altered without reference to the Government of India. Has not the Local Government now the power of making alteration in the appointments in the Provincial Educational Service?—No. This proposal was made in consequence of a reference from the Government of Madras. They pointed out that they had not the power, and that it was unreasonable that they had not got it; I think they should have it.

45692. Then as to item 56, "appointment of officials not natives of India," is there an order of the Secretary of State that in regard to certain classes of appointments, no persons, not natives of India, should be appointed without the sanction of the Government of India?—It is an order of the Government of India of the 18th April, 1879, which is quoted here. The object was to restrict the appointment of people who are not natives of India.

45693. And you propose to delegate that power to Local Governments subject to the control of the Government of India; each appointment is to be reported to them, and the Government of India may intervene if they consider the power is abused?—Yes.

45694. Do you not think that that might lead to friction and unpleasantness?—I do not think it ought to. If a particular Local Government made a number of such appointments, and it was courteously pointed out to them that they were departing rather from the accepted principle, that whenever possible natives of India should be appointed to certain posts, I think they might properly be asked to pull up.

45695. When a certain appointment has been made?—It is not suggested that any appointment should be cancelled.

45696. But if the appointment is to be maintained, is it not practically forcing the hands of the Government of India? The Government of India might not approve of the appointment, but as it has been made, they are bound to sanction it practically.—That appointment would not be meddled with, but what the Government of India would do would be to say, in most deferential language, "Please do not make any more appointments of that sort."

45697. Then you do not think there is any harm in certain appointments being made against the opinion of the Government of India, and the Government of India being forced to sanction them?—Some Local Governments thought the matter should be left absolutely to them; I think Burma wished this order of 18th April, 1879, to be withdrawn altogether, but it did not seem to me possible to go quite that length, and the suggestion here is made by way of compromise, so as, on the one hand, to have some security against abuse, and, on the other, to give the Local Government as much rope as possible.

45698. Do you agree that it practically amounts to forcing the hands of the Government of India in certain cases where appointments have already been made?—I do not see that it is forcing anybody's hand exactly. The Local Government would have a certain discretion. If it misused its powers it would be stopped.

45699. But with regard to a particular appointment which has been made, and which the Government of India has not approved, what would you say?—The Government of India would not disapprove of the individual appointment; they would say, "We observe in the last year or two years," or whatever it may be, "you have made so many appointments; having regard to the number of posts to be filled, we think this excessive, and no more such appointments should be made at present."

45700. As I understand, every such appointment now requires sanction?—Yes at present, and the object of my proposal is to relieve the Local Government of the necessity of procuring sanction in each case, and at the same time to leave a certain amount of security against the principle of the original orders being wholly set aside.

45701. We were told yesterday that when the approval of the Government of India is necessary, it is desirable to obtain previous sanction; do you generally approve of that opinion?—I generally approve of that, but I do not think the opinion applies to this case. Here there is no question of approval; the Local Government would have a free hand, subject merely to control.

45702. You have said in answer to the question whether further powers or functions could be granted to village authorities, that it is both possible and desirable to develop self-government in villages or groups of villages, and you have pointed out four different functions or powers which might be delegated to those groups of villages; do you mean that you would delegate all those powers at once?—Certainly not.

45703. I suppose that is the thing to be aimed at ultimately?—The whole thing would be tentative and experimental in the highest degree.

45704. And those powers should be given as the villages are supposed to be fit for them after experience?—Yes. I would try them with the simplest powers at first, and if they did well, I would confer more powers. Of course, the whole thing ought to be worked out in detail by a strong committee.

45705. (*Mr. Hichens.*) You suggest, substituting "the control of the Government of India" for "the previous sanction." Do you think that that principle could be carried further in any other respects?—It is difficult to say without taking specific instances.

45706. Taking the case of travelling allowance, would it be possible to lay down a broad principle that it should cover the expenses of an officer when travelling, and then allow the Local Governments

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to make their own rules subject to the control of the Government of India, and then, as you said just now, the Government of India might courteously point out to the Local Government concerned if they were making excessive allowances, and bring it to their notice in that way?—From the point of view of the Government of India, and particularly of the Home Department, of course one would welcome any solution of that sort.

45707. You see no objection to it from the point of view of the Home Department?—No; whether it is feasible or not is quite another question, the simple reason being that the question of what are the expenses of a journey for a given individual at a given time or place, is a very intricate subject.

45708. It is usually a subject that admits of two opinions?—At least.

45709. And therefore is it not possibly a matter in which it is not desirable for the Government of India to dogmatise?—As to that it must be remembered that while the existing travelling allowance rules appear now in the form of a code, they are the result of infinite discussion of single instances spread over a very long series of years. Before the code was made all these questions were decided on the basis of a number of actual precedents, and there is a certain presumption in favour of rates and systems which are based on long experience.

45710. Speaking generally, do you think it is likely to cause less friction if you courteously point out to a Local Government that possibly they are going a little too far in this or that direction, than if you peremptorily said to them "You shall not do this"?—I should very much prefer that system. A great many years ago in Bengal I suggested that there should be a system of Commissioners' proceedings under which Commissioners would pass orders off their own bat on all sorts of things and send them up to Government. If they went wrong I proposed that Government should accept the decision in a particular case, but should point out that they must not do it again. Whether that could be adapted to the dealings of provincial Governments with the Government of India I cannot say off hand, but I think the suggestion worth considering.

45711. But it might be adopted, you think, in cases which were not of vital importance?—Yes; the principle underlying it is that the individual case does not matter so very much.

45712. But the principle does?—Yes; there is no doubt also that there would be very much less waste of power and correspondence and discussion than there would be where previous sanction has to be taken in every case. In a large proportion of references sanction is now purely formal. On the system proposed all those cases would give rise to no correspondence at all, and it would only be necessary to intervene occasionally.

45713. By substituting "control" for "previous sanction" you would deal more with questions of principle than with questions of detail?—Yes.

45714. Is it your experience that the discussion of questions of detail, and differences of opinion over questions of detail, produced more friction than discussions over matters of principle?—I should say so, certainly.

45715. It has been suggested that it would be desirable to give the Board of Revenue control over District Board and municipal affairs; what do you say to that?—I should say, in the first place, that it was outside their proper business, and secondly, that anything that the Commissioner cannot dispose of ought to come to the Government.

45716. But not through the Board of Revenue?—No; not through the Board of Revenue. The Board of Revenue have their hands very full of their own work—in Bengal at any rate.

45717. Are you acquainted, generally speaking, with the system of municipal Government in Bombay?—I have a slight acquaintance with the work of the Bombay Corporation. I was sent over to look at it once, and regarded it with great admiration, but I do not know much about the district municipalities.

45718. You know that they have a Municipal Commissioner in Bombay, as opposed to the system, say, in Calcutta, and elsewhere, where they have a Chairman?—Yes.

45719. Which do you think is the best system?—The Bombay system is infinitely the best. I wished to introduce it when the Calcutta Act was amended in 1898, but the Lieutenant-Governor took a different view. I wanted to draft an Act on those lines for Calcutta; I wanted to have a large deliberative body of Commissioners which would discuss general principles and large schemes, which would elect their own President, with what they call in Bombay a Standing Committee, which would be an executive body of 12 or 15, with a Municipal Commissioner as the general administrator. The Municipal Commissioner, if I remember right, gets his budget, and has well-defined powers, which he exercises on the whole without interference from the Corporation in matters of detail.

45720. Would you think it advisable to substitute that system now in Calcutta?—Most certainly. The Calcutta Act will undoubtedly have to be amended soon, and those are the lines on which I should wish to amend it.

45721. It has been stated from time to time in the provinces that there is a very marked absence of continuity in provincial Governments; do you agree with that statement?—There might be a lack of continuity no doubt; there was a notable lack of continuity a good many years ago in Bengal, when a famous Lieutenant-Governor, Sir George Campbell, came in and changed the whole system, but the changes were very beneficial.

45722. Would you say, speaking from your experience, of the Government of India that the lack of continuity, say, in Bengal and the Lieutenant-Governor provinces was greater than in Bombay or Madras, or that there was no difference?—I should not think there was any difference.

45723. Would you say there was any difference between the lack of continuity between provincial Governments and the Government of India?—No.

45724. With regard to District Boards, at the present time are not their executive functions distinctly limited?—They deal with a very large range of executive business and they spend a great amount of money much of which comes from provincial revenues.

45725. In financial matters they have very little power of amending their revenues in any way?—That is so; of course they are tied hard and fast. They might let their pounds at a better rate perhaps, or something of that sort, but that is about all they can do.

45726. In administrative matters are there not many cases where they make contributions to the provincial Government and the work is carried out by the provincial Government, such as primary education and dispensaries, for example?—The amounts contributed are not large. In Bengal for example Rs. 42,000 was paid last year for establishments in offices of account and control, while the contributions from provincial revenues came to nearly seven lakhs. The Boards paid nothing on account of primary education. As to dispensaries the contribution only comes in in this way that the Board has a dispensary and wants a Medical Officer for it, and the Local Government supplies him at a certain average charge for pay and pension.

45727. It has been suggested in some quarters that a District Board might be given full responsibility and might be allowed to stand or fall by its success or failure. If they made a hopeless mess of things, it would be their fault and they would have to bear the penalty, but as against that the objection was raised that the District Boards were not really representative of the people and therefore you could not give them those

responsibilities. Would you say it was true that they were not really representative of the people and therefore could not be vested with full powers? No; I would not admit myself that they are not representative, but the difficulty with regard to a District Board, is to get people on it with administrative experience. The Chairman of the Board is the only person who is really qualified to carry on the intricate business they do; he is as a rule the only person who knows the whole of a district, or is acquainted with the machinery of administration.

45728. Do you think the vast majority of people in a district have the least idea of what the Board is doing?—I should think not, but they know that the Chairman comes round and says, "This road is in a very bad condition," and it gets mended, or they say they would like a well, and they get a well, if possible. He is the active Head under existing conditions, and it is difficult to see who else can be. But what you say, I think, would apply to municipalities. District municipalities might be cut loose to a much greater extent than they are. At present, in Bengal, every budget is definitely passed, and frequently altered in small items, by the Commissioner, and I do not see any reason for that.

45729. Would you give municipalities more power on the ground that public opinion has become more developed?—Partly for that reason, and partly because the matters in which they are concerned are matters which are at their own doors and with which they are intimately acquainted. With the District Board it is different. You cannot get people to interest themselves in something which is going on 50 miles away in a place they know nothing about.

45730. (*Mr. Meyer.*) We have had put before us various complaints on the part of Bombay as regards the action of the Government of India with reference to the police re-organization scheme, and it has been alleged that the Government of India has made quite undue insistence on detail and has blocked the scheme very much, and in fact, that the Government of Bombay has been made a martyr; will you give concisely the Government of India point of view as to that matter?—In the case of the general police force Bombay accepted the proposals of the Police Commission as regards the training and pay and discipline of the force; in particular they agreed with the Commission and the Government of India in thinking that Rs. 8 should be the minimum monthly salary of a constable, and they accepted our views on another point, which they now apparently dissent from, as to the system of increment of pay for constables as against grading. Where we proposed to give three increments, the Government of Bombay proposed only two, so that there they absolutely cut down the proposals of the Police Commission. They also agreed as to another vexed point, namely, that the number of sub-inspectorships to be filled by promotion from head-constables should be fixed in the first instance at 25 per cent., and should afterwards be reduced to 15 per cent. That went home in a despatch. The Secretary of State on the whole accepted our proposals, and agreed to 150 lakhs being spent on them, and then in March, 1905, we issued a Resolution, with a letter asking for proposition statements for revising the police establishment on these general lines, which had been approved by the Government of Bombay and the Government of India. That was in March, and in September, 1905, we got the proposition statements which we found a little difficulty in understanding. We then suggested that it would facilitate matters if Sir Harold Stuart, who had been Secretary of the Commission, and who had drawn up all the proposals which the Commission made, and who had discussed the case with Mr. Kennedy, who was the delegate of Bombay, should go to Bombay and meet any officer the Bombay Government might depute to discuss things with him. The Bombay Government agreed to that in January, 1906, and in February Sir Harold Stuart went there and met Sir Steyning Edgerley, who was then Chief Secretary, and Mr. Stewart, the Inspector-General of Police, and went into the whole question with them. The result of that discussion was embodied by Sir Harold Stuart in a note which was shown to, and accepted by, Sir Steyning Edgerley and Mr. Fulton, the member in charge of the department. The result was that in June, 1906, the Home Department wrote to the Government of Bombay giving sanction (thereby anticipating the order of the Secretary of State) to their recruiting inspectors, sub-inspectors and sergeants up to a certain scale. That did not touch the lower branches. As regards head-constables and constables the Government of Bombay were asked, in accordance with the proposals made in this note of Sir Harold Stuart's, to examine the recruitment of each district carefully, to submit revised proposals by groups of districts to the Government of India with full notes on the work to be done and the strength of the establishment to cope with it, the idea being that when we had settled for a group of districts what the establishment was to be we should see our way as to the other districts. In further letters in 1907 proposals for re-organization came in, and orders were about to issue on that just before I left India, but there was a point, I think, about relief of guards which was reserved, and the file got mislaid, with the result that the letter did not issue until I came back. Since then we have had a protest from the Government of Bombay entirely disowning their views of 1904. We have in the main accepted their present views, and sanctioned the raising of the minimum pay of constables throughout the Presidency, and authorised the recruitment of additional head constables and constables up to the numbers proposed by the Police Commission (so far anticipating the orders of the Secretary of State), and those are to be given effect to as far as funds are available from provincial revenues.

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45731. The point is that the Bombay Government having at first accepted generally the proposals of the Police Commission have changed their minds and will not take them at all?—That is so.

45732. The 150 lakhs was calculated on the proposals of the Police Commission?—The 150 lakhs was calculated on the proposals of the Police Commission, which Bombay had before them when they made their proposals of 1904.

45733. And on that basis the Bombay Government got a certain amount?—Yes.

45734. The Bombay Government by changing their minds and asking for more expensive establishments, would obviously have got more out of the 150 lakhs, if the Government of India had agreed?—Yes; but of course the Bombay change of mind has come after the 150 lakhs has been distributed.

45735. Did the Bombay Government offer to pay for the extra cost over and above what was involved in the proposals of the Police Commission which their revised proposals entailed, or was their attitude, "We must have the extra men and pay, and you must pay for it out of the imperial funds"?—I do not know that they said anything quite so specific as that, but they said what had been sanctioned was inadequate, and I think they assumed that the Government of India were to pay for whatever might be required.

45736. They never said, "Anything over and above the original proposals on which the 150 lakhs distribution was made, we will pay for"?—No; therefore we said in a telegram recently sent to the Bombay Government, "These orders are subject to the approval of the Secretary of State, and are to be given effect to as far as funds are available from provincial revenues, including subsidies already given by the Government of India." What it comes to is, that on the basis of the correspondence with the Local Governments, on the basis of Bombay's agreement, and the views of the Local Governments, we made a certain calculation which worked out to 150 lakhs, and what Bombay has now said will upset that calculation on grounds which certainly conflict most absolutely with their own proposals of 1904.

45737. Sir Steyning Edgerley asked you a question with regard to the statement of expenditure

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given by you according to population in certain provinces, and he put it to you that all this expenditure, working out in Bombay to so much per thousand of population, must have been sanctioned by the Government of India and the Secretary of State; but is that so; has not the Government of Bombay a certain amount of sanctioning power of its own?—The Bombay Government of course has the ordinary power up to Rs. 250.

45738. And up to Rs. 25,000 in the case of globular establishment?—Yes.

45739. And though those may not be in any particular case heavy, the action of the Bombay Government might have amounted on the whole to a good deal?—Quite so.

45740. Sometimes when you refuse a thing to the Bombay Government it is apt to be a little angry on the subject?—I think I can remember indications of annoyance.

45741. Do you get more friction as between the Government of Bombay and yourselves than as between yourselves and other Local Governments?—Yes, certainly.

45742. And in some cases, for the sake of peace, have the Home and Financial Departments conceded something to this Government that they would not concede to others which are not equally importunate?—I think that may be said.

45743. The administration of the Government of India is, of course, vested by statute in His Majesty's Government represented by the Secretary of State in Council, and the Government of India is practically a subordinate administration?—Yes.

45744. And the Government of Bombay is a subordinate administration in the second degree. Are the communications from the Government of Bombay to the Government of India always quite in accord with the tone which should be adopted by a Local Government in a subordinate position?—No, I should say certainly not, and I can give instances if necessary.

45744A. And there is a marked difference between the attitude, say, of Madras, and that of Bombay?—There is a marked difference of tone certainly.

45745. You expressed your admiration for the Bombay Presidency Municipality system; it has been suggested that in the case of large towns, especially with regard to the cities of the United Provinces where the Collector is Chairman, one method of relieving the Collector would be to dissociate him from the Chairmanship of these bodies; in the case of such cities as Agra or Cawnpore, would you be inclined to follow the Bombay system and have an executive Commissioner with a strong non-official Corporation?—Yes; I see no objection; you cannot, in a place like Cawnpore, dispense with a competent executive; you cannot leave it to be administered in a happy-go-lucky way, as some *mufassal* municipalities are administered. The Bombay system, I should think, would answer admirably.

45746. You speak of municipalities electing their own Chairmen; do you mean that that should be universal; do you think that would be safe in all municipalities?—They do it in Bengal proper in a great many municipalities.

45747. But a great many of the municipalities in Bengal are mere villages?—Yes, but places like Burdwan and Midnapur are fairly big; still there are a good many small municipalities which ought to be abolished and worked on a simpler system.

45748. Would you cut out from the municipal category, places which were really not fit to be municipalities?—Yes; but people are always very reluctant to be de-municipalized, and as the law now stands in Bengal, the Government has no power to abolish the smallest municipality without the consent of the Municipal Committee.

45749. On the question raised by Mr. Hichens as to subsequent check as against previous sanction, supposing the Government of Madras had done something which you thought wrong, and you wrote pointing it out and they accepted your correction, without notification all round, might not Bengal do precisely the same thing the next month, and you would at once have to write to Bengal to the same effect?—Yes; when you gave a ruling, you would have to circulate it.

45750. That being so, would not your rulings gradually crystallize into a fresh code?—I daresay they would, but even so much correspondence would be saved.

45751. And would you not have to scan the monthly proceedings of all the Local Governments very carefully indeed?—You would, indeed.

45752. (*Chairman.*) Do you think it is necessary, because one Government or one officer, commits some *lâche*, to circularize all the provincial Governments?—What I had in my mind was that the decision would be in the nature of a ruling.

45753. But is it necessary to issue the ruling; would it not be better to pull up the officer for the fault, or point out to the Local Government that one particular officer had committed a fault? When a single case of that sort occurs, is it necessary to circularize all the provincial Governments?—It would entirely depend on the nature of the case; it is impossible to say unless you have a specific case before you, whether it involves a general ruling or does not.

45754. (*Mr. Meyer.*) You have been for a good many years connected with the Government of India; can you say whether in recent years the control of the Secretary of State in matters of detail has become more strict or less strict?—I should say certainly more strict of late years.

45755. Can you give any specific instances by way of example?—The cases are mostly financial. I have examined a number of Home Department cases and am not prepared to say that there is much ground for complaint of excessive interference in detail. On one occasion a Local Government was instructed not to take certain legal proceedings.

45756. And, I suppose, taking the line usually taken by what may be called provincialists, you would say it was entirely a matter for the Local Government to decide?—Yes; the provincialist view would be that Local Governments are entitled to exercise their own legal powers without interference from anybody. But, as I have said, the exercise by Local Governments of their statutory powers is subject to the control of the Government of India, and, *a fortiori*, of the Secretary of State.

45757. (*Sir Steyning Edgerley.*) With regard to the police reorganization scheme, were not the formulæ worked out at Simla worked out on material supplied to the Inspector-General by the Secretary to the Commission; was not that the basis on which the figure of 150 lakhs was arrived at?—I am afraid I have no first hand knowledge of that. All I know is that the Inspectors-General were called up to Simla for that purpose.

45758. That is my information about it, at any rate. Was not that the only material on which you could possibly frame the preliminary estimate of what the reform would cost?—Yes.

45759. And the Finance Department said, "Very well, you can work it through, we will give you the money." Then you came down to the Local Governments, as you say, and nearly everything was gradually accepted; but there remained differences of opinion as to strength, and finally, Sir Harold Stuart came to Bombay to discuss the matter with us, and by June, 1906, whether willingly or unwillingly, with hesitation or without hesitation, every point had been settled except the strength of the head constables and constables throughout the districts; is that not so?—Yes; I think so.

45760. Is there a word in any letter of the Bombay Government, up to that date, which committed them to accepting a given number of head constables and constables, and not the number which examination in the districts would show to be required?—On examining the correspondence I find that in 1904 the Bombay Government sent

up an estimate which purported to be final, based in the case of the head constables and constables on a "very careful and detailed local enquiry" made in 1902, throughout the Presidency proper, but not in Sind. This estimate worked up to a total of Rs. 59,55,000 as against Rs. 54,73,000 estimated by the Police Commission. It was carefully considered by the Government of India, and was reduced by 4 lakhs, on the grounds that the guards provided were too numerous and the arrangements for relieving them excessive; that the reserves had been wrongly calculated; that too many head constables had been provided; that a staff for taking measurements of criminals was no longer required; that a district intelligence staff was unnecessary, and that the clerical staff was too large. They thus arrived at a total cost of Rs. 55,47,000, being an increase of Rs. 14,37,000 on the then existing cost. The Bombay share of the subsidy was primarily distributed in proportion to this increase.

45761. I put it to you that there is not a single word of any sort, accepting a given number of head constables and constables, except a number which, on inquiry on the ground, would appear to be necessary?—I always understood till now that the tables appended to the report of the Police Commission, which shewed at great length the present strength and the proposed strength under various heads, were worked out in consultation with the Bombay representative.

45762. On formulæ supplied by the Commission as to which he had no discretion, not by examination on the ground, and in order merely to arrive at an estimate. I think you will find that that is so. Even so worked out, I believe the cost, speaking subject to correction, for the Bombay Presidency, worked out to about 26 lakhs. The help you could give never was intended to fully cover the cost of the reform. Were you not distributing a given sum in ratio to the demands?—We had to distribute 150 lakhs among the various Governments, and the point I wish to make is that whatever increase was shown for Bombay was the factor which determined the share Bombay got.

45763. When you began to receive what you considered to be a very excessive estimate of requirements from Bombay, was it not open to you to consider first of all, whether you should raise the estimate and, if you decided in the negative, to write and say, "You tell us all this is necessary, but we can only afford so much, and you must pay the balance yourselves"?—That is exactly what we have said.

45764. But not at the time. I suggest that the letters put in show that you took up the details of proposals, cut out constables here and there, and said, "You must not have this, and the other; we do not consider this necessary, therefore it is cut out"?—I was speaking of the fresh correspondence.

45765. When you got these excessive demands, was it not open to you to write and say, "You on the spot are responsible for law and order, and if you consider you must have this force, you must pay for anything in excess of what we can give"?—I think it is very likely that would have been the better solution; I have had no hesitation in recommending it now, and I think the Finance Department have accepted it.

45766. But that course was not taken, and instead, the whole of the requirements of the districts for inferior establishment were cut about at Simla?—Yes; on the basis of the consultation held with Mr. Fulton and yourself.

45767. As regards the question of delegation, you describe the proposal as one to "delegate in gross"; what do you mean by that?—Taking a general power to delegate anything and everything. Is not that what the Act of 1868 does?

45768. It gives the power to delegate in detail?—But it takes the power in gross, and contains no specification of the powers which are to be delegated. That is what I meant by that. The actual delegation takes place by notification.

45769. Then you say you do not think the precedent in Sind can be appealed to, but it can be appealed to surely in the sense that they have had in force in Sind for 40 years past a very much more arbitrary Act than would now be considered necessary, and that there has been absolutely no complaint about it?—What is in my mind is that Sind is a case apart; that you have there a survival of ancient times. There are historical reasons for the position of the Commissioner there, Sind being what it is, and to cite the Commissioner in Sind to the people of Bengal would be perfectly futile.

45770. Would it surprise you to hear that the Local Government of Bengal, both Members of the Board of Revenue, the Chief Secretary, and many others are in favour of the general proposal?—I can only say I do not agree with them.

45771. Do you admit that, unless you are gifted with extraordinary prescience you would be continually having to go to the Legislative Council to correct omissions and to meet new points, on the system you propose?—No; I do not admit that. May I explain my reason for taking the view that I do? As long ago as 1892 I was in charge of a Municipal Bill in Bengal, a fairly big and rather contentious amendment of the Bengal Municipal Act, and I put into it a very comprehensive delegation section, taking power to delegate everything that could properly be delegated. I examined the cases sent up to the Secretariat and saw exactly how far they went, and if they went no further than the Under-Secretary it seemed to me that the Commissioner could properly deal with them. The delegation section was unpopular and was whittled down, partly in my time, and partly in my successor's time, to something very insignificant, so that I am rather conscious of the opposition delegation in general terms is likely to raise.

45772. Is not the proposal very much what was described in paragraph 10 of your letter No. 19 of May last to the Secretary of State, when you said: "Our system of legislation frequently takes the form of empowering Acts laying down general principles, leaving very wide powers of rule-making, or what has been called legislation by notification to the executive"? Is it not a question of that kind?—But the theory of rules is that they provide merely for executive details. That system of legislation has been borrowed, of course, from English legislation. Moreover the rule-making section always says what you may make rules for. Your delegating Act would not say what powers might be delegated. The two questions seem to me distinct.

45773. With regard to the question whether it would be desirable to appoint a Committee to report annually upon proposals for decentralization, you suggest that it is much better to trust to ordinary correspondence and have no special machinery to keep decentralization in view?—That is so.

45774. I should like to point out one instance of what may happen under your suggestion. In May, 1903, the Government of Bombay sent up to the Finance Department of the Government of India ten small proposals for the delegation of powers; the Government of India objected to one, and as to the rest they said the proposals were generally applicable to all Local Governments and they thought it inadvisable to relax them in the case of Bombay only; so that a refusal even to consider the case is the answer which might come when a Local Government moves in the course of ordinary correspondence?—Were those financial cases?

45775. Yes. Three of the proposals then made have now been suggested by Mr. Meyer in his memorandum on the Civil Service Regulations, another has been recommended to us by Bengal, another by Bengal and the Punjab, another by the Punjab and Madras, another by Burma and Madras, and another by Bengal. So that proposals of this sort might be entirely put aside, though if they were enquired into there would be a body of opinion among Local Governments in their favour behind them?—Yes; but I am not sure that the case is at all parallel. Delegation has not yet taken rank as a settled doctrine, but when it has been accepted, and each Local Government has got its own Delegation Act and the thing

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has been brought up to date, things will be different both as regards legislative and administrative delegation.

45776. But apparently the suggestion underlying the question was to cover executive and administrative, as well as legislative matters, and I have quoted one instance of what may happen if it is simply left to correspondence, and there is no machinery which will take things up as they arise. However, you still hold your own opinion?—Yes.

45777. (*Chairman.*) In answer to the question regarding the existence of general rules of the Government of India governing the recruitment of the Provincial and Subordinate Services, you give the general views which the Government of India have laid down for admission to the Provincial Service, and then you mention that detailed rules under those general rules are to be made by the Local Government with the previous sanction of the Government of India; is it necessary to require the previous sanction of the Government of India?—No I think not.

45778. (*Sir Frederic Lely.*) The Chairman asked you a question as to the increased demand for opinions as distinct from information; is it desirable to put any check on the demand for opinions, because you never know when you may find a good opinion even from an unexpected quarter?—But is it suggested there should be some rule as to the extent to which the Government of India should call for opinions? It would be extremely difficult to formulate, I think.

45779. It is suggested that the demand for opinions, as well as information is excessive, and it is alleged that a good deal of time is wasted in calling for and giving those opinions as sometimes they are utterly valueless, because the man who gives the opinion has no qualifications for giving it. Would it not be a good thing to have it understood, as a standard rule, to be added, in fact, to every call for an opinion, that no one is expected to give an opinion, or even to take any notice of any such demand, unless he has something valuable to say?—The difficulty we have to deal with is that different Local Governments follow different systems. One Local Government sends a matter to a certain number of selected officers, and then writes us a letter, appended to which are, not necessarily all the opinions it receives, but selected opinions; another Local Government, on the other hand, sends out an enquiry to all and sundry, and forwards us the whole pile of opinions, which I think admirably illustrates what you say. I think the principle of asking for information from selected officers is a good one, as a rule.

45780. But it should be left entirely to the option of the man to reply even?—Yes; of course he would have to send some reply.

45781. Why?—He would naturally say, "I have no opinion to offer"; otherwise how is the Government to know when the correspondence is complete?

45782. (*Chairman.*) We were told by witnesses in Burma, amongst other provinces, that the Government of India are in the habit, after an Act or a Resolution has been published, of over-riding that Act or Resolution by what are called Executive Instructions; is that so?—That is to say that a Local Government is told to exercise the powers conferred on it by a particular section of a particular Act in a particular way—that is so.

45783. Do you think that is a good principle?—I think it is a thing that should not be done oftener than can be helped, but it has to be done sometimes. I remember one case in which a Local Government had a certain power under a section of the Sea Customs Act (and has still) of exempting an article from duty, and they were told by the Government of India that they were on no account to exercise that power, but were always to apply for sanction. I happen to remember it well, because I once infringed the orders of the Government of India on my own authority. A man was sentenced to be executed at Chandernagore, but there was no guillotine in the place and they had to send to Pondicherry for one. It came up by sea, and I was asked by the French authorities at Chandernagore to instruct the Collector of Customs to pass it in free of duty.

45784. Since you have been Home Secretary, how many times have you issued these executive instructions?—I could not say without referring, but I should say not more than three or four times in the course of my five years' service.

45785. With regard to detailed rules as to Subordinate Services, can the provincial Governments alter them?—Yes; within limits.

45786. Without reference to the Government of India?—No.

45787. But within very small limits?—These rules here are the general rules approved by the Secretary of State; of course they cannot alter those.

45788. I was asking about the detailed rules?—Those can be altered with the sanction of the Government of India.

45789. You suggest that there have been encroachments of the Director-General on the powers of local officers, and I gather that you think it is a serious danger?—There is a serious danger of friction.

45790. Taking the case of the multiplication of reports to which you refer, can the provincial Governments refuse to supply a Director-General with reports?—Yes. The Director-General would ask some subordinate of the Local Government, and the Local Government would instruct that subordinate not to give the information asked for, and at the same time, no doubt, would write to the Government of India protesting, and saying that it was unreasonable.

45791. Have you had any instance of that sort of thing? Is it not that an attempt has been made to multiply reports?—I am not aware of any such attempt. My suggestion is made with the object of guarding against friction in the future.

45792. With regard to your remarks as to Commissioners not doing revenue work, do you think it is undesirable that they should have that work to do, and that they are not capable of doing the work of the Board of Revenue?—What is meant is that there are a very large number of minor revenue orders which must be uniform all over Bengal; you cannot have a separate revenue system in each division, and there must be some central authority which will deal with the executive orders which are contained in the volumes known as the Board's Rules, and only the Board of Revenue could do that.

45793. What happens in the case of a Local Government where there is no Board of Revenue?—In the Central Provinces the Revenue Secretary issues orders to the Commissioners, but it is proposed to appoint a Financial Commissioner. In the Punjab and Burma the Financial Commissioner does the work of the Board of Revenue.

45794. You think there ought to be uniformity of practice throughout a province with regard to revenue matters which only the Board of Revenue can provide?—I certainly think if you abolish the Board of Revenue in Bengal, the Secretariat would be swamped.

45795. I gather there are some questions which you find it difficult to answer, because you tell us that you are confined somewhat to your Bengal experience; am I to understand that the experience which the Secretary in the Home Department gets does not enable him to deal with questions which come up from Burma or other provinces?—One does not feel so confident about it as if one had actually served in the province, and I rather thought that your questions relating to Burma were intended only for officers who belonged to Burma.

45796. It would not prevent you, as Secretary in the Home Department, from dealing with questions which came from Burma?—No. Then one has the papers of the case, and is in a position to form conclusions.

45797. With regard to seniority, do I gather that the Secretary of State and two Commissions have laid down recommendations as to the advisability of proceeding in regard to making appointments by selection instead of by seniority,

and that practically promotion by selection hardly exists except in regard to the very highest appointments?—It certainly exists in the case of Commissioners, Members of the Board of Revenue, and Secretaries.

45798. We were told yesterday that, with the exception of the provinces of Burma and Bengal the process of selection hardly existed; would you agree with that?—I should have said that above the rank of Collector, appointments were certainly made by selection.

45799. Am I to understand from the evidence you have given us in answer to the question whether the Government should have the power to retire officers considered unfit for promotion that the orders of the Secretary of State, and the recommendations of these Commissions, have not been observed generally. That I think is the fair inference—I do not wish to take any strained inference from it—as illustrating the difficulties, not necessarily the unwillingness, but the difficulties of proceeding by selection?—I think selection is a dead letter as regards District Officers; I have known one or two cases of men being passed over, but it is a long time ago, and they were very gross cases. There is selection for Commissioners; in their case I do not admit that selection is a dead letter.

45800. Is it necessary, in the case of an officer who, as I understand, can serve up to 35 years' service, to provide him upon his return from leave with a post and a salary commensurate with his length of service?—He holds a particular post; he is a Collector, let us say, or a Judge; when he comes back from leave he is appointed to be a Collector or a Judge.

45801. Is it a rule of the Civil Service that when an officer of long standing—that is, I understand, anything up to 35 years' service—returns from leave there is an obligation on the provincial Government to provide him with a post and a salary commensurate with his length of service?—Yes; he has under the Civil Service Regulations a lien on his substantive appointment, or on an appointment of similar character and pay.

45802. Does the existence of that rule practically do away with any possibility of proceeding by selection, or does it militate against the posting of officers to appointments by selection?—In my judgment the rule does not affect selection.

45803. Then what has been the reason why this rule has, as you told us just now, been practically a dead letter?—I think we are rather at cross purposes; in the case put by you the officer must, *ex hypothesi*, have been substantively appointed, by selection or otherwise, before he went on leave. The fact of his having a lien on his appointment appears to me irrelevant.

45804. (*Mr. Meyer.*) You say the Commissionerships are generally filled by selection. Do you mean simply that the senior man is put in—provided he is not absolutely unfit, in which case he is passed over—or that they do their best to find the best man out of half-a-dozen, though there may be some senior to him who are not absolutely unfit?—The practice in Bengal, as far as I know, has been that the senior man, unless he is absolutely unfit, would be given a trial as acting Commissioner; if he was a palpable failure, then he would be passed over for substantive promotion; if he was a doubtful case, he might be given another trial.

45805. So that the system might be called, selection by seniority, tempered by rejection of the unfit?—Just so.

45806. (*Chairman.*) When the Government of India sends down to the provincial Government for members of the Secretariat, is it done through the Home Department?—It depends on the department for which the officer is required; the Home Department does not select for other departments.

45807. Each department does it by itself?—Yes; it is usually done by the Viceroy and the Member in Charge.

45808. Is any care taken either to select, or not to select, a man who is at the moment in the Secretariat of the provincial Government in which he is serving?—Out of 46 officers selected during the last ten years, 11 were serving at the time in the local Secretariat, and 35 elsewhere. It is of course desirable that a man should have had some Secretariat experience.

45809. Is not the whole of local self-government in this country the product of recent years?—Local Government in the English sense you mean?

45810. Yes; it has been the creation of the last 30 or 40 years?—Yes.

45811. (*Mr. Dutt.*) You have told us that the Board of Revenue is indispensable in Bengal. Do you hold the same opinion with regard to Eastern Bengal and Assam, the population of which is less than that of Madras?—Certainly. If you abolished it you would have to strengthen your Secretariat, and I do not know what you would do about appeals. It was brought out very strongly in certain published correspondence that the people of Eastern Bengal were much attached to the Board of Revenue and to the system of hearing appeals.

45812. In Madras they have a Board of Revenue, but they have not got Commissioners. Do you think both the Commissioners and the Board of Revenue indispensable in Eastern Bengal?—Yes; that is my opinion.

45813. With regard to the question about the creation or the development of self-government in villages and groups of villages which you quite approve of, do you think it would be a good plan to appoint special officers to foster or create them in advanced villages, in consultation with the Collectors of the districts concerned?—Certainly. If you are going to introduce a scheme of that kind, you would have to pick somebody who was specially qualified to do it. You would proceed, I suppose, experimentally in one district in the first instance, and your officer would work in communication with the Collector. Something of the kind was done in Bengal in connection with panchayats by Mr. Savage, and afterwards by Mr. Wheeler.

45814. And it is what is being done now in regard to Co-operative Credit Societies?—Certainly; you want to find somebody who will do for this kind of organisation what Mr. Gourlay has done for the Co-operative Credit Societies.

45815. (*Mr. Hichens.*) Do you attach importance to a Board of Revenue as opposed to single Commissioners?—As a matter of fact, the Board is not a Board; the work of the Board is divided between the two Members of the Board; they only sit together for the purposes of certain appeals.

45816. Then, as far as their deliberative functions are concerned, that is a matter of unimportance?—Yes.

45817. You attach no importance to deliberation by the Board?—No.

45818. Are you satisfied with the existing sources of revenue of the District Boards?—No; certainly not.

45819. What would you suggest to improve them?—I would suggest that the whole of the provincial Public Works Cess should be made over to the District Boards.

45820. You mean in Bengal, but generally speaking?—I do not remember what cesses other provinces have to make over.

45821. Would you say that the principle should be that the District Boards should reap the benefit of all cesses?—Certainly the local cesses should be controlled by the District Board, and ought to be spent locally.

45822. If that were done, there is no other amendment that you would suggest with regard to the financial reorganisation of District Boards?—I think a cess for light railways would be an excellent thing; I should be in favour of that.

45823. Over and above the cesses that exist to-day?—Yes. The provincial Public Works Cess in Bengal is now a provincial asset; but I would make it a local asset.

45824. When you speak of Local Boards, you mean the Boards subordinate to the District

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Boards?—I mean the Board for a sub-division of the district.

45825. Would you be prepared to give them any independent financial powers at all; that is to say, would you be prepared to ear-mark for them, as is done in Madras, a certain proportion of the cesses?—That is the basis on which I should like to reconstruct the system. I think the working bodies you ought to get are at the bottom, the village unions, or groups of villages, and the Local Board for a sub-division; then the headquarters body would be purely a small controlling and supervising body.

45826. With regard to municipalities, they get no contribution from the Government except for education and possibly for dispensaries?—Every now and then they get a subsidy for a water-supply or a drainage scheme; there is no regular contribution, such as there is in the case of District Boards.

45827. Are you satisfied with their financial position?—They all, of course, want more money if they are to work up to modern standards. The money must come from the people of the town—I see no other source—and taxation is not popular. One of the difficulties in these towns is to get any tax properly assessed and collected. I have inspected municipalities and discovered that the members of the municipality—well, they did not over-assess themselves, nor did they over-assess their friends.

45828. In some parts of the world there is a system of endowing municipalities with adjacent State lands where there are any. Is that a system which would appeal to you at all?—There are not enough adjacent State lands in Bengal, at any rate, to make the question a practicable one.

45829. But where it was a practicable question?—I think in Darjeeling some Government land has been made over to the municipality; I think it is a good thing to do; but it depends very much on the local circumstances. It is difficult to lay down as a general proposition that wherever there is a bit of State land in or near a municipality it should be made over to the municipality.

45830. There are exceptions to every rule, but broadly speaking would you be in favour of it?—Yes; in the only instance I can think of, in Darjeeling, it was actually done.

45831. (*Mr. Meyer.*) I think we are in possession of certain despatches which have passed between you and the Secretary of State with regard to the Home Department; you were allowed, I think, temporarily an additional Under-Secretary and certain increases of establishment?—Yes.

45832. Assuming that the labours of this Commission should result in a large increase of decentralization, would it be necessary to maintain the Home Department at its present strength?—It certainly ought not to be. Of course, the immediate result would be an enormous increase of work; the final relief will not come till some considerable time after the final orders have been passed on the orders of the Commission.

45833. And by that time it is possible that a re-action in the direction of centralization may have set in?—That is also possible.

45834. I think you have rather missed the point in your answer to the question "Is the influence of the Educational Code too rigid and uniform; might further discretion be allowed to local bodies in regard to school conditions and management?" You have spoken about the European Education Code. The point in our mind was really whether the rules in the provincial Education Codes which, of course, differ in provisions as to curricula, the hours of attendance, and scales of establishment and so on, are not too rigid in the case of schools which are supposed to be run by local bodies. We have had a certain amount of evidence that the District Board or municipality, even if it is disposed to take over the management of its own school, is hampered in regard to school hours, the strength of classes, and the curricula and so forth, by the provincial instructions?—The question being thus interpreted, the first thing I would say is that there is no such thing as a provincial Education Code; a provincial Education Code is merely a compilation of so many separate orders.

45835. Is it not all uniform and departmental?—I was looking at the so-called Bengal Code in proof the other day; it consists of extracts from the orders of Government of India, extracts from the orders of the Government of Bengal, circulars by the Director of Education, and so on; it is a pure compilation.

45836. Surely, for instance, there are definite rules as to grants-in-aid and curricula? Take curricula: could a District Board, if it thought that it was not much use for its pupils to learn Indian history and geography and that they had better be employed in learning about agriculture, alter the curriculum?—I think it is very likely that the rules are too rigid. One of our objects in asking Local Governments to consider whether they should not have school final examinations was to make the courses more various. The tendency has been for them to be rigid and uniform, but I am not sure that you can blame the department for that; they work up to the matriculation examination of the university, and that is what governs many of the curricula.

45837. Down to the very lowest primary schools?—Not quite so far down as that.

45838. I think you have told us before that you are in favour of local bodies, District Boards and municipalities, having larger control over things they pay for. Should that not include these matters as to what is to be taught in their schools, the hours of attendance and so on? I think there is a rule which limits one master to so many boys.—The University Regulations do go into that very point, because they found that the tendency was to give professors and teachers such enormous classes that it was perfectly impossible for them to teach properly, so that there is now a hard-and-fast rule that one professor may not have more than 150 boys in a class.

45839. That does not apply to the village *guru*, does it?—Of course not. It applies only to colleges.

45840. Your position is that the Sub-Divisional Board should be the real working unit of local self-government?—Yes.

45841. You know that in some cases the Local Board is the Board for the *taluka* or the *tahsil* only, and in other cases it is for the sub-division; you prefer the sub-division?—With us it is the sub-division.

45842. You are speaking simply of Bengal?—Simply of Bengal.

45843. Your scheme of an elective Sub-Divisional Board, and so forth, is simply for Bengal?—Yes.

45844. You do not prescribe it for Madras or the Punjab, or any other province?—No.

45845. You have laid stress on the Collector being Chairman of the District Board with reference to its diverse interests and the knowledge involved. If your Sub-Divisional Board is to be the real working entity, would not the same thing apply to the Chairmanship of that Board?—I think that is a tenable criticism, but you have a better chance in a sub-division of getting people who really know the local conditions and are disposed to take trouble about them. The business of the Local Board again would be comparatively simple, and they would have little outside correspondence, so that a locally elected Chairman might be able to do the work.

45846. You would have the Chairman elected?—Yes.

45847. And if they choose to elect the Sub-Divisional Officer?—If they choose to elect the Sub-Divisional Officer, good and well.

45848. (*Sir Steyning Edgerley.*) You suggest that the Inspector-General should supply the machinery whereby the Government of India can exercise its functions of control and of advising the Secretary of State; is that not rather an impossible task for an Inspector-General seeing that there are 8 or 9 or 10 provinces; can anybody get round

India sufficiently to do that?—I certainly have found that these Advisory Officers do give one a good deal of local colour.

45849. Is not the real orthodox machinery for that purpose your annual reports, your proceedings, your applications for sanction, and so forth?—I am not at all sure that the knowledge which one picks up on tour oneself is not worth all that put together. I should like to back that up by saying that I think an enormous advantage is to be derived by Members of Council and Secretaries to the Government of India going on tour and meeting provincial officers. I have certainly had that experience myself.

45850. You say an Advisory Officer may "ask officially for any information which may be necessary to enable him to keep the Government of India informed on matters of general importance relating to the branch of the administration with which he is associated." Are you not practically duplicating the channel of administration? Any requirement of that sort ought to go to the Local Government, surely not to the Inspector-General?—But what I contemplate here is the Advisory Officer, the Sanitary Commissioner, say, asking the provincial Sanitary Commissioner.

45851. And leaving the Local Government entirely on one side?—Leaving the Local Government out as a mere channel of correspondence. They can easily instruct their man to send them copies of letters, as, I think, is done in Madras.

45852. The duties of the Director-General of Criminal Intelligence as regards advice on police re-organisation, I understand, are temporary; they will cease when the re-organisation scheme is completed?—I should think so; yes. Of course it is not in the nature of things, if you have a man here who happens to have been an Inspector-General of Police, and you are in difficulties about something, not to apply to him. He is bound to be asked to advise.

45853. As regards his own particular duties as maintaining a Bureau, a co-ordinator of criminal investigation and so on, in which, of course, he has a splendid field, would that not be much better done from either Agra or Delhi, or from some more central station than Simla?—I do not think so. I suppose you are referring particularly to the finger-print business. I do not think it matters where you put the finger-print business. It must be central.

45854. If anyone has to write to him, for the purpose of replying, is he not fully 24 hours nearer at Agra than at Simla to any correspondent in India?—He ought to be in a position to be personally consulted by the Government of India, that is quite essential; there are branches of his work which render that absolutely indispensable.

45855. It has been suggested that it is very inconvenient that the old charters of the different High Courts should prevent the provincial Legislatures from passing any Act which affects the jurisdiction of the Courts and that it leads to extensive litigation and to validating legislation. Do you think it would be feasible slightly to amend the charter so that the local legislature could pass an Act even though it might incidentally affect the jurisdiction of the High Court?—That would be extremely desirable. As it is, the High Courts claim the right under their charter to intervene in all sorts of things.

45856. Does it not lead to subsequent legislation by the Government of India at present?—I think even legislation by the Government of India cannot affect the jurisdiction of the High Court under their charter. It would take legislation in Parliament I imagine.

45857**. (*Chairman.*) Do provincial Governments have to write a separate annual report on each subject? Could there be one General Administration Report?—Separate reports on each subject are written by the various departmental authorities and not by the provincial Governments. Each of these reports is based upon a number of reports by various grades of subordinate officials—Sub-Divisional Officers, Superintendents of Police, District Officers, Commissioners, &c. The only report written by the Local Government is the General Administration Report, in which it describes its administrative acts in its various departments, and records the character and the chief events of the year. The matter of this report is necessarily drawn from the departmental reports of which it forms a highly condensed summary. The latter reports could not be dispensed with, nor would it be possible for the Local Government to write a general administration report containing the information now given in the departmental reports. That can only be done by the officers in actual administrative charge of the departments. It may be added that the departmental reports are required by the Secretary of State for the preparation of the Moral and Material Progress Statement.

45858**. Is it the practice for the Government of India often to require immediate telegraphic information or reports on individual occurrences? Could these demands be further limited or curtailed?—The matters upon which immediate reports are required are those relating to riots which involve a serious breach of the public peace, collisions, other than of an insignificant character, between Europeans of all classes and natives, outrages which have a political aspect, calamities such as floods or earthquakes which cause serious damage to life or property, and all other events which have a political or administrative importance. In the first reports all that is required is a mere statement of facts. These reports are required not only for the purposes of the Government of India, but, at the special request of the Home Government, are also transmitted to the Secretary of State. I do not consider it advisable further to limit or curtail them.

45859**. Is any principle laid down governing the delegation of powers as between a Lieutenant-Governor and a Chief Commissioner?—I do not think it can be said that any such principle has been laid down. Under the Indian General Clauses Act (X. of 1897, Section 3 (29)) "Local Government" is defined as including a Chief Commissioner.

45860**. What is the reason of permitting in some cases the provincial Government to constitute or disestablish municipalities, and in other cases requiring the sanction of the Government of India?—All Local Governments are empowered to constitute municipalities without reference to the Government of India. All of them also have the power of superseding a municipality for a specified period,† but in the case of the United Provinces, the Punjab, Burma and the Central Provinces this power can only be exercised with the previous sanction of the Government of India, while in Madras, Bombay and Bengal, the Local Government can take action on its own initiative. In May, 1882, the Government of India issued a Resolution on the subject of local self-government, in which the principle was laid down that the temporary supersession of a municipality would require in every case the consent of the Supreme Government. There is nothing to show why this restriction does not find a place in the Madras, Bombay and Bengal Acts.

45861**. Do you approve of the principle of the confinement of employment of natives of India to the provinces of which they are natives?—The Public Service Commission considered it inexpedient to lay down a rule restricting the recruitment for the Provincial Service to residents of the province concerned. They proposed that, as a general rule, recent residence of at least three years in the province should be an essential condition of admission to the Provincial Service. This recommendation was accepted by the Government of India and the Secretary of State, and has been embodied in the rules for admission to the Provincial Civil Services. The principle is applicable to other Services also.

† Under the Punjab Act no period need be specified.

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45862**. Could not power to sanction appointment of Europeans not statutory natives of India to appointments carrying salary of Rs. 200 and upwards be left to Local Governments?—I would propose that power to sanction appointments of Europeans in all cases may be delegated to Local Governments, but that it should be subject to the control of the Government of India; that each appointment should be reported to them, and that they should be at liberty to intervene if they considered that the power had been abused in any instance.

45863-4**. When the pay of an appointment does not exceed Rs. 50 per mensem, should not the Local Governments be empowered to sanction full pay being given to a temporary substitute when a competent man cannot be obtained for less?—The Secretary of State is about to be asked to authorise the delegation of this power to Local Governments.

45865**. Is there any objection to officers who are appointed to special posts, such as the Commissioner of Excise or Inspector-General of Police, being required, as a condition of appointment, to retain the post for a period of at least 5 to 10 years; and does not the constant vacation under the present system cause loss of efficiency?—The suggestion is generally sound, and the pay of the Inspector-General of Police in the larger provinces was recently fixed so as to secure permanence of tenure within reasonable limits. In the nature of the case no hard-and-fast rule is possible.

45866**. Does the exercise of patronage interfere with the utility of Government of India Heads of Departments by making the personal element too prominent? Does the absence of any power of appointment increase the usefulness of Inspectors-General, *e.g.*, of Forests; and could the same principle be applied to other Departments, *e.g.*, the Public Works Department, by placing the executive and administrative grades under provincial control?—The Heads of Departments under the Home Department have no patronage in the ordinary sense of the word.

45867**. Is there any objection to Local Government sanctioning the acceptance by their officers of a fee for outside work of over Rs. 500; Heads of Departments sanctioning where the fee is under Rs. 500, and District Officers when it is under Rs. 100?—In cases where the acceptance of a fee is admissible, I see no objection to the power of sanction being exercised in the manner suggested.

45868**. Should not the Local Government be empowered to make temporary appointments of outsiders to the Indian Educational Service provided that the pay does not exceed Rs. 250 a month?—I would suggest that the power to fill temporary vacancies in the Indian Educational Service by gentlemen other than members of the Provincial or Subordinate Educational Services should be delegated to Local Governments.

45869**. What are your views as to the allocation of control over education to municipalities and District Boards as regards primary, middle and secondary schools?—The Education Commission did not recommend the devolution of control over secondary education from provincial Governments to municipalities or Local Boards, and expressly abstained from making any such recommendation. Since then there have been some experiments in devolution of that kind. The experience gained has been decisive against such a measure, and the Governments which have abandoned control, or have failed to establish it, have now resumed, or are about to resume, the direct management of a sufficient number of secondary schools. The standard at present adopted is that Government should manage one secondary school in every district. I am in favour of this. I believe that the educational authorities and the Local Governments generally are agreed in it, and I believe that in the province where the acceptance of this principle involves the largest departure from present conditions, the Lieutenant-Governor has stated that the announcement of the intended change has been received with general approval. It is a mistake to suppose public feeling to be on the side of municipal or District Board control over secondary education, as compared with control by the provincial Governments. The standard of one Government secondary school to a district is a minimum, and I do not consider it necessarily a maximum. This by no means completes the supply of secondary schools which are required, and there is plenty of room for municipal secondary schools in addition to the Government schools. These are managed by the municipalities and inspected by the Education Department, and I see no reason to suggest any change in this allocation of control. I include middle English schools in the category of secondary schools.

In primary, that is to say vernacular education, the only boys' schools which are, or need be, managed by provincial Governments are those existing in places where local self-government has not been established. The control over the remainder is vested in municipalities and Local Boards. Different degrees of control are exercised in different provinces by the Education Department over the local bodies entrusted with the management of primary schools. In my opinion, the general principle to be followed is that the management should rest with the local body and the inspection with the Education Department. The local bodies should not control the inspecting staff. But no Government can limit itself merely to inspection of schools; there must be some power to call upon the local bodies to put right the deficiencies which inspection reveals. That is to say, while the immediate responsibility for management rests with local bodies, there must be some controlling and supervising power, in addition to the inspecting power, residing in the Education Department. It is in the measures taken for securing this supervising power that the provinces differ. I do not consider uniformity necessary, and therefore do not advocate any one way of defining the manner in which this supervising control shall be exercised, to the exclusion of others. Middle vernacular schools I include with primary schools.

With respect to female education, the Education Commission recommended that "female schools be not placed under the management of Local Boards or of municipalities unless they express a wish to take charge of them." This recommendation has hardly been applied until recent years. There is now a tendency to transfer girls' schools to the management of Government from that of Local Boards and municipalities, especially where these are apathetic or have shown by experience that they cannot manage the schools properly. I see no reason for objecting to the substitution of direct Government control for local control in such cases.

45870-1**. Complaint is made that the Military Department has hedged the process of reverting Medical Officers to Military Service with considerable difficulties. What are the facts?—The rules now in force were framed by the Home and Military Departments in consultation and received the approval of the Secretary of State. I believe them to represent a fair compromise between the conflicting interests involved. The summary of the Madras confidential reports for 1906 shows that, except in the cases of a few senior men, Surgeon-General Browne's opinion of his Indian Medical Service officers was generally favourable. Where it was unfavourable the Government of India either reverted the officer concerned or declined to promote him to administrative rank. I should further explain that it is not open to a Local Government to revert an Indian Medical Service officer to military duty before he is confirmed in civil employment. But if a Local Government refused on sufficiently good grounds to recommend an officer's confirmation, the Government of India would be prepared to consider the question of ordering his reversion or his transfer to another province. It is necessary to insist upon cause being shown, in order to guard against a Local Government refusing to recommend the confirmation of a particular officer on racial, personal, or altogether trivial grounds. It may

be added that by reason of his professional training every Indian Medical Service officer may be presumed to be fitted for employment as a Civil Surgeon, and it is stated in paragraph 22 of the "Memorandum regarding the position of officers appointed to His Majesty's Indian Medical Service," issued by the India Office, that a large number of such posts are ordinarily filled up from officers of that Service.

45872**. Should not the Bombay Government be empowered to grant privilege leave of one month to the Lady Doctor in temporary employ of the Bombay Health Trust?—Under Article 242 (*a*), Civil Service Regulations, privilege leave to an officer in temporary employ can be granted only on the condition that his (or her) duties can be provided for without additional expense to the State. In the case of the Lady Doctor in question additional expenditure was entailed because in addition to her full salary it was also necessary to pay for her substitute. As such an arrangement was outside the regular rules, the special sanction of the Government of India was necessary. I think the rules might properly be modified so as to empower the Local Government to deal with such cases.

45873**. Should not power to prohibit fairs in cases of cholera, under the Epidemic Diseases Act, 1897, be left to provincial Governments?—The danger of cholera infection has been considered by the Government of India on various occasions, and they have always held that interference with pilgrimages or religious gatherings should be resorted to only in extreme cases of proved necessity, for any coercive measures are likely to be regarded with distrust and dissatisfaction by the people. For this reason the Government of India are reluctant to delegate to Local Governments the power to prohibit fairs under the Epidemic Diseases Act in cases of cholera.

45874**. Are you of opinion that Indian Educational Officers are sufficiently acquainted with the current vernaculars?—I consider that their acquaintance with the vernaculars is imperfect. They have of course passed the prescribed examinations, but, as a rule, their mastery of the spoken language is insufficient, and this tends to impair their influence and to restrict their opportunities of gaining knowledge of Indian habits and ways of thought.

45875**. How far do the Government of India control the general medical policy of the provincial Governments, *e.g.*, in the case of Hospital Assistants, Assistant Surgeons, and Apothecaries?—In order to preserve uniformity in the pay, status and prospects of Civil Assistant Surgeons and Civil Hospital Assistants the Government of India have, with the sanction of the Secretary of State, issued rules in regard to the matters referred to above. Subject to these rules the Local Governments have full powers in dealing with the subordinates serving under them. In the case of Military Assistant Surgeons the sanction of the Government of India is required only when such an officer is to be posted as Civil Surgeon to a station which is reserved for an officer of the Indian Medical Service. In regard to Civil Apothecaries, who are a class of officers intermediate between Civil Assistant Surgeons and Civil Hospital Assistants, and are employed at present only in Madras, the Government of India exercise no control.

45876**. Why did the Government of India resolution prescribe for all provinces a uniform bond for Hospital Assistants with a uniform penalty which was unsuited to Burma? Could the amount of penalty not be changed without reference to Government of India?—A uniform penalty was prescribed by the Government of India, because the amount of the penalty, namely, Rs. 400, represented the approximate average cost incurred by Government in the professional education of one Civil Hospital Assistant, and also because it was thought desirable that members of the same Service should as far as possible be treated alike. In 1905, Burma represented that, so far as that province was concerned, the penalty of Rs. 400 was found from experience to be insufficient to deter Hospital Assistants from evading their obligations, and the Government of India therefore sanctioned its being raised to Rs. 1,000. The sanction of the Government of India was necessary because the Local Government's proposal involved a modification of general orders.

45877**. Why should the status of Hospital Assistants be the same in all provinces?—I see no reason why the status of Civil Hospital Assistants should be the same in all provinces.

45878**. As Hospital Assistants are paid wholly by the provincial Governments how are the Government of India justified in suggesting a general increase in their pay?—This question, it is understood, has reference to the representations submitted in 1906 by Hospital Assistants regarding their pay and prospects. It is not the case, as implied in the above question, that the Government of India have suggested a general increase in the pay of this class of subordinates. All that the Government of India have done up to the present is to inform the Local Governments that representations on the subject have been received from one province and to ask that, should similar representations have been submitted by the subordinates of the other provinces, they may be forwarded to them in due course. The replies from Local Governments have been received. They have all recommended that the pay of Hospital Assistants should be raised, and the matter is now under the consideration of the Government of India. If it is held that the conditions of service ought to be uniform throughout India the Government of India is obviously the only authority capable of deciding what those conditions should be.

45879**. Why did the Hospital Assistant scheme go up to Government of India? Was it a local scheme or a Government of India scheme?—The scheme has been sent up to the Government of India in accordance with a financial rule which requires that no class or grade of officers may be created or abolished, and the pay of no class or grade of officers may be raised or reduced without the previous sanction of the Government of India.

45880**. Why must the service of Medical Officers be recruited on the application of provincial Governments through the Government of India, Home Department, who refer the matter to the Director-General, who consults the Principal Medical Officer and these two conjointly nominate to provincial Governments?—Because they are recruited from the Indian Medical Service, an imperial military Service the members of which have at the time of entering the Service been allotted to particular provinces or groups of provinces with reference to the contingency of their taking civil employment.

45881**. Does the Sanitary Commissioner with the Government of India correspond with the officers of provincial Governments before the orders of the Government of India are issued? Are any Government of India orders on the subject of sanitation issued without consultation with the Sanitary Commissioner?—The Sanitary Commissioner with the Government of India is permitted to correspond with the provincial Sanitary Commissioners and the Heads of provincial laboratories regarding matters of departmental procedure, forms and statistics, and purely technical questions. These may or may not be connected with any scheme then under consideration or in contemplation. The Sanitary Commissioner is consulted by the Government of India on all cases of major importance before orders issue.

45882**. If provincial Medical authorities would have dismissed officers whom they cannot now revert to military employment or otherwise get rid of, should not the process of reversion be revised?—The rules which now govern the subject are the outcome of many years' discussion between the Government of India and the Secretary of State, and I see no sufficient reason for revising

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the existing procedure. The main ground of this is that the removal, for whatever cause, of a Military Officer from a line he has been permitted to adopt as his career, may be attended not only by serious consequences to himself, but of embarrassment to the State. The question of centralization, though remotely involved, is here only a subordinate factor.

45883**. Was the suggestion of the Director of Archæology to the Epigraphist of Madras to ask the Government of Madras to engage a full-time photographer, practically equivalent to an order to the epigraphist to apply for a photographer?—No. The functions of the Director-General of Archæology in India in respect of the provincial officers are only advisory in character. This has been very clearly laid down by the Government of India, and the provincial Governments have been furnished with a copy of the orders on the subject. It is left entirely to the discretion of the latter to adopt, or not to adopt, the suggestions of the Director-General of Archæology in India.

45884**. Is it not necessary that archæology which concerns temples about which there may be a local sentiment, should be under provincial control?—The existing system, under which the work of archæological conservation is carried on by the Local Governments in consultation with the Government of India affords ample security against the disregard of local sentiment about any particular building. European opinion holds the Government of India, and not the provincial Governments, responsible for the preservation of ancient buildings in India. The Government of India therefore must exercise the ultimate control in such matters.

45885**. Should not the Inspectors-General place their views and observations before Local Governments who are on the spot, rather than keep them for the Government of India?—I think it might be worth while to consider whether an advisory officer, after making a prolonged tour in a province, should not record a note of the places he has visited and the questions he has discussed with provincial officers and submit a copy to the Local Government. This would let them know what he has been doing and would guard against the impression that he had been collecting information or disseminating opinions behind their backs.

45886**. Should not the power of Inspectors-General to call for figures and statistics be strictly limited? Do they now ascertain whether the labour entailed by their demands is commensurate with the value? Should they be limited to calling for statistics existing in published form?—I have already dealt with this matter. As to the second part of the question I have made no special enquiries, but the presumption is that the officers concerned do not ask unnecessary questions. No complaints on the subject have come to my notice.

45887**. When the Government of India overrule a provincial Government, is the special sanction of the Viceroy required? Do the provincial Governments have the same opportunity of putting their point of view before the Viceroy as the Government of India?—The answer is "Yes." The matter is regulated by statutory rules, and no proposal of a provincial Government (including a Chief Commissioner) is negatived, or its decision overruled, without the personal orders of His Excellency the Governor-General (to whom the entire papers are submitted for consideration), or except at a meeting of the Executive Council of the Governor-General. Exceptions to the rule are:—(1) cases in which a *suggestion* only is made to a Local Government; (2) cases in which the proposals of a Local Government contravene standing orders or accepted principles, and the reply of the Government of India merely refers to such orders (as in cases where the Local Government may wish to anticipate the sanction of the Secretary of State or to give retrospective effect to some financial sanction). Such cases are not, as a matter of course, submitted to His Excellency the Governor-General.

45888**. Why did the Government of India impose a uniform set of rules under the Poisons Act upon Local Governments in February, 1907?—Originally there was no desire on the part of the Government of India to impose uniformity of details in the rules framed in the different provinces, but merely that the same general lines should be followed throughout India. The draft rules prepared by the Local Governments revealed, however, a wide divergence in many matters of principle as well as of details. As examples of such divergence may be mentioned the list of poisons specified under section 2 of the Act. In some cases it included four varieties only, in others six or seven, and in one case 28. A similar diversity of opinion existed with regard to the amount of fee to be charged to the licence-holder, which was fixed as high as Rs. 50 in one province and at *nil* in another. The classes of persons to whom poisons may be sold were variously defined. In some cases sales were to be prohibited to anyone under 21 years; in other cases to anyone under 18 years, 16 years, and 14 years. Again, some of the draft rules related both to wholesale and retail sales, while other rules differentiated between the two. In some cases the maximum amount of poison which might be held by a licence-holder was prescribed, as well as the minimum quantity which might be sold at any one transaction; in other cases no such limits were fixed. Considerable divergence of opinion existed also as to the class and rank of officers who might inspect a licensed vendor's premises. It was upon a consideration of all these circumstances that the Government of India decided that the rules for each province should be drawn on uniform lines in respect to the matters above mentioned, and model rules were accordingly circulated to Local Governments for adoption if they saw no objection to them. Burma pointed out certain objections, and in so far as its suggestions tended to improve the rules, they were adopted. In the case of the sales of poisons administrative, as well as commercial, interests are involved, and where such interests are concerned, it is desirable that the arrangements should be as uniform as possible. If they vary widely, firms dealing in poisons will have cause for complaint.

45889**. Under the order of the Government of India, Ordnance Department—(1) the loss of a single cartridge case requires an enquiry and four signatures by the Inspector-General of Police, *i.e.*, two committal proceedings and two sanctioning papers; (2) the loss of a dummy cartridge must be sanctioned by the Local Government. Is this necessary?—The procedure referred to is unnecessary. There appears to be some confusion in, and possibly some misunderstanding of, the orders on the subject. The matter will be looked into.

45890**. Why must Local Governments desiring to appoint a Deputy Collector to a listed post for more than six weeks obtain the leave of Government of India?—Under existing rules Local Governments have the power to nominate members of the Provincial Civil Service to listed appointments for three months without report to the Government of India, and for over that period with their previous sanction. This rule was made because it was considered that, as these posts involve very responsible duties and the principle of selection ought to be carefully observed in filling them, it was desirable that, at the beginning, the nomination of the Local Governments should come to the Government of India for scrutiny. The rules have been in force now for more than 15 years, and in my opinion it is right that they should be altered, and Local Governments empowered to sanction such appointments without reference to anyone.

The reference to appointments being made by Local Government for not more than six weeks without the sanction of the Government of India, suggests that the question relates not to listed posts but to scheduled or reserved posts. In respect of such appointments sanction is required under sections 3 and 4 of the Statute 24 and 25 Vict., Cap 54. But the previous sanction of

the Government of India was dispensed with in the case of appointments lasting for not more than six weeks, in order to facilitate the carrying out of the Government of India's instructions that in short leave vacancies up to six weeks, ordinarily, officers on the spot should be appointed to fill the vacancies. I file a statement† showing the existing procedure and that which I would suggest.

45891**. Do the Government of India invariably call for men from provincial Secretariats? Would not this render nugatory the three years' rule?—I find from statistics which I have had collected that within the last ten years, 46 appointments (permanent and temporary) have been made in the six civil Secretariats of the Government of India. Eleven of the officers selected to fill the appointments were at the time serving in the local Secretariats, and the remaining 35 were serving elsewhere. The fact therefore is that officers for the India Secretariat are not invariably obtained from the local Secretariats. In a small proportion of cases the three-year limit would of course be exceeded, but the opportunity enjoyed by an officer holding an appointment in the Government of India Secretariat of acquiring an insight into the administration of provinces other than his own more than counterbalances the disadvantages of his prolonged absence from district work.

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(*The witness withdrew.*)

Adjourned.

† *Vide* Appendix XII.

APPENDICES I.—XVI.

APPENDIX I*a*.

Memorandum on the constitution and duties of the Departments of Commerce and Industry (filed by Mr. B. Robertson, vide Q. 43693).

The Department of Commerce and Industry is constituted as an ordinary Department of the Government of India, and is under the charge of an Honourable Member of Council. It deals with all matters relating to the subjects enumerated below, which require a reference to the Government of India :—

All business throughout British India, and in all places in Native States administered by the Governor-General in Council, connected with—

(i) Commerce :—
  (*a*) Trade and Commerce ;
  (*b*) Merchandise marks ;
  (*c*) Merchant shipping ;
  (*d*) Ports, port dues and pilotage ;
  (*e*) The lighting of coasts.
(ii) Customs, including Cotton Duty.
(iii) Internal Land Trade.
(iv) Commercial Exhibitions.
(v) Weights and Measures.
(vi) The Indian Factories Act, 1881 (XV of 1881).
(vii) Economic Products.
(viii) Arts and Museums.
(ix) Geology and Minerals.
(x) Government coal mines and iron works.
(xi) Railway questions requiring reference to the Government of India.
(xii) The commercial aspects of Railway Administration.
(xiii) Telegraph and telephones.
(xiv) The Post Office.
(xv) The Indian Explosives Act, 1884 (IV of 1884).
(xvi) The Indian Petroleum Act, 1899 (VIII of 1899).
(xvii) Emigration.
(xviii) Fisheries.
(xix) Inventions and Designs.
(xx) Stationery and Printing.
(xxi) The supply of stores.
(xxii) Statistics.

2. The principal Gazetted Officers in the Department are the Secretary, two Under Secretaries, and the Secretary under the Inventions and Designs Act, who has been appointed *ex-officio* Assistant Secretary to enable him to sign the orders of Government regarding the special subject (Patents) with which he deals. The office establishment consists of 58 clerks.

3. The work of the Department, excluding Patents work, is divided between the two Under Secretaries, and they submit to the Secretary all cases, except those of a very routine character, on which orders are required. Patents work, with the exception of cases involving matters of principle or in which it is proposed to refuse the application, is disposed of by the Patents Secretary. The Secretary in the Department disposes of intermediate references calling for further information and of minor matters according to the practice of the Department. All other work is submitted by him for the orders of the Honourable Member in charge.

4. The Special Departments with the business of which the Department of Commerce and Industry is directly concerned, and the principal gazetted appointments in them, are given below.

Name of Department.	Principal Gazetted Officers.
1. Railway Board ...	1. Chairman of the Board. 2. } Members of the 3. } Board. 4. Director of Railway Construction.
2. Post Office of India ...	1. Director General. 2. } Deputy Directors 3. } General. 4-10. Provincial Postmasters General.
3. Telegraph Department	1. Director General. 2. Deputy Director General. 3. Director of Traffic. 4. Director of Construction.
4. Commercial Intelligence Department.	1. Director-General.
5. Geological Survey of India.	1. Director.
6. Department of Mines...	1. Chief Inspector of Mines.
7. Printing, Stationery and Stamps.	1. Controller.
8. Department of Explosives.	1. Chief Inspector of Explosives.
9. Economic Products ...	1. Reporter.

APPENDIX I*b*.

Memorandum of the constitution and duties of the Government of India, Department of Revenue and Agriculture, (filed by Mr. R. W. Carlyle, vide *Q.* 43997).

The Department was originally created in 1871, by Lord Mayo's Government as a Secretariat for Revenue, Agriculture and Commerce. It was temporarily abolished in 1879 owing to financial and other reasons, and its work was divided between the Home and Finance Departments. Two years later, in consequence partly of the recommendations of the Famine Commission of 1880, it was resuscitated in a modified form as a Secretariat for Revenue and Agriculture, Commerce remaining under the Finance Department. Upon the redistribution of work amongst the Imperial Secretariats in 1905, consequent on the formation of the Department of Commerce and Industry, the Revenue and Agriculture Department was further relieved of all subjects not directly connected with land revenue administration, agriculture and famine relief. At the present time it deals with the undermentioned branches of public business :—

1. Land Revenue.
2. Land Surveys.
3. Agriculture.
4. Civil Veterinary Administration.
5. Meteorology.
6. Famine.
7. Forests and Arboriculture.

2. The gazetted staff of the Department under the Member of Council in charge, who also holds the portfolio of Public Works (Civil Works and Irrigation) consists of the following officers:—(1) Secretary, (2) Deputy Secretary, (3) Under Secretary, (4) Registrar.

(The appointment of Deputy Secretary was created in July 1907 for three years only.)

3. Ordinarily the business of the Department is disposed of by the Member in charge of the Department or under his authority, and subject to report to him of the orders passed, by the Secretary or officers under him. All important cases are submitted for the orders of the Governor General, as well as cases relating to

certain specified appointments, and cases in which it is proposed to overrule proposals made by Local Governments.

4. The Secretary is responsible for the working of the Department, and it is his duty to submit every case which he is not, by the practice of the Department, competent to dispose of himself, in a complete form for the orders of the Member in charge. The Under-Secretary and Deputy Secretary are employed in noting on cases and in correcting drafts; the latter has been authorized to submit certain classes of cases direct for the orders of the Member. The duties of the Registrar relate to office management and routine.

5. The Inspector General of Forests expresses his opinion on business relating to Forest Administration before the papers are submitted to the Secretary.

6. The undermentioned Heads of Departments and Boards are under the Secretariat of Revenue and Agriculture:—

Surveyor General of India.
Inspector General of Forests.
Inspector General of Agriculture.
Inspector General, Civil Veterinary Department.
Director General of Observatories.
Director, Botanical Survey of India.
Director General, Commercial Intelligence (for Agricultural Statistics only).

Boards.

Board of Scientific Advice.
Board of Agriculture.

7. Over institutions and establishments maintained from Imperial funds Heads of Departments exercise such controlling and administrative functions as may be delegated to them by the Government of India. Apart from their administrative duties, and speaking generally, the Heads of Departments are advisers of Government in the technical branches of administration. They are freely consulted on questions relating to their respective departments, with the working of which they are expected to keep themselves fully informed by annual tours of inspections. They are permitted to correspond with Provincial Officers on technical matters, but are not authorized to issue instructions to them or to interfere in any way with provincial responsibilities. Further details of their position and duties will be found in the following paragraphs, which give a general description of the work falling under the several heads of business dealt with in the Department of Revenue and Agriculture.

8. Of these heads or branches of administration two, *viz.*, Land Surveys and Meteorology, are almost exclusively Imperial; three, *viz.*, Agriculture, Veterinary and Forests, are partly Imperial and partly Provincial, while Land Revenue and Famine Relief are, administratively, wholly Provincial.

9. *Land Surveys.*—All scientific and general surveys, and the publication of their results, are carried out by the Survey of India, a Department maintained wholly from Imperial funds of which the Surveyor General is the responsible Head. He has under him a large staff of officers comprising three distinct Services, *viz.*, a senior or Imperial Service recruited from Royal Engineers and the Indian Staff Corps; a junior or Provincial Service, and a Subordinate Service. First appointments to the Imperial Service are made by the Government of India upon the recommendation of the Surveyor General. The Government of India's approval is also required to his selection of officers for the higher appointments on the controlling and headquarters staff and to the highest grades of the Provincial Service. All other appointments and promotions (provided that, in the case of the Imperial Service, they do not depart from the order of seniority) rest with the Surveyor General, who is also invested with the powers of a Local Government under the financial codes in respect of the non-gazetted establishments under him, and the expenditure of the budget grants of his department.

10. *Meteorology.*—The whole cost of this Department is Imperial. A central weather bureau was established in 1875, under a Meteorological Reporter to the Government of India. In 1897, the astronomical and magnetic observatories in Madras and Bombay, which were in need of competent supervision, were imperialized with the concurrence of the Local Governments, and were placed under the Reporter whose designation was altered to Director General of Observatories. As such, he controls, under the direct orders of the Government of India, all official observatories devoted to meteorology, astronomy, and physical research.

11. *Agriculture.*—On the reconstitution of the Secretariat for Revenue and Agriculture in 1881, Departments of Land Records, and Agriculture were created in all the larger provinces. For several years their attention was directed mainly to perfecting the system of village statistics. An Inspector General of Agriculture was appointed in 1901, but it was not till the Government of India, in 1905, made a special grant of 24 lakhs a year, that measures for the improvement of agriculture were taken in hand on a liberal scale in all provinces, though in some, especially Bombay and Madras, considerable progress had already been made. All but a small portion of the grant, which is reserved for imperial expenditure, has been distributed amongst Local Governments, and the past three years have been occupied in the work of recruiting and organizing the staff and erecting the necessary buildings. The general scheme provides for a central college and research station under the Inspector General, and agricultural colleges and schools, and experimental, demonstration and seed farms in the provinces. The central institution, which is located at Pusa in Bengal, will give a post-graduate education in agriculture to students from the provincial colleges, and carry out original investigations in co-operation with the provincial experts. The combined staff of Imperial and Provincial Experts has been constituted an "Indian Agricultural Service" and is being brought under a uniform set of rules as regards pay and conditions of service. All the officers are liable to be transferred from one appointment or province to another, and for the present they are borne on one list. This arrangement, however, does not affect the control of the Local Governments and Administrations over officers serving in their respective provinces.

12. The Inspector-General is the departmental Head of the Imperial Agricultural Institution and staff, the cost of which is met by the Government of India. He is not invested with any direct authority over provincial Departments of Agriculture, which, except in the United Provinces, have been separated from Land Records and are controlled by Civilian Directors; but he tours over the provinces and advises Local Governments on agricultural matters. The Imperial Experts are also authorized to tour, and their relations with officers of the provincial departments are governed by rules which have been drawn up in consultation with Local Governments. A copy of these rules is appended. To secure proper co-ordination in experimental work, the investigations to be undertaken each year by the Imperial and Provincial Departments, and the results of the previous year, are discussed annually by a Board of Agriculture consisting of the Heads and senior officers of the Departments, convened by the Inspector-General and over which he presides. The results of the Board's deliberations are submitted to the Government of India, who circulate them to Local Governments for consideration.

13. The Secretariat heading "Agriculture" also includes Botany and Agricultural Statistics. In 1887, in order to systematize the botanical survey of India, the foundation of which had been laid by Sir Joseph Hooker's 'Flora of British India,' the work was divided among the botanical officers independently employed under the Governments of Bengal, Madras, Bombay and the United Provinces, and the Bengal officer, as Head of the principal botanical institution in India, was designated Director of the Botanical Survey. Owing to the absorption of the provincial botanical appointments (except in Bengal) in the Agricultural Departments, the system is now out of date, and the arrangements to be made in connection with the study of purely scientific botany are now under consideration. The Director's substantive appointment is that of Superintendent of the Royal Botanic Gardens and Herbarium at Sibpur, an institution under the Bengal Government. He also has charge, under the Local Government, of the Government cinchona plantations in Sikkim. He is the adviser of the Government of India in botanical matters, and generally supervises the work of the gardeners imported from England, who are supplied to Local Governments for the charge of public gardens and parks after a preliminary training at the Royal Botanic Gardens.

14. Under instructions from the Secretary of State, the Agricultural Statistics of India collected by Local Governments are compiled and published in Imperial tables. The Government of India also publish general memoranda based on local reports of the prospects and outturn of the principal crops. As no proper agency existed in the Revenue and Agriculture Secretariat for dealing with these compilations, they were transferred in 1895 to the statistical officer of the Finance Department, who has been succeeded by the Director-General of Commercial Intelligence. This officer is under the Department of Commerce and Industry, but in regard to agricultural statistics he takes his instructions from the Department of Revenue and Agriculture. In matters of detail he can correspond with Directors of Land Records in whose offices the provincial returns are prepared, but he is not empowered to call for new returns or to modify the prescribed forms.

15. *Veterinary Administration.*—The Civil Veterinary Department, like the Agricultural Department, owes its inception to the Government of India. It was started in 1892 with the transfer of army horse-breeding, and the veterinary officers employed on it, from the Military, to the Agricultural, Secretariat. This arrangement proving unsatisfactory to both military and agricultural interests, it was altered in 1903, and since that date the Civil Veterinary Department's chief work has been the prevention of cattle disease and the care of agricultural stock. Under its original constitution the superior or gazetted staff of the department was recruited from the Army Veterinary Corps, but the system has now ceased, and candidates are selected by the Secretary of State direct from the veterinary colleges at home.

16. Out of a *cadre* of 32 superior appointments, 20 are allotted to the provincial departments and 12, including the Inspector-General, are under the Government of India. Three of these Imperial officers are employed at the Bacteriological Laboratory at Muktesar in the United Provinces, which is a central institution maintained from Imperial funds for the study of cattle diseases and the production of sera for protective inoculation. One officer is superintendent of the cattle farm at Hissar in the Punjab, which is also an Imperial institution. Another officer is employed on a special investigation into camel diseases, and the remaining six form a reserve to fill leave and other vacancies. Owing to the small number of veterinary officers and their liability to transfer from one province to another, the pay of the whole staff is an Imperial charge and the officers are graded on one list, but this arrangement does not affect provincial control. The Inspector-General is administrative Head of the Imperial institutions and staff, and exercises the usual inspecting and advisory functions in respect of provincial veterinary administration.

17. Provincial veterinary organization has received a considerable impetus from the agricultural grants made to Local Governments in 1905. Every major province is now provided, or in course of being provided, with a veterinary college or school, numerous veterinary dispensaries and a large staff of veterinary inspectors and assistants. Municipalities and Local Boards have been associated as far as possible in this work, and particularly in the establishment of veterinary dispensaries and hospitals. Provincial veterinary departments form a branch of the Agricultural Departments and are under the Directors of Agriculture. Local Governments are not interfered with where veterinary affairs are concerned except in some cases of major importance. These cases refer generally to questions affecting more than one province, to schemes which for financial reasons require the sanction of the Government of India, or to action in the matter of the repression of cattle disease which by law requires the previous approval of the Supreme Government.

18. *Forests.*—The Forest Department, like most other large departments of administration, is divided into an Imperial, a Provincial, and a Subordinate Service. The first is recruited in England, and successful candidates are allotted to the several provinces, including Madras and Bombay, in the same way as in the Civil Service. The two Southern Presidencies have each a distinct Forest Service, and all appointments within them are made by the Local Governments. Elsewhere, the appointment of the principal Provincial forest officers *viz.*, Chief Conservators and Conservators, is reserved to the Government of India. These appointments are, therefore, borne on an "India" list and they are filled by selection from any provincial list (outside Madras and Bombay). There are also 17 other appointments on the India list, *viz.*, the Inspector-General of Forests, the Assistant Inspector-General, the principal of the Forest College and the college staff of 5 research officers, and 9 appointments reserved to meet demands from Native States and British Colonies for the loan of Indian forest officers.

19. The Inspector-General is the administrative head of the Central Forest Research Institute and College, an Imperial Institution located at Dehra Dun in the United Provinces. He is also the chief adviser of the Government of India and of Local Governments in the management of State forest property. He corresponds direct with local forest officers on purely professional matters on which he may require information or desire to make suggestions, copies of any important letters being communicated to the Government of India and the Local Governments concerned. During a large portion of the year he tours through the forests, and records inspection notes which are submitted to the same authorities. When a plan is drawn up for the working of any forest it is prepared in consultation with him, and submitted to the Local Government with his criticisms. He is also furnished with annual returns from all provinces excepting Madras and Bombay showing how far the prescriptions of the working-plans are being adhered to. He does not inspect and report on the forests of the Madras and Bombay Presidencies or criticize their working plans, unless specially invited by the Local Governments to do so. The Inspector-General's office is included in the Secretariat, and all forest matters coming up to the Government of India for orders pass through his hands.

20. The authority and procedure of Local Governments (other than Madras and Bombay) and their controlling forest officers in the management of forests and the control of forest establishments are governed by the rules embodied in the Government of India's Forest Department Code. Matters which the Local Governments cannot dispose of under these rules have to be referred to the Government of India. The sanction of the Government of India is also required under various provisions of the forest laws. Of these the more important relate to the disforestation of any reserved forests, or the excision of any area included within its boundaries, rules for the management of the "protected" class of forests, the levy of duty on imported timber or other forest produce, and the transit of forest produce.

21. *Land Revenue.*—This includes several groups of subjects of which the principal are :—

(1) Rent and revenue legislation.
(2) Revenue settlements.
(3) Collection of the land revenue.
(4) Disposal of lands which are the property of Government.
(5) Relief of agricultural indebtedness.
(6) State aid to landowners and agriculturists.

It is impossible within a brief compass to describe the numerous and varied references coming up to the Government of India in connection with agricultural interests and the occupation of the land ; but, generally, it may be said that the great bulk of them arise from financial and statutory limitations on the powers of Local Governments, while the more important concern questions of general policy which can only be decided by the Supreme Government or the Secretary of State.

22. Proposals for legislation affecting the relations between landlords and tenants or the occupancy of land are developed in the ordinary course of revenue administration, or emanate from the recommendations of special Commissions of Enquiry. Under the statutory procedure relating to legislation, whether in the Supreme or Local Councils, they have all to be carefully examined and reviewed in the Revenue Secretariat of the Government of India, but they are rarely initiated there. In the case of revenue settlements the Government of India have reserved to themselves by legislation or rule the duty of laying down the principles on which the land revenue should be assessed, and in all provinces, except Madras and Bombay, their sanction is required before any new settlement can be undertaken. In provinces where the settlement system and practice are still in process of

evolution, or other special reasons exist, the proposed assessments and the term of the settlement have also to be reported for their approval. The principles to be followed in the collection of the revenue demand in cases of extensive failure of the crops or of agricultural deterioration are also questions of policy which require and have recently formed the subject of general orders by the Government of India.

23. In the disposal of State lands (other than reserved forests) Local Governments have unfettered discretion to permit their occupation by cultivators on the ordinary conditions of tenure and assessment; but where special terms are conceded to grantees or lease-holders, or large schemes of colonization are involved, the sanction of the Government of India is necessary. Restrictions have also been placed on the grant of land free of revenue, or on favourable terms, to private individuals, communities or public bodies for religious, public, or other purposes. The advisability of enlarging the powers of Local Governments in respect of such grants is now under consideration.

24. The difficult problem of agricultural indebtedness has been the subject of prolonged consultations with Local Governments for some years past; it is still under consideration in some provinces, and has led to important legislation in others. Closely associated with it is the question of providing capital to the agricultural classes on easy terms, and the Government of India have recently been occupied in concerting measures with the assistance of Local Governments for an expansion of the system of State loans and the institution of Co-operative Credit Societies. In the case of the former the law on the subject required the sanction of the Government of India to rules framed by Local Governments, but it has now been altered, and Local Governments are at liberty to make such rules as they consider necessary, subject only to the general control of the Government of India. In regard to Co-operative Credit Societies, which are still in an experimental stage, the Government of India determine the limits within which State funds may be advanced for their assistance; and to secure an interchange of views and experiences, and the discussion of the best means of promoting and managing these societies, they convene an annual conference of the supervising provincial officers.

25. *Famine.*—The subjects dealt with under the famine head fall into two classes, *viz.*, famine prevention, and famine relief. In its wider sense the former covers all measures which have for their object the material advancement of the people, but for the present purpose it is limited to protective measures which increase the security of cultivation against drought, or aid in the distribution of the food supply, such as irrigation and railway schemes. Though received and finally dealt with in the professional departments, all such famine protective measures have to be fully examined in the Revenue and Agricultural Department with reference to their protective value, and a very large number of protective irrigation projects have resulted from the enquiries of the Irrigation Commission of 1901.

26. For the actual administration of famine relief and the inception of relief operations, the responsibility and authority rest with Local Governments; but the principles and the system of relief are prescribed by the Government of India, whose approval is also required to the provincial famine codes. No important departure from the rules of these codes is permissible without reference to the Supreme Government. In regard to expenditure and establishments, the rules allow a considerable relaxation of the ordinary financial restrictions, and in consequence of the scheme recently sanctioned for the apportionment of famine expenditure between Imperial and Provincial Revenues, they have, to some extent, been relieved of the necessity of making special applications to the Government of India for funds on the occurrence of distress.

27. The Government of India and the Secretary of State have to be kept fully informed of agricultural prospects, of impending scarcity, of the action which the Local Government proposes to take to meet it, and of the progress of relief measures and the condition of the people. But while the supply of full information is insisted upon, no interference is exercised so long as the Government of India are satisfied that the emergency is being properly met, and that the relief measures are neither inadequate nor extravagant.

28. *Board of Scientific Advice.*—The constitution and functions of this Board, of which the Secretary to the Government of India, Department of Revenue and Agriculture, is *ex-officio* president, are explained in the following extract from the Board's report:—"The Board of Scientific Advice for India was constituted in 1902, and consisted originally of the Heads of the Meteorological, Geological, Botanical, Forest, Survey, Agricultural, and Veterinary Departments; but the Government of India intimated their intention to invite from time to time to serve upon it other scientific officers in the service of the Imperial and Provincial Governments, whose special attainments might render their assistance desirable. The Board was declared to be a central authority for the co-ordination of official scientific enquiry, its object being to ensure that the work of research is distributed to the best advantage, that each investigator confines his researches to the subject with which he is most capable of dealing, and that energy is not dissipated by the useless duplication of enquiries, or misdirected by a lack of inter-departmental co-operation. It was also hoped that, while the claims of abstract science would continue to be recognized in the work of the scientific departments, the Board's advice would aid the Government of India in prosecuting practical research into those questions of economic or applied science, on the solution of which the progressive prosperity of the country, especially as regards its agricultural and industrial development, so largely depends.

"The Board advises generally upon the operations of the departments, with due attention to the economic side of their work, and serves as a referee on all matters connected with the organization of scientific enquiry in India. It annually discusses the proposal of each Departmental Head in regard to the programme of investigation in his department; and in cases where inter-departmental co-operation is necessary, it advises as to the lines on which mutual assistance should be given, and the department to which the enquiry should primarily appertain. It submits annually to the Government a general programme of research, embodying the proposals of Departmental Heads in so far as its subjects are to be exclusively dealt with in one department, and its own proposals in cases where two or more departments are to co-operate, and at the end of the year it presents a brief review of the results obtained during the year in all lines of scientific investigation controlled by its members. Its reports and programmes are communicated through the Secretary of State to the Royal Society who have appointed an Advisory Committee to consider them, and who from time to time furnish the Board and the Government of India with valuable suggestions and advice."

Appendix.

Rules for the guidance of Imperial experts in the matter of inter-communication between provincial experts of the Agricultural Departments and themselves.

No. 188—12-16 (Agriculture), dated 26th January 1906.

From J. Wilson, Esq., C.S.I., Secretary to the Government of India, Department of Revenue and Agriculture, to the Inspector-General of Agriculture in India.

The Board of Agriculture at its meeting in January 1905, in paragraph 46 of its report, made some suggestions on the question of inter-communication between Imperial and Provincial experts and between experts of one province and those of another. Those suggestions were referred to Local Governments and have been generally accepted by them. Each Local Government will, no doubt, issue instructions for the guidance of its provincial experts in the matter, and I am now directed to lay down the following principles for the guidance of the Imperial experts, and to ask that you will impress upon them the importance of their

paying due regard to the wishes of the provincial Governments in the matter :—

(1) Each Imperial expert must bear in mind that he has no authority over the provincial experts, and that his functions in relation to them are purely advisory.

(2) When an Imperial expert proposes to visit any province he should inform the provincial Director of Agriculture of his intention and of the objects and proposed programme of his tour. He should also report to him his actual arrival in the province. As soon as a tour in any province is completed, the Imperial expert should report its general results to the provincial Director, it being recognised that such reports may, on occasion, be for the information of the provincial Department only. A copy of each such report should be forwarded for information to the Inspector General of Agriculture.

(3) Proposals which affect the working of the provincial Department, such as the starting of new investigations, the introduction or alteration of farm experiments, and the like, should be the subject of official correspondence addressed to the provincial Director.

(4) All matters of detail connected with lines of work already sanctioned should be dealt with direct between the experts concerned.

(5) If specimens for examination are received direct from a provincial expert, the report of the Imperial expert on the result of the examination should be sent direct to the officer concerned.

2. These principles have been accepted by all Local Governments with the following modifications :—

(*a*) The Government of Madras desire that direct correspondence between their Provincial Officers and the Imperial experts should be restricted to purely scientific matters, and that all other communications relating to the working of the Agricultural Department should be addressed to the Director.

(*b*) The Government of Bengal, while they agree that in all special questions the experts should hold direct communication with one another, desire that correspondence dealing with administrative matters should go through the Director.

3. Should any Imperial expert find himself engaged in a correspondence which appears to be contrary to the spirit of the above instructions he should desire that it be conducted through the provincial Director.

APPENDIX Ic.

Memorandum on the constitution and duties of the Public Works Department (filed by Mr. L. M. Jacob, vide Q. 44442).

The Public Works Department of the Government of India deals with all business throughout British India and in all places in Native States administered by the Governor General in Council connected with :—

(i) Civil Buildings,
(ii) Communications,
(iii) Irrigation and Canals,
(iv) Miscellaneous Public Works, including docks and harbours ; and
(v) Electricity.

Other Classes of Public Works such as Railways are dealt with by a Railway Board. which is directly under the Department of Commerce and Industry, and Telegraphs by the Director General of Telegraphs who is also under the Department of Commerce and Industry.

2. Thus the Public Works Department of the Government of India, as at present constituted, in addition to Electricity, administers only Public Works coming under the heads "Buildings and Roads" and "Irrigation" ; and is under the charge of a Member of the Government of India who also administers the Department of Revenue and Agriculture.

3. As regards Buildings and Roads, the delegation of powers to provincial Governments is very complete Each Local Government has its own engineering staff, the Head of which acts as its Public Works Secretary, and is responsible for the upkeep and construction of its public buildings and the roads under its control. The functions of the Government of India as regards Buildings and Road Works are practically limited to the sanction of large and important projects beyond the powers of the sanction of the Local Governments and Administrations, and to the disposal of all such matters as are required by rule to be submitted for the sanction of the Government of India. The powers of Local Governments and Administrations in respect of sanction to buildings and roads projects classed as Imperial is given in tabular form below. In the matter of works classed as Provincial, Local Governments have power to sanction projects up to a maximum of 12½ lakhs of rupees inclusive of charges for establishments and tools and plant.

Table of Powers—ordinary works chargeable to Imperial.

Local Government or Administration.	Imperial works, maximum, including establishment and tools and plant.	Imperial repairs, maximum.
	Rs.	
Governments of Madras and Bombay	2,50,000	Any amount within the amount of the budget provision.
Governments of Bengal, United Provinces, Punjab, Burma, and Eastern Bengal and Assam.	62,500	
Chief Commissioners of Central Provinces and Coorg ; the Resident of Hyderabad ; the Governor General's Agents in Rajputana and Central India.	25,000	

4. In the matter of establishments connected with either the Buildings and Roads or the Irrigation Branch, the Government of India deal with all schemes of re-organization, with the appointment of permanent and temporary engineers to the various provinces, with the promotions of Superintending and Chief Engineers, and with all such matters which are, under the rules in the Public Works Code or the Civil Service Regulations, beyond the powers of sanction of the Local Governments.

5. As regards *Irrigation* the control of the Government of India is much closer, except in respect of schemes classed under *Provincial 43—Minor Works and Navigation*, in regard to which Local Governments and Administrations have the same powers as for provincial Buildings and Road schemes. From the statement below of powers of sanction of Local Governments and administrations in respect of irrigation works, it will be seen that, except in the matter of works chargeable to the *Open Capital Account*, the Local Governments have no power whatever as regards works classed under *49—Protective Public Works*. These works are carried out from loans which are raised on the security of the general

revenues of India, and it has been held that the administration of such funds should be entirely in the hands of the Government of India.

6. It will also be noticed that in the matter of *Protective Works* the Local Governments may sanction works chargeable to Open Capital within certain limits, but have no powers whatever to sanction original projects. The Government of India is vitally interested in schemes classed under *35—Protective*. They are met from a moiety of the Famine Insurance Grant, which is for the present limited to 150 lakhs per annum for both protective irrigation works and railways. This grant being very limited, and liable to material reduction in the event of famine declaring itself, it is essential that the power of disposing of it should be vested in a central authority, which is in a position to deal impartially with the claims of the several provinces for allotments from the grant.

Table of powers in respect of irrigation works.

Local Government or Administration.	49—Productive.		35—Protective.		43—Imperial Minor Works.	
	Schemes.	Open Capital.	Schemes.	Open Capital.	Schemes.	Open Capital.
Governments of Madras and Bombay.	*Nil.*	Rs. 10,000 if unremunerative; Rs. 25,000 if remunerative.	*Nil.*	Rs. 2,50,000*	Rs. 2,50,000*	Rs. 2,50,000*
Governments of Bengal, United Provinces, Punjab, Burma, and Eastern Bengal and Assam.				62,500*	62,500*	62,500*
Local Administrations ...				25,000*	25,000*	62,500*

* Including charges for establishment and tools and plant.

7. As regards *Electricity*, all applications for licenses coming under Section 40 of the Indian Electricity Act require the orders of the Government of India, and there is at present under consideration the report of a Committee, which has, among other things, recommended that the administration of the Act should be vested entirely in the Government of India. The Local Governments and Administrations, who have been consulted on this point, have, with only two exceptions, approved of the proposal to imperialise the administration of the Act; and it is possible that the Act when amended will provide for this change. To assist the Government of India in disposing of all matters connected with electricity and the administration of the Act, they have an expert adviser, in the person of the Electrical Adviser, whose duties are outlined in paragraph 14 of this Memorandum.

8. The principal Gazetted Officers of the Public Works Department Secretariat are:—

A Secretary with
A Deputy Secretary who is also Accountant General in charge of the Accounts Branch,
A Deputy Secretary in charge of the Establishments Branch,
and
An Under Secretary in charge of the Civil Works Branch.

The duties and functions of a Secretary to the Government of India are defined in the Rules of Business. In the case of the Public Works Department the Secretary, who is a member of the Indian Public Works Department, is also the *professional* adviser to the Government in all matters connected with the business of the department.

9. The Deputy Secretaries and the Under Secretary have placed upon them the complete responsibility to the Secretary for all business done in their respective branches, and they are responsible that all orders issued are in conformity with the instructions of the Government of India.

10. The Officers immediately subordinate to this Department are—

(i) The Accountant General, Public Works Department, who is assisted by a Deputy Accountant General for Inspection and by two Assistant Accountants General.
(ii) The Inspector General of Irrigation.
(iii) The Consulting Architect and
(iv) The Electrical Adviser.

11. *Accountant General.*—The Accountant General is Head of the Accounts Branch of the Public Works Department and is responsible for the financial regularity of the whole of the revenue and expenditure of Railways, Irrigation, other Public Works, Military Works and Telegraphs. To secure this result, it is his duty to see that an efficient local audit is maintained at the headquarters of Local Governments and Administrations by his Examiners of Accounts, in the exercise of their functions as independent auditors on behalf of the Government of India and the Secretary of State.

The Accountant General also controls, and is responsible for, the discipline of a staff of 88 officers and 575 accountants. He scrutinizes proposals for the revisions of scales of the Superior and Subordinate Accounts Establishments including the clerical establishments of Examiners' offices, advises the Government of India on appointments, promotions, postings, etc., of the Superior Accounts Establishments, and controls those of accountants on the General and Railway Lists.

Although railways are no longer administered by the Public Works Department, yet the Accountant General is freely consulted by the Department of Commerce and Industry on important matters connected with railway accounts; and the Railway Accounts Officer is responsible to the Accountant General for the efficient discharge of his duties.

The Deputy Accountant General for Inspection is employed chiefly in making periodical inspections of the offices of all Examiners of Public Works and Railway Accounts including the audit offices of Company-worked lines. There are in all some 37 separate offices under inspection.

12. *Inspector General of Irrigation.*—Formerly the Secretary in the Department held the dual office of Secretary and Inspector General of Irrigation, but owing to the vast number of important irrigation projects which had been sanctioned or proposed in consequence of the report of the Irrigation Commission, the Secretary of State sanctioned the appointment as an experimental measure of a whole-time Inspector General for a period of three years from February 1906. The Inspector General is required to spend the cold weather on tour, inspecting the various projects and conferring with Local Governments on the subject. He is also required while on tour to take the opportunity of discussing with Local Governments the possible development of those waterways in India which, in the interests of commerce, it is considered desirable to maintain or improve. During the hot weather and the rains, the Inspector General is employed in scrutinizing the designs and estimates prepared by provincial Governments for irrigation schemes, and in advising on the professional, revenue, and financial aspects of irrigation projects which are submitted to the Government of India.

13. *Consulting Architect.*—The Office of Consulting Architect was sanctioned for a period of five years from November 1902. The term of office has expired, and the question of retaining it as a permanency now forms the subject of correspondence between the

Government of India and the Secretary of State. The following is a brief outline of the duties of the Consulting Architect :—

I.—To advise the Government of India on all estimates and plans for public buildings which require the sanction of the Government of India or of the Secretary of State, and also to undertake the preparation of such plans and estimates, when called upon to do so.

II.—To advise and assist Local Governments and Administrations in the preparation of designs and estimates for public buildings which are within their own powers of sanction.

III.—To enter into direct communication with the Public Works Secretaries to Local Governments and Administrations and, when so authorized by them, with any of their subordinate officers, in regard to all matters of constructive or decorative detail relating to public buildings in course of design or construction.

IV.—To inspect important public buildings while under construction, and to offer such advice or recommendations as may be necessary.

V.—To submit an annual report to the Government of India on the architectural work of the year in the different provinces, with brief descriptions of the more important public buildings sanctioned or completed during the year.

VI.—To prepare or edit occasional papers on professional subjects for the information and guidance of Public Works Officers employed on architectural work. ; and

VII.—Generally to advise and assist the Government of India in all matters relating to the architecture of public buildings.

14. *Electrical Adviser.*—The appointment of Electrical Adviser was created as recently as August 1904, and was found to be necessary in consequence of the development of electrical enterprise in this country. Generally, the Electrical Adviser is the expert adviser of the Government of India in all matters connected with electrical schemes and with the working of the Indian Electricity Act. He is also required to advise Local Governments and Administrations which might be in need of expert advice.

APPENDIX I*d*.

Memorandum on the constitution and organization of the Finance Department (filed by Mr. J. S. Meston vide *Q.* 44807).

1. The Finance Department of the Government of India deals with all questions of finance on both the Civil and the Military sides of the administration. It consists of a central Secretariat, which is divided into two branches,—the Ordinary (or Civil) branch and the Military Finance branch ; and of a large executive staff of officers of account and audit. The whole department is in charge of the Finance Member of the Governor General's Council. The officers in immediate control of the Ordinary branch of the Secretariat and the Military Finance branch are a Secretary to Government and a Joint Secretary respectively ; while the staff engaged on account and audit are under the immediate authority of the Comptroller and Auditor General. The only other executive establishments directly under the Finance Department are those of the Mints and the Commissioner, Northern India Salt Revenue ; while the Inspector General of Excise and Salt is attached to the department as a consultative and advisory officer.

The relations of the different parts of the department to each other, and their methods of working, will now be briefly described.

I.—Secretariat—Ordinary Branch.

2. The heads of business dealt with in the Ordinary branch include :—

(1) the public accounts and estimates ;
(2) the public expenditure ;
(3) the public Ways and Means, including loans to and from the public Treasury.
(4) the management of the public funds ;
(5) Taxation ;
(6) Provincial and Local Finance ;
(7) the borrowing of public bodies ;
(8) Alienations of revenue and of land ;
(9) Opium ;
(10) Salt ;
(11) Stamps ;
(12) Excise ;
(13) Assessed taxes ;
(14) Currency and banking, including—
(15) the Mints ;
(16) Coinage ;
(17) Paper Currency ;
(18) Presidency Banks ;
(19) Pay and allowances leave and pensions of public officers ;
(20) the Civil Account Department, including Treasuries

3. The Ordinary branch of the Finance Secretariat has a staff of five Gazetted Officers and a clerical establishment of 68 men, the annual cost of the branch being Rs. 3,38,700

The Gazetted Officers are :—

	Rs.
(*a*) Secretary on	48,000 a year.
(*b*) Deputy Secretary on ...	27,000 ,,
(*c*) Under Secretary on ...	15,600 ,,
(*d*) Assistant Secretary on ...	13,200 ,,
(*e*) Registrar on	7,920 ,,

4. The clerical establishment is divided into 14 grades, the rate of pay varying from Rs. 30 to Rs. 600 a month.

5. The Secretary is responsible for the general working of the department. The office is divided into sections, a certain number of subjects being assigned to each section, and a Gazetted Officer is placed in charge of one or more sections whose duty it is to note on the cases dealt with in his particular branch or branches, and prepare them for the orders of the Secretary or Honourable Member in charge.

Routine and unimportant matters are finally disposed of by the officer in charge of a section on his own responsibility. But every case of importance must be placed before the Finance Member for orders with the Secretary's view recorded thereon. References of minor importance, which involve no new principle or departure from well established rule or custom, may be disposed of finally by the Secretary himself. The Deputy Secretary is authorized to submit a certain class of cases direct to the Member in charge for orders, but all really important references must be seen and considered by the Secretary, and his opinion recorded on the file before the case is submitted to the Member in charge. All cases submitted by the Deputy Secretary direct to the Honourable Member are seen by the Secretary after the Honourable Member's orders have been recorded on them, and he is thus able to keep in touch with all the work of the department.

6. Under the rules for the conduct of the executive business of the Government of India framed under section 8 of the Indian Councils Act, 1861, no proposal involving an abandonment of revenue for which credit has been taken in the budget, or involving expenditure which has not been provided for in the budget or which, though provided for, has not been specifically sanctioned, shall be brought forward for the consideration of the Governor General in Council without a previous reference to the Finance Department.

7. Exceptions to this rule are, however, permitted in a few instances.

In cases which, in the opinion of the Viceroy, require great secrecy and despatch, expenditure may be authorized under his Excellency's written orders

without a previous reference to the Finance Department, but every such order must be communicated to that Department; and the Departments of Commerce and Industry and Public Works in the cases mentioned in the following paragraph, and the Army and Military Supply Departments in the cases mentioned in paragraph 16, may sanction expenditure without a previous reference to the Finance Department.

8. The Department of Commerce and Industry may authorize expenditure which does not require the previous sanction of the Secretary of State in Council—

(*i*) in the case of the maintenance and working expenses of railways,

(*ii*) in the case of the Postal and Telegraph Departments, if the proposed expenditure does not involve outlay in excess of the budget grants of those departments, or a re-appropriation from one major head to another.

The Public Works Department may similarly authorize expenditure—

(*i*) in the case of the maintenance and working expenses of irrigation works,

(*ii*) in the case of civil works expenditure, if the expenditure proposed does not involve outlay in excess of the total grant under that head;

but in none of the cases enumerated above may any rule or order of the Finance Department be contravened, or any new principle or practice which is likely to lead to increase of expense be introduced.

9. Under the instructions quoted in paragraph 6, other Departments of the Secretariat of the Government of India are bound to consult the Finance Department on all references received by them which involve financial considerations before a decision is arrived at. References from Local Governments, Administrations and Heads of Departments to the Government of India are addressed to, and received in, that Department of the Secretariat which deals with administrative questions relating to the particular branch of the public service from which the reference emanates. When the points at issue have been discussed in the Administrative Department,* the complete file of papers with the notes and opinions recorded upon it, is forwarded to the Finance Department for consideration. Such inter-departmental references are termed unofficial communications. The official form of correspondence is employed only in—

(*a*) cases which personally concern an officer in another branch of the Secretariat, and

(*b*) proposals involving expenditure by another department of the Government of India.

The following figures show the number of references received and dealt with in the department (exclusive of those dealt with in the Military Finance branch) during the past few years :—

1903	25,528
1904	27,439
1905	24,493
1906	24,996
1907	25,714

II.—Secretariat.—Military Finance Branch.

10. The Military Finance branch deals with :—

(1) All cases falling under the heads of business cited in paragraph 2 above which originate in the Army Department or the Department of Military Supply, *i.e.*, broadly all proposals involving military expenditure.

(2) Army finance generally, including the preparation of the military budget and the compilation of the military schedules.

(3) The Military Accounts Department.

11. The Military Finance branch has a staff of four Gazetted Officers and a clerical establishment of 23† men, the annual cost of the Branch being Rs. 1, 71,000.* The Gazetted Officers are :—

(*a*) A Joint Secretary on ...	Rs. 36,000	a year.
(*b*) A Deputy Secretary on	„ 20,400	„
†(*c*) An Assistant Secretary on	„ 17,400	„
‡(*d*) „ „	„ 9,600	„

12. The clerical establishment is divided into nine grades, the rates of pay varying from Rs. 50 to Rs. 500 a month.

13. The Secretariat proper also receives Secretariat assistance from the Military Accountant General and Deputy Military Accountant General (who are respectively *ex officio* Deputy and Assistant Secretary in the Military Finance branch) and their office.

14. As regards the functions of the Joint Secretary within the Military Finance branch and the disposal of work by that branch, the procedure corresponds to that stated in paragraph 5 above, except that the Deputy Secretaries in the Military Finance branch do not submit cases direct to the Honourable Member.

15. In ordinary practice the two branches work independently of one another; but the Rules of Business recognise only the undivided department, and the relations between the two branches are, therefore, governed by such orders as the Honourable Member in charge of the whole department may pass from time to time. In particular :—

(*a*) Any orders affecting the department as a whole are communicated to the Military Finance branch through the Secretary in the Ordinary branch.

(*b*) Particular cases or classes of cases, which would ordinarily be dealt with by an officer of the Ordinary branch, are sometimes made over, under the orders of the Honourable Member, to the Joint Secretary in the Military Finance branch and dealt with by him.

(*c*) Cases which appertain to the Military Finance branch, in that they originate with the Army Department or the Department of Military Supply, but which also specially§ concern the Ordinary branch, are dealt with by the Military Finance branch in the first instance, but referred unofficially to the Ordinary branch on the analogy of the procedure explained in the foot-note to paragraph 9 above.

16. The Army Department and the Department of Military Supply can issue orders sanctioning expenditure which :—

(1) does not require the sanction of the Secretary of State in Council;

(2) does not involve any outlay in excess of the total sanctioned budget provision under any major head of account, and

(3) does not involve re-appropriations from one or more grants or minor heads of account to any other such grants or minor heads exceeding in the aggregate Rs. 3 lakhs in any one financial year.

These powers are subject to the proviso mentioned in the last three lines of paragraph 8 above.

17. The Joint Secretary in the Military Finance branch is *ex-officio* Secretary to the Government of India in the Army Department (Finance), and is consulted in that capacity on all questions involving military expenditure. Accordingly the powers referred to in paragraph 16 can only be exercised in the Army Department after he, or a junior officer of the Military Finance branch on his behalf, has advised on the case, and has had an oportunity for requiring a reference to the Finance Department in the Military Finance branch if he considers such a reference necessary

* The Finance Department is itself the Administrative Department for the classes of business described in paragraph 2 above. If any of the other Departments of the Secretariat are interested in a particular reference addressed direct to the Finance Department or in any points arising out of the reference, they are consulted unofficially before final orders are issued.

† Including one Superintendent, who is borne on the establishment of the Military Accountant-General.

* This is the proposed budget figure for 1908–09. It does not include the pay of the Superintendent (Rs. 400–20–500) mentioned in the preceding foot-note.

† Draws grade pay as a member of the Military Account Department *plus* a local allowance of Rs. 250 per mensem. The actual salary drawn by the present incumbent has been entered.

‡ The pay of the appointment is Rs. 750–30–1,000. The actual salary of the present incumbent has been entered.

§ *E.g.*, when the Finance Department (Ordinary branch) is the Administrative Department for the subject in question, as in cases relating to excise or assessed taxes.

He does not occupy a similar special relation towards the Department of Military Supply.

18. The Joint Secretary in the Military Finance branch is also an *ex-officio* member of His Excellency the Commander-in-Chief's Advisory Council and, when financial matters are under consideration, of the Mobilisation Committee also, and is thus in a position to advise on such measures involving military expenditure as come before these bodies at a comparatively early stage.

19. The procedure referred to in paragraph 9 above applies *mutatis mutandis* to the Military Finance branch.

20. The following figures show the number of references received and dealt with in the Military Finance branch since the date on which it was constituted (13 April 1906) :—

1906	...	...	...	8,845
1907	...	...	...	18,289

III.—Civil Account and Audit.

21. The officers who record the accounts and conduct the audit of the whole of the public revenues and expenditure are ultimately responsible to the Government of India in the Finance Department. But the executive control over them and their establishments is not uniform. The officers who audit the Military (including Marine), the Public Works and the Railway and Telegraph accounts are administratively subordinate to the Military Finance, the Public Works and the Commerce and Industry Departments of the Imperial Secretariat respectively. All the other Account and Audit Officers (including the Comptroller, Post Office) form a definite Service, of which the Comptroller and Auditor General is the Departmental Head, and which is directly under the administrative control of the Finance Department.

22. The duties and procedure of the Civil Offices of account and audit are fully described in an appendix, for which I am indebted to Rai Nritya Gopal Basu Bahadur, Assistant Comptroller General. The cost of the Civil offices of account and audit in salaries is roughly 27 lakhs a year ; this includes charges in connection with the management of the offices for the issue of currency.

IV.—*Mint.*

23. There are two Mints, at Calcutta and Bombay, each with an Assay office attached to it. There are two Mint Masters—officers of the Royal Engineers—on Rs. 3,000 and Rs. 2,000 a month, and one Deputy Master on Rs. 1,250–50–1,500. The pay of the Assay Masters is Rs. 1,750–100–2,250. There is a Gazetted staff of seven officers in all, and the permanent establishment numbers about 293 ; the total cost in salaries being Rs. 4,21,380 a year. The Mints are under the direct administrative control of the Finance Department ; the Local Governments are in no way concerned with them, and no devolution of the central authority would be practicable. The two Mints do not serve separate areas ; the rupee coinage is divided among them in such proportions as may be found convenient from time to time ; the small silver coins and bronze are mostly struck at Calcutta, and the nickel wholly at Bombay.

V.—*Excise.*

24. The administration of Excise in India is carried on directly by Local Governments, and is subject only to the general control of the Government of India for the reasons, and to the extent, explained in paragraph 7 *et seq.* of Mr. Meyer's Memorandum on Excise, Opium, Salt, etc., prepared for the use of the Royal Commission. The control of the Government of India is exercised through the Financial Department. Outside the Secretariat, the only Imperial officer directly concerned with Excise is the recently appointed Inspector General of Excise and Salt (salary Rs. 3,000 per mensem). His functions have been laid down to be as follows :—

(*a*) to keep the Government of India informed on matters relating to excise and salt ;

(*b*) to furnish Local Governments in the provincial departments concerned with advice and information ; and

(*c*) to bring the experience of one province to bear upon the problems of another so as to secure such co-ordination as may be possible of the systems of the different provinces.

His duties are thus purely advisory and consultative. He exercises no authority of any sort over provincial Excise and Salt Departments, and does not call for any returns or reports from them. It is intended that he will correspond and confer informally with the Heads of these Departments and with Local Governments ; and it is anticipated that the assistance which he will thus be able to afford will tend to a considerable decrease in the number of references and in the extent of control in matters of detail which has hitherto been exercised by the Government of India.

25. In the case of excise opium the position is somewhat similar, it being administered by provincial departments, though the control exercised by the Government of India extends into somewhat greater detail than in the case of other exciseable articles, especially in the case of Burma.

VI.—Salt.

26. In Madras, Bombay, Bengal, Eastern Bengal* and Assam, and Burma the salt revenue is subject to the control of the Government of India in the Finance Department in matters relating to changes of general policy and system.

27. In the whole of Upper India, however, comprising the North-West Frontier Province, the Punjab, the United Provinces, the Central Provinces, Ajmir-Merwara, and the Rajputana salt sources, the salt administration, consisting of the manufacture of salt on behalf of Government, the prevention of private manufacture and the control of saltpetre refineries, is carried on by the Northern India Salt Revenue Department. This department is under the direct administrative control of the Government of India in the Finance Department. It is administered by the Commissioner, Northern India Salt Revenue, who is assisted by a Deputy Commissioner. The executive of the department is divided into seven divisions, each in the charge of an Assistant Commissioner, under whom are superintendents, assistant superintendents and inspectors in charge of circles, with the necessary clerical and subordinate staff. The appointment of Commissioner is reserved for a member of the Indian Civil Service and carries a salary of Rs. 2,500 a month. The Deputy Commissioner and Assistant Commissioners are appointed by the Government of India, and officers of lower rank by the Commissioner. The total fixed establishment charges of the department amounted to Rs. 5,35,907 during 1906–07.

28. The Inspector General of Excise and Salt has been assigned the same functions in respect of salt as in excise matters. In the case of the areas under the Commissioner, Northern India Salt Revenue, he will treat with that officer on the same lines as with a Local Government, and has been authorized to inspect and advise on the operations of the department in order to ensure, among other matters, co-ordination between the Northern India Salt Revenue Department and the provincial Salt Departments.

* In the Eastern Bengal districts the preventive operations are at present controlled from Bengal.

APPENDIX.

Civil Offices of Account and Audit.

The audit of the public accounts is an important branch of the Financial Administration, and the Civil Offices of Account and Audit are directly subordinate to the Finance Department. The Comptroller and Auditor General is the highest Audit and Account Officer in India, and is the authority on all questions affecting classification and adjustment in the public accounts. The work of audit and accounting of the civil revenue and expenditure of the Empire is performed under the supervision of the Comptroller and Auditor General by seven Accountants General and two Comptrollers under him, assisted by some 40 officers of the Finance Department and the necessary staff of auditors and examiners.

2. The Comptroller General's Office is permanently located in Calcutta. An Accountant General is attached to each of the Governments of the seven larger provinces, and is posted at the permanent headquarters of the province; and there is a Comptroller for the Central Provinces at Nagpur, and one at Calcutta for the Government of India administrations comprising Ajmer, Baluchistan, Indore, Coorg, and other districts directly under the Government of India.

3. The principles of audit and classification in the accounts are practically the same in India as they are in England; but, owing to the vastness of territory and the special system of administration in India by provincial Governments, the audit arrangements in India are to a great extent local and decentralized against a highly centralized system in England. Accordingly, the Accountants General and Comptrollers, although representing the Finance Department of the Government of India, are, as above stated, posted at the headquarters of the provincial Governments.

4. The most important principle of effective audit is that the audit power should be independent of the executive power, and this principle is acted upon as far as possible in the constitution and organization of the Accounts Department in India. The Accountant General, although considered as adviser to the provincial Government upon the application of financial rules and orders, upon the correctness and sufficiency or otherwise of estimates prepared by the Local Government, and upon the progress of provincial revenue and expenditure as compared with the budget estimates, is in immediate subordination to the Comptroller and Auditor General in all matters connected with audit and account, and refers to him all questions bearing on the classification of receipts and charges and other matters of account. In matters relating to the appointment and control of the officers, gazetted and non-gazetted, working under him and to the administration of his office generally, the Accountant General is subject to the direct control of the Government of India in the Finance Department and is not in any way subordinate to the provincial Government; and even all correspondence with the Government of India on matters connected with the administration of his office pass through the Comptroller General.

5. The main functions of audit are those of verification, and the duty of auditors is to see that any expenditure incurred is on *bonâ fide* public service; that it is sanctioned by competent authority; that the expenditure is not greater than the occasion demands; that there are formal grants for the expenditure; and, lastly, that the expenditure is verified by vouchers as having been incurred in the manner in which it is entered in the accounts. As regards receipts, the audit office is required to watch them as far as possible, and to see that under every head Government receives all its dues. In performing these duties, the Accountants General and Comptrollers work as officers of the Comptroller and Auditor General and work independently of the executive Government, and they are guided and bound in their work by a minute and exhaustive code of regulations. Whenever an Accountant General is of opinion that any proceeding of a provincial Government transgresses any prescribed financial rule or order, it is his duty to advise the Local Government accordingly; and the Local Government, if it does not accept the view of the Audit Officer, is required to refer the question to the Supreme Government. Again, if an Audit Officer considers that any expenditure sanctioned by the Government of India requires the sanction of the Secretary of State, he should place it under objection and submit a report with a statement of reasons to the Government of India in the Finance Department. The Government of India reports all such objections to the Secretary of State for information if the objection is over-ruled, or for the required sanction if it is not over-ruled. Thus, both by constitution and by departmental regulations, the Audit Department is allowed a full measure of independence in the discharge of its legitimate functions.

6. The district treasury is the unit of the financial system in India, and the accounts of the district treasury form the basis of the Finance and Revenue Accounts of the Government of India presented to Parliament. The dues of Government are all lodged in the district treasury, and the funds for the services are supplied from it. In matters of accounts of receipts and disbursements, and the management of the cash balances, the Revenue Officers in charge of district treasuries are wholly under the orders of the Civil Accountant General. The ordinary routine of the audit and account work of the Accountant General is as follows:—

(*a*) Officers in charge of district treasuries furnish the Accountant General after the close of each month with cash accounts embracing all the receipts and disbursements in the treasury during the month, with vouchers and schedules, and with statements of cash balances at the end of the month;

(*b*) the accounts are audited in detail in the office of the Accountant General in accordance with prescribed regulations, except as regards monetary transactions with non-civil departments, such as Military, Public Works, etc., having separate Audit and Account Officers of their own, and the necessary record of audit is made in prescribed registers;

(*c*) a balanced account of the financial transactions of the whole district is then prepared in which the audit figures are classified in detail under prescribed heads of account;

(*d*) when the accounts of all the districts in the province have been compiled in the above manner, a consolidated account for the whole province is prepared in detail of the heads of account (including heads showing in lump the transactions with non-civil departments) and recorded in the office of the Accountant General;

(*e*) an abstract of the monthly account for the province is submitted to the Comptroller General, and copies of the consolidated accounts for the eight months ending November and for the whole year, are also submitted to him;

(*f*) to enable the Comptroller General to watch the work of the Accountant General's Office, a monthly "State of Audit and Account work" is sent, giving in a tabular form the dates of completion of all the prescribed accounts and returns;

(*g*) a half-yearly report on arrears of work in each Accountant General's Office is also furnished to the Comptroller and Auditor General;

(*h*) the objections raised on audit are embodied in registers prescribed for the purpose; the balances on these registers are carefully reviewed by the Accountant General, and an annual report is made to the Comptroller General on the progress of clearance of the balances under objection;

(*i*) an annual report is made to the Local Government bringing to notice delays and other irregularities on the part of Treasury Officers in complying with the requirements of the Audit Department;

(*j*) an annual Appropriation Report of the revenue and expenditure under his audit is prepared by the Accountant General at the end of the year for submission to the Government of India through the Local Government ;

(*k*) a review of the balances of debt heads in his accounts at the end of the year is also prepared by the Accountant General and submitted to the Comptroller General.

7. As regards the audit and account work of the Comptroller and Auditor General, the work is generally a work of direction and supervision, and of compilation, review, or examination of figures and statements on behalf of the central Finance Department.

In the first place, the Comptroller General by combining the monthly or annual accounts received from the several Civil and Departmental Account Officers prepares one consolidated account for the whole Empire for submission to the Government of India.

Secondly, the report on Objection Book balances and the state of audit and account work, and the report on arrears of work are intended for a review of the progress of work for the information of the Government of India.

Thirdly, the provincial and departmental Appropriation Reports are reviewed by the Comptroller and Auditor General who prepares one Appropriation Report for the whole of India for submission to the Government of India and publishes it in the *Gazette of India*.

The local departmental Reviews of Balances are also examined by the Comptroller and Auditor General, who satisfies himself how far the balances represent the admitted assets and liabilities of the Government, and submits his separate review to Government.

Finally, as Auditor General, he, through his deputies, inspects and conducts a test audit of all offices of account, both Civil and Departmental, so as to satisfy the Government that the detailed audit conducted by the local and departmental account offices is efficient, that the regulations and orders of the Government are duly enforced, and that the procedure in those offices is in accordance with the Codes and suitable for the efficient performance of their duties.

8. In the above enumeration of the audit and account work of the Comptroller and Auditor General, reference has been made to the accounts and reports of departmental or non-civil Audit and Account Officers. These are the separate Audit and Account Officers of the Postal, Public Works (including Telegraph and Railways) and Military (including Marine) Accounts Departments. One peculiarity of the routine of the audit and account work of these departments, as compared with the civil account system, is that, while in the case of civil revenue and expenditure the officers of the treasury are generally the disbursers and accountants and render accounts with vouchers to the Civil Accountant General, in the case of the non-civil departments the monetary transactions with the treasury are treated originally as imprests or receipts *on account* like the Exchequer Account in England, and the Audit Officers get proper accounts with vouchers from their own disbursers and accountants different from the treasury staff.

9. The relations of the Comptroller, Post Office, with the Comptroller and Auditor General are in every respect the same as those of a Civil Accountant General. He is an officer of the Finance Department, and in relation to him the Director General of the Post Offices in India takes the place of a Local Government in the Provinces. The Officers of the Military and Public Works Accounts departments are under the administrative control of the respective Secretariats of the Government of India, but in all matters of account they are in immediate subordination to the Comptroller and Auditor General and refer to him direct all questions affecting changes in audit procedure and classification in the public accounts. Like the Civil Accountants General, they also render to him classified accounts of their departments or circles of audit, as well as the Appropriation Reports and Reviews of Balances for the compilation of the consolidated accounts or reviews of the Empire. As already stated, the Comptroller General also conducts a test audit of the non-civil account offices. Thus, although the Comptroller and Auditor General is an officer of the Finance Department, he is the central authority in audit and account matters irrespective of the Department to which the local audit and account officers belong.

10. Besides compiling for the Government of India a complete monthly account of the receipts and expenditure of the whole Empire, the Comptroller and Auditor General prepares at the end of the year the Finance and Revenue Accounts for submission to Parliament. He also keeps the Government of India informed of the progress of Revenue and Expenditure and the state of Ways and Means throughout the year. Thus he submits to the Government in the last week of every month an estimate of the probable receipts and payments and the cash balances of that month and of the two following months, comparing his estimates with the budget forecasts made at the beginning of the year. On the 9th of the following month he reports to the Finance Department the approximate receipts and issues in the month from treasuries in detail of departments, and fuller details of the chief heads of civil revenue and expenditure follow on the 16th. He also publishes on the 9th the cash balances in the treasuries for the information of the public. An approximate account of the monthly financial transactions of the Government of India in India and England is also compiled by the Comptroller and Auditor General and published in the *Gazette of India* about the last week of the second month.

In all the work of compilation, the Comptroller and Auditor General gets his materials from the civil and departmental Account Officers, and the figures are checked and corrected by him on the basis of information available to him.

11. In addition to the ordinary account and audit work, the Civil Accountant General compiles and reviews the annual budget estimates of the Local Government and prepares budget notes for the Financial Secretary to the Government of India, bringing to notice the salient features in the new estimates of civil revenue and expenditure. The Accountant General gives advice to the Local Government in the preparation of the budget estimates, but the responsibility lies with the Government without whose authority he cannot enter or alter any figures. The revision of the estimate for the current year, however, which is made concurrently with the budget estimate, is on the sole responsibility of the Accountant General.

The Comptroller and Auditor General is also associated with the Financial Secretary in the work of compiling the figures of the budget estimates for the annual Financial Statement. He makes for comparison with the budget prepared in the Financial Department of the Government of India, an independent compilation of the estimates of the various Accountants General (Civil, Military, Public Works) and submits it to that department with his own estimates of the debt heads, interest on debt, exchange, and ways and means, reviewing the other estimates with special reference to the state of the cash balances.

12. In addition to his audit and account work, the Comptroller and Auditor General undertakes as an executive officer of the Finance Department many duties which would be discharged in England by the Secretary to the Treasury. He is responsible for the ways and means, for the management of the national debt, and he is also the Head of the Department of Issue of Paper Currency and he regulates the rate and amount of coinage at the Government Mints.

13. In India, as already stated, the revenues are collected and held in local civil treasuries throughout the country under the supervision of the Accountant General in each province, acting under the general direction of the Comptroller and Auditor General. The funds are not, as in England, remitted to one great central banking account, nor are the disbursements of the Military, Civil, Public Works or other Services met from one central source, but they are supplied from the civil treasuries. At the same time a considerable portion of the expenditure of the Government of India is incurred in England, and funds for this expenditure are drawn by means of weekly allotments at the India Office by bills on Calcutta, Madras and Bombay according to trade demands. It is an important part of the duty of the Comptroller and Auditor General to see that the surplus of district treasuries is collected as quickly and as economically

as possible at the Presidency towns to meet the drawings of the Secretary of State, and also to arrange for such an internal distribution of the cash balances in India at any time as would ensure that money sufficient, but not more than sufficient, for the public service is in hand at the numerous district treasuries throughout the Empire.

14. As Head Commissioner of the Paper Currency Department, the Comptroller General has the several Accountants General (except the two Accountants General in Bengal) as his deputies in the provinces. They are either the Commissioners or Deputy Commissioners of the particular Circle of Issue with which they are connected, and the currency work is done by them with the help of a Gazetted Assistant in immediate charge of the work. In Calcutta, the Head Commissioner himself supervises the currency work with an Assistant Comptroller General in immediate charge. The ordinary work of supply, issue, withdrawal and cancellation of currency notes is done under local supervision at the offices of issue, but it is the special duty of the Comptroller General as Head Commissioner to collect, examine, and compile the periodical returns prescribed by the Paper Currency Act for publication and submission to Government, and also to submit an annual review of the working of the department. The Head Commissioner also sees that the coin reserve in gold and silver held as security under the Paper Currency Act for the free encashment of notes is sufficient at any time for immediate requirements, that it is distributed among the different offices of issue in the proper proportion, and that early steps are taken to remove any excess in the proportion of gold as compared with silver coin, if necessary, by arrangements for new coinage.

15. As regards coinage at the Mints, not only is the coinage of new rupees required in connection with the composition of the Currency Reserve watched and regulated by the Comptroller General, but he is responsible also for ensuring a sufficient supply of the fractional and subsidiary coinage at all times.

16. According to the above statement of the organisation of the civil offices of account and audit and the distribution of work among the provincial offices, the work is sufficiently decentralized and that done in the provinces pertains almost entirely to the provinces. But a central authority is still required partly for purposes of uniformity and efficiency in audit, partly on account of the mutual interdependence among the various provinces in the matter of resource and remittance, and mainly because the provinces are components of one unified Empire, the revenues of which are vested in the Secretary of State, and of which the Finance and Revenue Accounts are by Statute required to be submitted to the British Parliament.

APPENDIX Ie.

Note on the constitution and duties of the Home Department (filed by Sir H. Risley, vide *Q.* 45337).

Part I.

Brief Description of the Government of India, its Relations to Local Governments and its Methods of Working.

The superintendence, direction, and control of the civil and military government of British India is vested in the Governor-General of India in Council and he is required to pay due obedience to all such orders as he may receive from the Secretary of State.

2. The Governor-General of India is appointed by His Majesty by warrant under the Royal Sign Manual.

3. The Council of the Governor-General of India, as constituted for executive purposes, consists of six ordinary members, and of the Commander-in-Chief as an extraordinary member. The ordinary members are appointed by His Majesty by warrant under the Royal Sign Manual.

4. All orders and other proceedings of the Governor-General in Council must be expressed to be made by the Governor-General in Council, and must be signed by a Secretary to the Government of India, or otherwise as the Governor-General in Council may direct.

5. The Governor-General may make rules and orders for the more convenient transaction of business in his Council, other than the business at legislative meetings, and every order made or act done in accordance with such rules and orders must be treated as being the order or the act of the Governor-General in Council.

6. At any ordinary meeting of the Governor-General's Council, if any difference of opinion arises on any question brought before the Council, the Governor-General in Council is bound by the opinion and decision of the majority of those present, and if they are equally divided the Governor-General, or, in his absence, the senior member of the Council present, has two votes or the casting vote.

Under the Government of India Act of 1870 (33 Vict., cap. 3) the Governor-General may overrule the majority of his Council on questions essentially affecting the safety, tranquillity or interests of British India. In every such case any two members of the dissentient majority may require that the adoption, suspension, or rejection of the measure, and the fact of their dissent, be notified to the Secretary of State, and the notification must be accompanied by copies of any minutes which the members of the Council have recorded on the subject. The Governor-General, however, is not empowered by the above provision to do anything which he could not lawfully have done with the concurrence of his Council.

7. Every Local Government must obey the orders of the Governor-General in Council, and keep him constantly and punctually informed of its proceedings, and is under his superintendence and authority in all matters relating to the administration of its province including the exercise of its own statutory powers.

Part II.

Brief Description of the Home Department and the Work that it Does.

8. The work of the Government of India is distributed among nine departments in the manner shown in Part I of the Rules of Business. The main heads of business with which the Home Department is concerned are given below.

All business connected with the administration of—

(i) The European Vagrancy Act, 1874 (IX of 1874);
(ii) The Indian Civil Service;
(iii) Ecclesiastical matters and the Ecclesiastical Service;
(iv) The Census;
(v) Gazetteers;
(vi) Oriental languages;
(vii) Archæology, and Epigraphy;

throughout British India and Berar.

(viii) Internal Politics;
(ix) Escheats and intestate property;
(x) Jails, Reformatory Schools, and Penal Settlements;
(xi) Police (except as regards the Border Military Police in the North-West Frontier Province);
(xii) Education (except as regards Chiefs' Colleges);
(xiii) Public health and sanitation;

(xiv) Municipalities and Local Boards ;
(xv) Examinations (except as regards Pashtu, Baluchi, and any other Frontier language in the North-West Frontier Province) ;
(xvi) Registration ;
(xvii) Copyright ;
(xviii) The naturalization of aliens ;
(xix) Law and Justice (except as regards petitions in jirga cases in the North-West Frontier Province) ;

throughout British India, except British Baluchistan and Ajmer-Merwara ; and in Berar.

(xx) The Indian Arms Act, 1878 (XI of 1878);
(xxi) The Civil Medical Service ;
(xxii) Judicial and administrative establishments ;

throughout British India, except the North-West Frontier Province, British Baluchistan, and Ajmer-Merwara ; and in Berar.

(xxiii) The nomination of Members of the Legislative Councils of the Lieutenant-Governors of Bengal, the United Provinces of Agra and Oudh, the Punjab, Burma, and Eastern Bengal and Assam.

9. In respect of all these subjects, except one, the functions of the Government of India are limited to control and supervision. The exception is the administration of the penal settlement of Port Blair in the Andaman Islands, in regard to which the Home Department exercises the powers of a Local Government and passes orders on all sorts of questions from the provision of a fire engine to the building of a new jail or the revision of the system of discipline. As the department responsible for general administration and internal politics a very large range of subjects comes before it, and the scope of its duties is only imperfectly indicated by the list cited above. Whenever another department of the Government of India has before it a question affecting the general administration of the country or its internal politics, it is bound by the Rules of Business to refer the case to the Home Department for criticism and advice. The number of such references is very large, and they relate to a great variety of subjects. I may mention, by way of illustration, the re-organization of the Political Service, the Public Works Department Engineering Staff, the Telegraph Department, the Survey of India, the Imperial Customs Service, and the Forest Service, the recruitment for the Opium Department, the amendment of the Cantonment Code, the supply of English stores, the re-organization of the Indian Museum, the re-organization of police in Native States, the development of Chiefs' Colleges and various points arising from the report of the Excise Commission. Where the constitution of a service or any material addition to its strength is in question the main points which the Home Department has to consider are (1) whether the principles laid down by the Public Service Commission are observed and (2) whether the proposed constitution is actuarially sound.

10. The Home Department is assigned to the special care of an Ordinary Member of the Governor General's Council, but at the head of it is a Secretary to the Government of India. Besides him the principal gazetted officers are one Deputy Secretary, and two Under Secretaries. The Officer in charge of the Records of the Government of India is also *ex-officio* Assistant Secretary in the Home Department, but his duties, so far as the departmental work is concerned, are confined to the minor head of business relating to books and publications. Below them is the Registrar of the department (also a Gazetted Officer) and 68 clerks, who (excluding the three shorthand writers), are employed in the 12 sections into which the office is divided. In four of these sections the men are employed on work of a purely routine nature, such as typing, and despatching correspondence, registering the receipt of letters in the office, recording, and preparing the volumes of proceedings of the department which have to be transmitted to the Secretary of State. The clerks attached to the remaining sections do the more important clerical portion of the work of the office. The practice is for these sections to put up with each reference the papers which are required for its disposal, and then to submit the files with notes on them bringing out briefly the points on which orders are required. On the return of the files to office, letters are drafted for approval, giving effect to the orders which may have been passed. The duties of the Registrar are to exercise a general control over the office establishment and to deal with all matters in the first instance, affecting the proper working of the office. He also disposes of some of the minor cases, such as requests for papers from other departments of the Government of India, replies to requests for rules relating to examinations for the public service and similar matters.

11. By an arrangement approved by the Secretary of the department, certain classes of work are allotted to each of his junior officers, viz., the Deputy Secretary, the two Under Secretaries and the *ex-officio* Assistant Secretary, and cases requiring the orders of the Government of India are submitted to them in the first instance. These officers dispose on their own authority of such cases of minor importance as by the practice of the department they are competent to do. Of the remaining cases, some are submitted by the Under Secretaries to the Secretary, and others (including all the work from the *ex-officio* Assistant Secretary) to the Deputy Secretary. These two officers in turn dispose of such files as in their opinion are not of sufficient importance to be laid before the Honourable Member in charge of the Department or His Excellency the Governor-General—the rest of the cases are submitted by the Deputy Secretary and Secretary to the Honourable Member. The files which are eventually submitted to His Excellency for orders are ordinarily of the following descriptions :—

(*a*) Cases relating to certain specified appointments which are in His Excellency's patronage.
(*b*) Correspondence with the Secretary of State which by the practice of the Department neither the Secretary of the Department nor the Honourable Member in charge of it is competent to deal with himself.
(*c*) Cases in which proposals emanating from provincial Governments are being rejected.
(*d*) Cases affecting questions of importance or matters of policy.

His Excellency passes orders on all such files, either disposing of them himself, or directing that they shall be brought up before a meeting of his Executive Council for final decision.

12. It will be observed from the system briefly described above that in order to cope with the enormous volume of business which comes before the Home Department, measures are taken which enable a considerable number of cases to be disposed of at the initial stages by the several officers, according to their standing, so as to enable those higher in authority to give their attention to the more difficult problems. But whatever may be the internal arrangements for the disposal of matters of minor importance, the Secretary is solely responsible for the entire business of the department and is apprised in one way or another of all that is taking place. As regards work which is disposed of on their own responsibility by the officers junior to him, tabular statements are compiled which give a brief substance of the reference and the orders passed on it. Such statements are submitted weekly both to the Secretary and Honourable Member, and it is open to them, if they think it necessary, to call for the files and revise the orders. The Secretary, in turn, submits a similar weekly list of cases disposed of by himself to the Honourable Member in charge of the department. A further scrutiny is exercised by the Secretary over such portion of the work of the Deputy Secretary as is submitted by the latter direct to the Honourable Member, through an arrangement which requires that all cases returning from the Honourable Member shall be submitted to him before any orders issue. These are the means by which the Secretary is enabled to keep in complete touch with the entire working of the office.

13. Besides the officers mentioned in the preceding portion of this note, the officers closely associated with the Home Department are the Director-General Indian Medical Service, the Sanitary Commissioner with the Government of India, the Director-General of Education, the Director-General of Archæology, and the Director Criminal Intelligence. These officers aid the Home Department with their advice on the class of work falling within their respective spheres of duty.

APPENDIX II*a*.

Statement of Returns dealt with in the Commerce and Industry Department, with an expression of opinion as to their necessity (filed by Mr. B. Robertson, vide Q. 43746).

Name of the Return.	Is the Return called for from Local Governments?	Is the Return furnished to the Secretary of State?	Is the Return necessary?
COMMERCE, ETC.			
Quarterly.			
List of corrections to the Sea Customs, Ports, Commercial Marine Rules, and other Manuals of the Local Governments.	Lists of corrections are received from Local Governments as they are published.	Yes	This Department must receive copies of the corrections, but they might be sent direct to the Secretary of State by Local Governments, instead of being accumulated here for a quarter.
Six-monthly.			
Nil.	...	...	...
Annual.			
Confidential Reports on Officers of the Imperial Customs Service.	Yes	No	Yes.
Reports from each Maritime Province on the trade, Customs administration, and the working of the Merchandise Marks Act.	Yes	Furnished by the Local Governments concerned.	Yes.
Administration Reports of the various Port Trusts.	Yes	By the Government of India in the case of the Calcutta and Rangoon Reports. By Local Governments in other cases.	Yes.
EXPLOSIVES AND FACTORIES.			
Quarterly.			
Nil.	...	...	...
Six-monthly.			
Nil.	...	...	...
Annual.			
Statements showing the quantity of dangerous and non-dangerous petroleum produced in and imported into British India.	Yes; from the Governments of Burma, Bengal, Bombay, Madras, and Eastern Bengal and Assam.	No	Yes.
Reports on the working of the Indian Factories Act, 1881 (XV of 1881), in the different provinces.	Yes; all Local Governments and Administrations.	Yes	Yes.
Return showing the minimum wages paid to different classes of labour in factories in India.	Yes	Yes	Probably unnecessary. Its abolition is under consideration.
GEOLOGY AND MINING.			
Quarterly.			
Returns of mineral concessions from all provinces.	Yes	No	Yes. These statements were prescribed with the object of preventing any tendency to unnecessary delay in the disposal of concessions and of affording a check on the working of the rules. Yearly or even half-yearly reports would not serve this object and would probably lead to additional trouble in compilation.
Six-monthly.			
Nil.	...	...	...

Statement of Returns dealt with in the Commerce and Industry Department, with an expression of opinion as to their necessity—concluded.

Name of the Return.	Is the Return called for from Local Governments?	Is the Return furnished to the Secretary of State?	Is the Return necessary?
GEOLOGY AND MINING.—*cont.*			
Annual.			
Report on Colonial Emigration from the Port of Calcutta.	Orders prescribing the report are not traceable.	Yes	Yes.
Report on Colonial Emigration in Madras...	Do.	Not sent by the Government of India. It is not known whether the Government of Madras sends a copy to the Secretary of State.	Yes.
Annual Report on Inland Emigration—			
Madras	Yes	Yes	Yes.
Bengal	Yes	Yes	Yes.
Eastern Bengal and Assam	Yes	Yes	Yes.
United Provinces	Yes	Yes	Yes.
Central Provinces	Yes	Yes	Yes.
Monographs on Art Industries from all provinces.	Yes	No	Yes.
Report on the working of the Indian Mines Act from all provinces	Yes	A consolidated report prepared by the Chief Inspector of Mines is sent to the Secretary of State.	Yes.
Report on the Lucknow Museum	No	No	Can be dispensed with.
Periodical.			
Copy of mining leases as issued by Local Governments.	Yes	No	Not necessary.
GENERAL, STATIONERY, AND STORES.			
Quarterly.			
List of memorials withheld by Local Governments.	Yes	As regards memorials addressed to His Majesty the King or the Secretary of State for India, a list of such memorials withheld is submitted to the Under Secretary of State quarterly.	Yes.
List of unanswered despatches from the Secretary of State.	No	Yes	A proposal is under circulation in the Government of India Secretariats that the list should be forwarded half-yearly in future.
Six-monthly.			
Nil.	...	...	...
Annual.			
Stationery Statistics	Yes; called for from the Governments of Madras and Bombay.	No	Yes.
Accounts of Indian Law Reports	Yes; called for from Madras, Bombay, United Provinces, and Bengal.	No	Yes.
Stores Returns	Yes	Yes	Yes; for the Secretary of State's purpose.

APPENDIX II*b*.

Statement of periodical reports and returns received in the Department of Revenue and Agriculture from Local Governments and Administrations (filed by Mr. R. W. Carlyle, vide Q. 44,039).

Required before 1901, the year of issue of general orders for curtailment.	Abolished since 1901.	Introduced since 1901.	Existing Reports and Returns required.		From what Local Governments required.	Remarks.
			(1) By Government of India.	(2) By Secretary of State.		
1.	2.	3.	4.		5.	6.
Annual.						
1. Provincial Land Revenue Administration Reports.	...	...	Provincial Land Revenue Administration Reports.	*Provincial Land Revenue Administration Reports.	All Local Governments except Ajmer, Coorg and Baluchistan.	
Provincial Reports on Land Records and Agriculture.	Abolished	...	...	...	...	
Review of the Survey and Settlement Report, Madras.	Do.	...	...	...	...	
2. Provincial Reports on Court of Wards Administration.	...	...	Provincial Reports on Court of Wards Administration.	*Provincial Reports on Court of Wards Administration.	All Local Governments except Burma, Ajmer, Coorg and Baluchistan.	Bombay Report introduced since 1905.
3. Provincial Returns of alienations of State lands.	...	...	Provincial Returns of alienations of State lands.	...	All Local Governments ...	Prescribed at the instance of the Finance Department.
4. Provincial Returns of assignments of Land Revenue.	...	...	Provincial Returns of assignments of Land Revenue.	...	Do.	
5. Provincial Calendars of Land Revenue Settlements showing dates of expiry of current settlements.	...	...	Provincial Calendars of Land Revenue Settlements showing dates of expiry of current settlements.	...	Do.	The calendar is maintained by the Government of India for its own information. Extracts are sent annually to each Local Government in order that necessary corrections may be made.
Land Revenue Administration Report (Sind).	Abolished	...	...	...	...	
Report on Land Records and Agriculture (Sind).	Do.	...	...	...	...	
Progress Report of the Surveys in the Bombay Presidency.	Do.	...	...	...	...	
Report of the progress made in the completion of Survey and Settlement operations in the Bombay Presidency.	Do.	...	...	...	...	
6. Talukdari Settlement Officer's Report on encumbered and attached estates, Bombay.	...	...	Talukdari Settlement Officer's Report on encumbered and attached estates, Bombay.	*Talukdari Settlement Officer's Report on encumbered and attached estates, Bombay.	Bombay	

* The reports marked with an asterisk in column 4 (2) are forwarded to the Secretary of State direct by Local Governments and Administrations for the Moral and Material Progess Reports, Statistical Abstract relating to India, and for other purposes in accordance with Home Department general orders regarding direct transmission to the India Office of all Government Publications (Home Department Resolution, No. 10—438–60, dated 6th March, 1880).

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Statement of periodical reports and returns received in the Department of Revenue and Agriculture from Local Governments and Administrations—cont.

Required before 1901, the year of issue of general orders for curtailment.	Abolished since 1901.	Introduced since 1901.	Existing Reports and Returns required.		From what Local Governments required.	Remarks.
			(1) By Government of India.	(2) By Secretary of State.		
1.	2.	3.	4.		5.	6.
Annual—*cont.*						
7. Report on the Administration of encumbered estates in Sind.	...	...	Report on the Administration of encumbered estates in Sind.	*Report on the Administration of encumbered estates in Sind.	Bombay	
Statement of increases of revenue due to revision of settlement.	Abolished	...	...	...	...	
8. Land Revenue Report of the Bombay Collectorate.	...	...	Land Revenue Administration Report, Bombay Collectorate.	*Land Revenue Administration Report, Bombay Collectorate.	Bombay	
9. Provincial Survey and Settlement Reports.	...	...	Provincial Survey and Settlement Reports.	*Provincial Survey and Settlement Reports.	Bengal and Eastern Bengal and Assam.	
10. Estimate of Survey and Settlement charges.	...	...	Estimate of Survey and Settlement charges.	...	Do.	Required for budget purposes, the charges being Imperial in the first instance.
... ...	...	1. Provincial Reports of Land Records Departments.	Provincial Reports of Land Records Departments.	*Provincial Reports of Land Records Departments.	All Local Governments except Madras, Bengal, Central Provinces, Ajmer, Coorg, Baluchistan and North-West Frontier Province.	
... ...	...	2. Reports on Land Records and Settlement Departments.	Reports on Land Records and Settlement Departments.	*Reports on Land Records and Settlement Departments.	Madras and Central Provinces.	
... ...	...	3. Report of the Settlement Department, Punjab.	Report of the Settlement Department, Punjab.	*Report of the Settlement Department, Punjab.	Punjab.	
... ...	...	4. Canal Colonization Report, Punjab.	Canal Colonization Report, Punjab.	*Canal Colonization Report, Punjab.	Punjab.	
... ...	...	5. Report on the working of the Bundelkhand Alienation of Land Act, 1903, United Provinces.	Report on the working of the Bundelkhand Alienation of Land Act, 1903, United Provinces.	*Report on the working of the Bundelkhand Alienation of Land Act, 1903, United Provinces.	United Provinces	Due to recent legislation
... ...	..	6. Report on the working of the Punjab Alienation of Land Act (XII. of 1900).	Report on the working of the Punjab Alienation of Land Act (XII. of 1900).	* Report on the working of the Punjab Alienation of Land Act (XII. of 1900).	Punjab	Do.
... ...	...	7. Report on the working of the Co-operative Credit Societies Act, 1904.	Report on the working of the Co-operative Credit Societies Act, 1904.	*Report on the working of the Co-operative Credit Societies Act, 1904. (Government of India have also to send a general review to Secretary of State).	All Local Governments except Baluchistan.	Do.

... ...	...	8. Report of the Land Records Department (Sind).	Report of the Land Records Department (Sind).	*Report of the Land Records Department (Sind).	Bombay.	
11. Provincial Reports on Botanical Gardens and Parks.	...	...	Provincial Reports on Botanical Gardens and Parks.	*Provincial Reports on Botanical Gardens and Parks.	Madras, Bengal, United Provinces, Punjab and Central Provinces.	
12. Provincial Reports on Cinchona Plantations.	...	...	Provincial Reports on Cinchona Plantations.	*Provincial Reports on Cinchona Plantations.	Madras and Bengal.	
13. Statistics of Coffee	...	...	Statistics of Coffee	*Statistics of Coffee ...	Madras, Coorg, and Burma.	
14. Statistics of Tea	...	...	Statistics of Tea	*Statistics of Tea	Madras, Bengal, Eastern Bengal and Assam, United Provinces, and Punjab.	
15. Statistics of Cinchona	...	...	Statistics of Cinchona ...	*Statistics of Cinchona ...	Madras and Bengal	I think that these are no longer required, and would abolish the return.
Report on the working of the Experimental Farm, Poona.	Abolished	...	...	...	...	
Report on the Empress Gardens, Poona ...	Do.	...	...	...	...	
Report on the Experimental Farm, Cawnpore.	Do.	...	...	...	...	
Report on the Experimental Farm, Nagpur	Do.	...	...	...	...	
Report on Arboriculture	Do.	...	...	...	...	
... ..	...	9. Provincial Reports on the operations of Departments of Agriculture.	Provincial Reports on the operations of Departments of Agriculture.	*Provincial Reports on the operations of Departments of Agriculture.	All Local Governments except Ajmer, Coorg and Baluchistan.	
... ...	...	10. Provincial Season and Crop Reports.	Provincial Season and Crop Reports.	*Provincial Season and Crop Reports.	Do.	
... ...	...	11. Provincial Reports on Agricultural Stations.	Provincial Reports on Agricultural Stations.	*Provincial Reports on Agricultural Stations.	Do.	This is a continuous record of experimental work at each Agricultural Station. The report was suggested by the Government of India, but is sent to them merely for information.
16. Provincial Abstracts of Programmes of Relief Works. ..	...	...	Provincial Abstracts of Programmes of Relief Works.	...	All Local Governments except Coorg and Baluchistan.	
17. Provincial Reports on Forest Administration.	...	...	Provincial Reports on Forest Administration.	*Provincial Reports on Forest Administration.	All Local Governments.	
18. Provincial Confidential Reports on Forest Officers eligible for advancement to the class of Conservator.	...	...	Provincial Confidential Reports on Forest officers eligible for advancement to the class of Conservator.	...	All Local Governments except Madras, Bombay, Coorg, Ajmer and Baluchistan.	
19. Nomination of Extra-Assistant Conservators for a Special local allowance of Rs. 50 a month under section 24 (*c*) of the Forest Department Code (6th Edition).	...	...	Nomination of Extra-Assistant Conservators for a special local allowance under section 24 (c) of the Forest Department Code (6th Edition).	...	All Local Governments except Madras, Bombay, Coorg, Baluchistan and North-West Frontier Province.	

* The reports marked with an asterisk in column 4 (2) are forwarded to the Secretary of State direct by Local Governments and Administrations for the Moral and Material Progress Reports, Statistical Abstract relating to India, and for other purposes in accordance with Home Department general orders regarding direct transmission to the India Office of all Government Publications (Home Department Resolutions, No. 10—438-60, dated 6th March, 1380).

Statement of periodical reports and returns received in the Department of Revenue and Agriculture from Local Governments and Administrations—cont.

Required before 1901, the year of issue of general orders for curtailment.	Abolished since 1901.	Introduced since 1901.	Existing Reports and Returns required.		From what Local Governments required.	Remarks.
			(1) By Government of India.	(2) By Secretary of State.		
1.	2.	3.	4.		5.	6.
Annual—*cont.*						
Classified list of Forest Officers and Rangers.	Abolished.	...	...	...	...	
Summary of Forest Revenue and Expenditure.	Do.	...	...	...	...	
Report on the effect of Conservancy on the raus in the Saharanpur Division	Do.	...	...	...	...	
20. Provision Reports on the Administration of the Civil Veterinary Department.	...	...	Provincial Reports on the Administration of the Civil Veterinary Department.	*Provincial Reports on the Administration of the Civil Veterinary Department.	All Local Governments except Coorg (Eastern Bengal and Assam, North-West Frontier Province and Ajmer reports after 1901).	
... ...	...	12. Report of the Maharaja Takhta Singhji Observatory, Poona.	Report of the Maharaja Takhta Singhji Observatory, Poona.	Report of the Maharaja Takhta Singhji Obervatory, Poona.	Bombay Government.	This report is required for transmission to the Observatories' Committee of the Royal Society.
21. Returns of Agricultural Statistics.	...	...	Returns of Agricultural Statistics.	Returns of Agricultural Statistics.	All Local Governments.	Prescribed by Secretary of State.
22. Forecasts of Crops (wheat, cotton, oilseeds, rice, etc.)	...	...	Forecasts of Crops (wheat, cotton, oilseeds, rice, etc.)	Forecasts of Crops, (wheat, cotton, oilseed, rice, etc.)	Do.	Do.
Half-Yearly.						
23. Return of Settlement appointments sanctioned by the Government of India and Local Governments.	...	...	...	Return of Settlement appointments sanctioned by the Government of India and Local Governments.	Do.	
Quarterly.						
24. List of memorials to the Government of India withheld by the Government of India and Local Governments.	...	...	List of memorials to the Government of India withheld by Local Governments.	...	All Local Governments except Baluchistan.	
25. List of memorials to the Secretary of State withheld by the Government of India and Local Governments.	...	...	...	List of memorials to the Secretary of State withheld by the Government of India and Local Governments.	Do.	
26. List of unanswered despatches ...	...	...	...	List of unanswered Despatches.	Government of India.	

WEEKLY.						
27. Telegrams on crop prospects	...	.	Telegrams on crop prospects	...	All Local Governments except Baluchistan.	
OCCASIONAL.						
28. Proposals for the inception of Revenue Settlement operations and forecast of financial results.	...	.	Proposals for the inception of Revenue Settlement operations and forecast of financial results.	...	All Local Governments except Madras and Bombay.	In the case of Bengal and Eastern Bengal the correspondence is forwarded for the information of the Secretary of State.
29. Provincial Reports of proposed assessment of Land Revenue.	...	..	Provincial Reports of proposed assessment of Land Revenue.	...	Burma and Central Provinces.	
30. Provincial Reports on final completed Revenue Settlement operations.	...	..	Provincial Reports on completed Revenue Settlement operations.	*Provincial Reports on completed Revenue Settlement operations.	All Local Governments.	
31. Return showing average outturn of principal crops under irrigated and unirrigated cultivation. (Quinquennial.)	...	...	...	Return showing average outturn of principal crops under irrigated and unirrigated cultivation. (Quinquennial.)	Do.	
32. Weekly telegram on crop prospects, relief measures, and condition of people during prevalence of famine.	...	..	...	Weekly telegram on crop prospects, relief measures and condition of people during prevalence of famine.	Do.	Based on weekly weather and crop reports received from all Local Governments and Administrations.
33. Provincial telegraphic reports on agricultural prospects in connection with the presentation of the India budget estimates to Parliament.	...	..	...	Provincial telegraphic reports on agricultural prospects in connection with the presentation of the India budget estimates to Parliament.	Do.	A consolidated summary, embodying the information contained in these reports, is telegraphed to Secretary of State.
34. Provincial preliminary reports on tracts threatened with famine and measures of relief proposed.	...	...	Provincial preliminary reports on tracts threatened with famine and measures of relief proposed.	Provincial preliminary reports on tracts threatened with famine and measures of relief proposed.	Do.	
35. Provincial monthly reports on progress of relief measures in tracts suffering from scarcity and conditions of population.	...	...	Provincial monthly reports on progress of relief measures in tracts suffering from scarcity and conditions of population.	Provincial monthly reports on progress of relief measures in tracts suffering from scarcity and conditions of population.	Do.	
36. Provincial weekly telegraphic reports of number of people on relief and general conditions in distressed tracts.	...	...	Provincial weekly telegraphic reports of number of people on relief and general conditions in distressed tracts.	...	Do	

* The reports marked with an asterisk in column 4 (2) are forwarded to the Secretary of State direct by Local Governments and Administrations for the Moral and Material Progress Reports, Statistical Abstract relating to India, and for other purposes in accordance with Home Department general orders regarding direct transmission to the India Office of all Government Publications (Home Department Resolution, No. 10—438-60, dated 6th March, 1880).

Statement of periodical reports and returns received in the Department of Revenue and Agriculture from Local Governments and Administrations—concluded.

Required before 1901, the year of issue of general orders for curtailment.	Abolished since 1901.	Introduced since 1901.	Existing Reports and Returns required.		From what Local Governments required.	Remarks.
			(1) By Government of India.	(2) By Secretary of State.		
1.	2.	3.	4.		5.	6.
Occasional.—*cont.*						
37. Provincial weekly returns of number of persons relieved in famine-stricken tracts.	...	...	Provincial weekly returns of number of persons relieved in famine-stricken tracts.	...	All Local Governments.	A general statement of numbers on relief is prepared from the weekly returns and forwarded to India Office weekly.
38. Provincial reports of grain riots in tracts suffering from scarcity or famine.	...	...	Provincial reports of grain riots in tracts suffering from scarcity or famine.	Provincial reports of grain riots in tracts suffering from scarcity or famine.	Do.	
39. Provincial final reports on Famine Relief Operations.	...	...	Provincial final reports on Famine Relief Operations.	Provincial final reports on Famine Relief Operations.	Do	
40. Forest Working-Plans	...	...	Forest Working-Plans ...	...	Do.	
41. Provincial reports on the economic progress and condition of the people (for the decennial issue of the Moral and Material Progress Report).	...	...	...	Provincial reports on the economic progress and condition of the people (for the decennial issue of the Moral and Material Progress Report).	Do.	
Total number = 56 (including number abolished).	15	12	46	39		Total number 53.

APPENDIX IIc.

List of periodical returns dealt with in the Public Works Department with an expression of opinion as to their necessity (filed by Mr. L. M. Jacob, vide Q. 44476).

(a) *Called for from provincial Governments.*

No.	Return.	Remarks.
	1.—*Monthly.*	
1	List of changes in the Upper Subordinate and Accounts Establishments.	These might be done away with. Local Governments could send us the information collectively each half-year for purposes of the Classified Lists.
2	Abstract of Proceedings of Local Governments, etc. ...	Necessary.
3	Statements of allotments from Postal and Telegraph Minor Works Reserves.	Do.
	2.—*Quarterly.*	
1	List of Memorials addressed to the Secretary of State withheld by the Government of India and Local Governments, etc.	Necessary for submission to Secretary of State.
2	List of Memorials addressed to the Government of India withheld by Local Governments, etc.	Necessary in order to see that the memorial rules are complied with and that no memorials are irregularly withheld.
	3.—*Half-yearly.*	
1	Recommendations for promotion of Lieutenant-Colonels to Colonel.	Might go direct from Local Governments to Army Head-quarters.
	4.—*Annual.*	
1	Return of Officers who at the age of 50 years have not attained the rank of Superintending Engineer and are liable to be called upon to retire from service.	Might be dispensed with. When a Local Government desires to retire an officer under the rules in Resolution No. 1885 G. of 1887, the matter can be reported to Government.
2	Promotion roll of Chief and Superintending Engineers and Executive Engineers, 1st grade.	Necessary.
3	Promotion roll of Executive and Assistant Engineers on the Minor Administrations List.	Will be done away with if the new reorganisation scheme introducing a time scale is accepted by Secretary of State.
4	Confidential reports on Royal Engineer Officers	Necessary for submission to the War Office.
5	Roll of Upper Subordinates recommended for promotion to the Provincial Engineer Establishment.	Necessary as the Government of India select three men each year for promotion to the Provincial Engineer Service.
6	Administration Reports affecting the Buildings and Roads Branch.	Sent to the Government of India for information. Should be retained.
7	Return of works done to Government vessels by private firms.	Not necessary so far as Public Works Department is concerned, but required by Military Supply (Marine) Department.
8	Return of expenditure on stores	Required for the information of the Secretary of State.
9	Irrigation Administration Reports	Necessary.
10	Note by the Accountant-General, Public Works Department, upon the accounts of Revenue and Expenditure on Irrigation Works in India.	Do.
11	Statements of Irrigation Operations of *fasl rabi* and *kharif*	This information is supplied by Local Governments to the Statistical Bureau, and copies are also sent to Government of India. This information is not very necessary, but the submission of a few extra printed statements gives no extra trouble to the Local Governments, etc.
12	Statistical Statement No. III. E, showing quantity and value of crops irrigated.	
13	Statistical Statement No. IV. E. Comparative Statement of Irrigation and Rainfall.	
14	Return giving certain data for the determination of the supplies of water available for proposed irrigation works.	Necessary with reference to the irrigation projects which the Government of India have to examine.
15	Statement showing mileages of irrigation canals and distributaries and areas commanded and irrigated by them.	Necessary.
16	Programme of outlay on productive irrigation works ...	Required for Secretary of State.
17	Capital and Revenue Accounts of Government residential buildings.	Necessary.
18	Promotion recommendation rolls of superior accounts officers.	Do.
19	Abstract of revised and budget estimates	Do.
20	Estimate of Income tax recoveries	Do.
21	Estimate of Exchange Compensation Allowance	Do.
22	Preliminary Issues of revised and budget estimates ...	Do.
23	Final Issues of revised and budget etimates	Do.
24	Abstract estimates of the value of stores likely to be indented for from England for Buildings and Roads, Irrigation and Telegraph Departments.	Necessary to comply with the requirements of the Secretary of State.

(a) *Called for from Provincial Governments*—concluded.

No.	Return.	Remarks.
	4.—*Annual*—cont.	
25	Statement of financial results of irrigation operations in India.	Necessary to comply with the requirements of the Secretary of State.
26	Six months Estimate	Necessary.
27	Schedules of Demands for Imperial Civil Works and Irrigation Works.	Do.
	5.—*Triennial.*	
1	Triennial Irrigation Revenue Reports	Do.
	6.—*Occasional.*	
1	Return of deaths of European officers and pensioners ...	Necessary for report to the Secretary of State.

List of periodical returns which the Public Works Department (b) *furnishes to the Secretary of State.*

	1.—*Monthly.*	
1	Abstract of Monthly Proceedings	Necessary.
	2.—*Quarterly.*	
1	List of memorials addressed to the Secretary of State withheld by Government of India, Local Governments, etc.	Do.
2	Tables of unanswered despatches and references	Necessary. Required by the Secretary of State.
3	Return of payments on account of deferred pay to soldiers serving in the Public Works Department.	Necessary. Received through the Accountant General, Public Works Department.
	3.—*Half-yearly.*	
1	List of Chief and Superintending Engineers granted extension of service after 55 years of age.	Necessary. Required by the Secretary of State.
2	Statement showing the financial position of irrigation works under construction.	Do. do.
	4.—*Annual.*	
1	History of services of officers of the Public Works Department.	Do. do.
2	Annual statement of temporary appointments in the Public Works Department over Rs. 500 per mensem, which have been in existence for over two years.	Required for report to the Secretary of State.
3	Irrigation Administration Reports	Necessary.
4	Note by the Accountant General, Public Works Department, upon the Accounts of Revenue and Expenditure of Irrigation Works in India.	Do.
5	Return of expenditure on stores...	These returns are received in this Department, but are transmitted to the Secretary of State by the Department of Commerce and Industry.
6	Programme of outlay on productive irrigation works ...	Necessary.
7	Statement of financial results of irrigation operations in India.	Necessary. Required by the Secretary of State.
8	Abstract estimate of stores likely to be indented for from England for Buildings and Roads, Irrigation and Telegraph Departments.	Do. do.
	5.—*Triennial.*	
1	Triennial Irrigation Revenue Reports	Necessary.
	6.—*Occasional.*	
1	Return of deaths of European Uncovenanted Officers ...	Necessary. Required by the Secretary of State.

APPENDIX II*d*.

Periodical Reports and Returns called for in the Finance Department from Provincial Governments (filed by Mr. J. S. Meston, vide Q. 44813).

Serial No.	Subject of Report or Return.	Period.	From whom received.	Remarks.
1	Local loans and advances	Annual ...	All Local Governments.	
2	Statement of counterfeit coin ...	Do. ...	Do.	
3	Local Fund Reports	Do. ...	Do.	
4	Statement of excess expenditure in previous financial year.	Do. ...	Do.	
5	Excise Administration	Do. ...	Do.	
6	Opium Administration	Do. ...	Bengal and Bombay.	
7	Salt Administration	Do. ...	Six Local Governments.	
8	Stamp Administration	Do. ...	All Local Governments.	These statistical returns are submitted annually and reviewed in a triennial report.
9	Income-Tax Administration	Do. ...	Do.	Do.
10	Probates, Letters of Administration, etc.	Do. ...	Do.	
11	Recoveries in India of cost of Privy Council Appeals.	Do. ...	Do.	Required by the Secretary of State.
12	Coinage of Native States	Do. ...	Bombay, Madras, and Punjab Governments and Agents to the Governor General, Rajputana and Central India, and Resident, Hyderabad.	
13	Settlement appointments sanctioned by Local Governments and the Government of India under the powers conferred by Secretary of State's despatch No. 121 (Revenue), dated the 31st October, 1895.	Half-yearly	All Local Governments.	Required by the Secretary of State.
14	Opium smuggling	Do. ...	Do.	The Government of Madras recently suggested that these statements might be shortened by the omission of cases in which less than 20 tolas of opium are concerned. I think this proposal might reasonably be accepted.
15	Sanctions to revisions of Imperial establishments by Local Governments.	Quarterly	Do.	This statement may be dispensed with in future.
16	Sanctions to items of petty expenditure under Article 278 (A), Civil Account Code.	Do. ...	Do.	This also may be discontinued.
17	Irrecoverable advances to cultivators	Do. ...	Chief Commissioner of Ajmer-Merwara.	This return may be discontinued.
18	Remission and suspension of revenue	Do. ...	Do.	Do.

Periodical Reports and Returns submitted to the Secretary of State.

Serial No.	Subject of Report or Return.	Period.	Remarks.
1	Mortality among pensioners	Quinquennial.	
2	Mint Administration	Annual.	
3	Paper Currency Administration	Do.	
4	Working of the Bengal Opium Agency	Do.	
5	Administration of the Northern India Salt Revenue Department.	Do.	
6	Recovery in India of cost of Privy Council Appeals	Do.	
7	Total of Pensions and Gratuities granted under Part VI of the Civil Service Regulations.	Do.	This statement shows the expenditure on wound or injury pensions and on pensions of the families of officers who die of plague while on plague duty. I am not aware for what purpose it is used, but I would suggest that its discontinuance be considered.
8	Compassionate allowance granted to officers removed or dismissed from the service for misconduct or inefficiency.	Do.	
9	Opium Revenue	Monthly.	
10	Salt Revenue and Issues	Do.	
11	Imports and Exports of gold and silver and receipt and coinage of silver at the Mints.	Do.	
12	Receipts, issues and balance of gold	Do.	
13	Receipts, issues and balance of gold, and silver balance in the currency reserve.	Weekly.	
14	Affairs of the Presidency Banks	Do.	

APPENDIX IIe.

List of periodical reports and returns received in the Home Department (filed by Sir H. Risley, vide Q. 45387).

Required before 1901, the year of issue of general orders for curtailment.	Abolished since 1901.	Introduced since 1901.	Existing reports and returns. (i) Which stop with the Government of India.	Existing reports and returns. (ii) Which are furnished to the Secretary of State [*i.e.*, required by him for (*a*) Moral and Material Progress Report, (*b*) Statistical Abstract relating to British India, (*c*) other purposes].	Remarks.
1	2	3	4		5
1. Provincial General Administration Reports.	—	—	—	Provincial General Administration Reports [(*a*) and (*b*)].	
2. Registration reports (Annual Notes and triennial Reports).	—	—	—	Registration Reports (Annual Notes and triennial Reports) [(*a*) and (*b*)].	
3. Annual Reports on newspapers.	—	—	—	Annular reports on newspapers [(*b*) and (*c*)].	
4. Weekly selections from native-owned newspapers.	—	—	—	Weekly selections from native-owned newspapers [(*c*)].	
5. Reports on destruction of wild animals and venomous snakes.	—	—	—	Reports on destruction of wild animals and venomous snakes [(*b*)].	
6. Returns of certificates of identity and passports granted to natives of India proceeding to Europe.	—	—	—	Returns of certificates of identity and passports granted to natives of India proceeding to Europe [(*c*)].	
7. Lists of petitions to the Government of India withheld by Local Governments.	—	—	List of petitions to the Government of India withheld by Local Governments.	—	
8. Lists of memorials to the Secretary of State withheld by the Government of India and Local Governments.	—	—	—	Lists of memorials to the Secretary of State withheld by the Government of India and Local Governments [(*c*)].	
Returns under the European Vagrancy Act.	Abolished.	—	—	—	
Return of dismissed Government servants in Coorg.	Do.	—	—	—	
Returns of rifles imported into Indian forts.	Do.	—	—	—	
		1. Weekly report on the political situation in the district of Backerganj (received through the Government of Eastern Bengal and Assam).	Weekly report on the political situation in the district of Backerganj (received through the Government of Eastern Bengal and Assam).		Nos. 1 to 4 in column 3 were introduced in connexion with the recent unrest.
		2. Weekly report on the political situation in the Punjab.	Weekly report on the political situation in the Punjab.		

List of periodical reports and returns received in the Home Department—cont.

Required before 1901, the year of issue of general orders for curtailment.	Abolished since 1901.	Introduced since 1901.	Existing reports and returns. (i) Which stop with the Government of India.	Existing reports and returns. (ii) Which are furnished to the Secretary of State [*i.e.*, required by him for (*a*) Moral and Material Progress Report, (*b*) Statistical Abstract relating to British India, (*c*) other purposes].	Remarks.
1	2	3	4		5
		3. Weekly report of the Director, Criminal Intelligence, on the political situation in India.	Weekly report of the Director, Criminal Intelligence, on the political situation in India.		
		4. Fortnightly reports from the Governments of Bengal and Eastern Bengal and Assam on the political situation in those provinces.	—	Fortnightly reports from the Governments of Bengal and Eastern Bengal and Assam on the political situation in those provinces [(*c*)].	
		5. Weekly Police and Political Abstracts from each Province.	Weekly Police and Political Abstracts from each Province.	—	Unnecessary.
9. Provincial Civil Justice reports.	—	—	—	Provincial Civil Justice reports [(*a*) and (*b*)].	
10. Provincial Criminal Justice reports.	—	—	—	Provincial Criminal Justice reports [(*a*) and (*b*)].	
11. Report on the working of the Dekkan Agriculturists Relief Act.	—	—	Report on the working of the Dekkan Agriculturists Relief Act.	—	
Report on Legal Affairs, Bengal.	Abolished.	—	—	—	
Report on Legal Affairs, North-Western Provinces and Oudh.	Do.	—	—	—	
Report on the working of Part I. of the Criminal Tribes Act in the United Provinces.	Do.	—	—	—	
12. Returns of baptisms, marriages and burials and marriage certificates.	—	—	—	Returns of baptisms, marriages and burials and marriage certificates [(*c*)].	Unnecessary. *Vide* No. 25 in Appendix III.
13. List of Civil Servants eligible for a seat in the High Courts.	—	—	—	List of Civil Servants eligible for a seat in the High Courts [(*c*)].	The Punjab and Burma returns were discontinued in 1903.
14. Statement showing the recovery of costs in Privy Council appeal cases.	—	—	—	Statement showing the recovery of costs in Privy Council appeal cases [(*c*)].	This is apparently sent on by Finance Department.
15. Return of sittings of High Court Judges.	—	—	—	Return of sittings of High Court Judges [(*c*)].	
16. Statement showing the state of the files of the High Court and City Civil Court, Madras.	—	—	—	Statement showing the state of the files of the High Court and City Civil Court, Madras [(*c*)].	

List of periodical reports and returns received in the Home Department—cont.

Required before 1901, the year of issue of general orders for curtailment.	Abolished since 1901.	Introduced since 1901.	Existing reports and returns. (i) Which stop with the Government of India.	Existing reports and returns. (ii) Which are furnished to the Secretary of State [*i.e* required by him for (*a*) Moral and Material Progress Report, (*b*) Statistical Abstract relating to British India, (*c*) other purposes].	Remarks.
1	2	3	4		5
17. Statement showing the state of the files of the Allahabad High Court.	—	—	—	Statement showing the state of the files of the Allahabad High Court [(*c*)].	
18. Statement showing the state of the files of the Calcutta High Court.	—	—	Statement showing the state of the files of the Calcutta High Court.	—	
19. Auditor's report on the accounts of the Administrator General, Bengal.	—	—	—	Auditor's report on the accounts of the Administrator General, Bengal [(*c*)].	This report is prescribed by section 46 of Act II. of 1874.
		6. Accounts of the receipts and charges of the Administrator General, Bengal.	Accounts of the receipts and charges of the Administrator General, Bengal.	—	
		7. Report on the working of the Poisons Act, 1904.	Report on the working of the Poisons Act, 1904.	—	No report has yet been received.
Quarterly return of Chaplains of the Bengal Establishment absent on furlough or leave.	Abolished.	—	—	—	
Monthly return of allowances paid to clergymen for ministering to Presbyterian troops.	Do.	—	—	—	It is understood that the Army Department has ordered the discontinuance of this return.
20. Provincial Jail Reports.	—	—	—	Provincial Jail Reports [(*a*) and (*b*)].	
21. Port Blair Administration Report.	—	—	—	Port Blair Administration Report [(*a*) and (*b*)].	
Report from the Government of Bengal of the deportation of convicts from the Alipore Jail.	Abolished.	—	—	—	
Report from the Superintendent, Port Blair, of the arrival in the Andamans of life-convicts from Madras.	Do.	—	—	—	
22. Return showing strength and armament of the police force.	—	—	Return showing the strength and armament of the police force.	—	
23. Provincial Police Reports.	—	—	—	Provincial Police Reports [(*a*) and (*b*)].	
24. List of unanswered despatches from the Secretary of State.	—	—	—	List of unanswered despatches from the Secretary of State [(*c*)].	
		8. Return of counterfeit coining.	Return of counterfeit coining.	—	
25. Provincial Education Reports.	—	—	—	Provincial Education Reports [(*a*) and (*b*)].	

List of periodical reports and returns received in the Home Department—cont.

Required before 1901, the year of issue of general orders for curtailment.	Abolished since 1901.	Introduced since 1901.	Existing reports and returns. (i) Which stop with the Government of India.	Existing reports and returns. (ii) Which are furnished to the Secretary of State [*i.e.*, required by him for (*a*) Moral and Material Progress Report, (*b*) Statistical Abstract relating to British India, (*c*) other purposes].	Remarks.
1	2	3	4		5
		9. Quarterly returns of certificates of identity granted to Indian students proceeding to Japan.	Quarterly Returns of certificates of identity granted to Indian students proceeding to Japan.	—	These returns are sent to the British Minister in Japan. Local Governments have been told that blank returns need not be submitted to the Government of India.
		10. Annual report of the operations of the Board of Examiners, Calcutta.	Annual report of the operations of the Board of Examiners, Calcutta.	—	
26. Reports on Reformatory Schools.	—	—	Reports on Reformatory Schools.	—	Unnecessary.
27. Archæological reports and programmes.	—	—	—	Archæological reports and programmes [(*a*)].	
		11. Report of the Director-General of Archæology.	—	Report of the Director-General of Archæology [(*a*)].	
28. Report on epigraphy in the Madras Presidency.	—	—	—	Report on epigraphy in the Madras Presidency [(*a*)].	
29. Municipal reports.	—	—	—	Municipal reports [(*a*) and (*b*)].	
30. Local and District Boards reports.	—	—	—	Local and District Boards reports [(*a*) and (*b*)].	
Quarterly return showing cases of transfer of officers from other districts to fill short leave vacancies.	Abolished.	—	—	—	
31. Provincial Sanitary Reports.	—	—	—	Provincial Sanitary Reports [(*a*) (*b*) (*c*)*].	*For the preparation of the report on sanitary measures in India which is annually presented to Parliament.
32. Provincial Vaccination Reports.	—	—	—	Provincial Vaccination Reports [(*a*) (*b*) (*c*)*].	
33. Report of the Sanitary Commissioner with the Government of India.	—	—	—	Report of the Sanitary Commissioner with the Government of India [(*a*) (*b*) (*c*)*].	
34. Report on the Haj.	—	—	Report on the Haj.	The Consul at Jedda also sends these reports direct to the India Office.	
35. Report on the quarantine station at Camaran.	—	—	Report on the quarantine station at Camaran.		
Report on the pilgrim camp at Pir Pau.	Abolished.	—	—	—	
		12. Report on the pilgrim camp at Perim.	Report on the pilgrim camp at Perim.	—	Unnecessary.

List of periodical reports and returns received in the Home Department—cont.

Required before 1901, the year of issue of general orders for curtailment.	Abolished since 1901.	Introduced since 1901.	Existing reports and returns. (i) Which stop with the Government of India.	Existing reports and returns. (ii) Which are furnished to the Secretary of State [*i.e.*, required by him for (*a*) Moral and Material Progress Report, (*b*) Statistical Abstract relating to British India, (*c*) other purposes].	Remarks.
1	2	3	4		5
36. Weekly reports of the Board of Health at the principal ports; also health reports of minor ports when disease is epidemic.	—	—	—	Weekly reports of the Board of Health at the principal ports; also health reports of minor ports when disease is epidemic [(*c*)].	
Quarterly report of the Health Officer of the town of Calcutta on the vital statistics and sanitary condition of the town.	Abolished.	—	—	—	
Report of the Health Officer of the port of Calcutta.	Do.	—	—	—	
Returns showing the prevalence of venereal diseases in the three Presidency towns.	Do.	—	—	—	
37. Returns showing sickness and mortality among the children in the Lawrence Institutions at Mount Abu, Murree and Sanawar.	—	—	Returns showing sickness and mortality among the children in the Lawrence Institutions.	—	Unnecessary.
38. Report on the working of the Puri Lodging House Act.	—	—	Report on the working of the Puri Lodging House Act.	—	Unnecessary.
		13. Report on the King Institute of Preventive Medicine, Madras.	Report on the King Institute of Preventive Medicine, Madras.	—	
		14. Annual report of the Bombay Bacteriological Laboratory.	Annual report of the Bombay Bacteriological Laboratory.	—	
Weekly telegraphic plague report to Secretary of State.	Abolished.	—	—	—	
		15. Monthly telegraphic plague report.	—	Monthly telegraphic plague report [(*c*)].	
39. Monthly plague returns.	—	—	—	Monthly plague returns [(*a*) and (*b*)].	
40. Weekly statement of reported plague seizures and deaths in India.	—	—	—	Weekly statement of reported plague seizures and deaths in India [(*c*)].	
41. Reports showing extension of plague to uninfected places.	—	—	Reports showing extension of plague to uninfected places.	—	Nos. 41—43 are rendered necessary by the Paris Convention.
42. Daily plague report for Bombay, Karachi, Calcutta, etc.	—	—	Daily plague report for Bombay, Karachi, Calcutta, etc.	—	
43. Reports showing freedom of places from plague.	—	—	Reports showing freedom of places from plague.	—	

List of periodical reports and returns received in the Home Department—concluded.

Required before 1901, the year of issue of general orders for curtailment.	Abolished since 1901.	Introduced since 1901.	EXISTING REPORTS AND RETURNS. (i) Which stop with the Government of India.	(ii) Which are furnished to the Secretary of State [*i.e.*, required by him for (*a*) Moral and Material Progress Report, (*b*) Statistical Abstract relating to British India, (*c*) other purposes].	REMARKS.
1	2	3	4		5
44. Dispensary reports	—	—	—	Dispensary reports [(*a*) (*b*) and (*c*)*].	*For the preparation of the report on sanitary measures, which is annually presented to Parliament.
45. Reports on lunatic asylums.	—	—	—	Reports on lunatic asylums [(*a*) (*b*) and (*c*)*].	
46. Reports of the Chemical Examiners.	—	—	—	Reports of the Chemical Examiners [(*c*)].	
Reports on civil medical institutions in Madras, Bombay and Calcutta.	Abolished.	—	—	—	
47. Report on the working of the Eden Sanatorium, Darjeeling.	—	—	Report on the working of the Eden Sanitorium, Darjeeling.	—	Unnecessary.
48. Report on the Medical College, Madras.	—	—	—	Report on the Medical College, Madras [(*c*)*].	*For the preparation of the report on sanitary measures, which is annually presented to Parliament.
		16. Report on the working of the Medical College, Calcutta.	—	Report on the working of the Medical College, Calcutta [(*c*)*].	
		17. Reports on the working of the medical schools in Bengal.	—	Reports on the working of the medical schools in Bengal [(*c*)*].	
		18. Report of the Pastéur Institute, Kasauli.	Report of the Pasteur Institute, Kasauli.	—	
		19. Report of the Walker Hospital, Simla.	Report of the Walker Hospital, Simla.	—	
49. List of official publications (other than confidential).	—	—	—	List of official publications (other than confidential) [(*c*)].	
50. Catalogues of books registered under Act XXV. of 1867.	—	—	—	Catalogues of books registered under Act XXV. of 1867 [(*c*)].	
51. Confidential report on books and publications registered under Act XXV. of 1867.	—	—	—	Confidential report on books and publications registered under Act XXV. of 1867 [(*a*) and (*b*)].	
List of works of scientific, historical or antiquarian interest published in India.	Abolished.	—	—	—	
Total number = 69 (including the number abolished.	18	19	27	43 [3 [(*a*)]; 1 [(*b*)]; 12 [(*a*) and (*b*)]; 21 [(*c*)]; 1 [(*b*) and (*c*)]; 5 [(*a*) (*b*) and (*c*)]]	

APPENDIX III.

Schedule of certain detailed proposals for delegation made by various Local Governments before the Royal Commission on Decentralization to which objection may be taken on various grounds (filed by Mr. B. Robertson, vide Q 43750).

Delegation proposed. 1.	Proposed by 2.	Remarks. 3.
Power to Local Governments to fix the rates at which coast light dues are leviable without the reference to the Government of India prescribed by section 3 (2) of the Madras Coast Lights Act of 1904.	Madras.	The Indian law is contained in the Burma Coast Lights Act, IX. of 1879, and in the Madras Coast Lights Act of 1904. Section 6 of the former empowers the Governor General in Council alone to reduce or raise the rates leviable within the maximum prescribed by section 4. Section 3 (2) of the latter empowers the Government of Madras to fix the rates leviable within the maximum prescribed by the schedule, subject to the previous sanction of the Governor General in Council. There can be no question as to the necessity of keeping in the hands of the Government of India the control over those dues which affect shipping in provinces other than those of Burma and Madras—and this being so the most convenient form in which this control can be effectively exercised is by reserving to the Government of India its power under the law as it stands. There is no suggestion that the control now exercised has been exercised in a manner not in accordance with the advice of Local Governments. The amount of correspondence involved is restricted to an annual report which in any case could not be dispensed with.
Proposal that the provisions of the various Acts which call on Local Governments to submit rules for the approval of the Government of India before issue might be relaxed as far as possible, as in many cases such references to the Government of India are unnecessary.	Punjab. United Provinces.	The following Acts require the Local Governments to submit rules for the approval of the Government of India before issue:— (1) Indian Petroleum Act, 1899 (VIII. of 1899). Section 9 empowers the Local Governments to issue rules with the previous sanction of the Governor General in Council. Uniformity of procedure throughout India is essential, and a uniform set of rules, which has been prepared by the Government of India and is at present under consideration, will shortly be issued to the Local Governments for adoption. (2) Indian Explosives Act, 1884 (IV. of 1884). (3) Indian Mines Act, 1901 (VIII. of 1901). Under sections 5 and 20 of these Acts, the Governor General in Council may make rules for the whole of British India, and each Local Government, with the previous approval of the Governor General in Council, for the whole or any part of the province. For the sake of uniformity the Government of India issue rules for all provinces. No relaxation is desirable in the provisions of the Acts mentioned above.
Suggestion that where power to make rules is conferred by law on Local Governments, and the sanction of the Governor General is not prescribed, it is unconstitutional to limit the powers of Local Governments by executive order, or to require them to submit, for the previous approval of the Government of India, a draft of the rules which they propose to frame. Nor should the Local Governments be asked to adopt rules drafted by the Government of India on a general model.	Burma. United Provinces.	There has been no case in this department in which the powers conferred by law on Local Governments have been restricted by an executive order. Nor have the Local Governments been asked to submit rules for previous sanction when this is not required by law.
Suggestion that the proposal to appoint an Inspector General of Factories should not be carried out.	His Honour the Lieutenant-Governor of the United Provinces.	The question whether the appointment should be created is under the consideration of the Factory Commission which is now sitting. No opinion can be expressed on the point at this stage.
The restriction as to areas given in Schedule A to Rule 19 of the Mining Rules might be removed, and no maximum area should be prescribed, the proviso to the rule being omitted.	Burma. United Provinces.	The schedule of maximum area for blocks might be abolished, but the power to grant a mining lease over areas greater than the maximum now prescribed should not be delegated to Local Governments. The area of 10 square miles is large enough for the proper working of most minerals. The powers granted to Local Governments in the matter of areas for mining leases are greater than those allowed in most self-governing Colonies.

Schedule of certain detailed proposals for delegation, &c.—concluded.

Delegation proposed.	Proposed by	Remarks.
1.	2.	3.
To fix royalties to be paid under all mining leases.	United Provinces.	The rates of royalties laid down in Schedule C of the Mining Rules are liberal, and it is not advisable to grant further power to the Local Government.
The fixing of rents provided in Schedule B of the Mining Rules might be left to the discretion of the Local Government.	Burma. United Provinces.	The schedule of rents is already about as lax as it can possibly be, and discretion in the matter should not be left to the Local Government.
Local purchase of articles of foreign manufacture, which are not actually in the country at the time of order from local agents or firms in India.	Bombay.	It is for the Secretary of State to pass a decision on this proposal, which is opposed to his present orders. Any relaxation in favour of the Local Governments that may be considered desirable or possible would doubtless be agreed to.

APPENDIX IV.

Statement of Matters requiring the sanction or control of the Government of India under the Forest Laws (filed by Mr. R. W. Carlyle, vide *Q.* 44057).

(*A*).—*The Indian Forest Act VII. of 1878.*

1. Section 26.—The disforestation or exclusion of any area included in a reserved forest (previous sanction).

2. Section 27.—Rules for the management of village forests (previous sanction).

3. Section 31.—Rules for protected forests including hunting, shooting and fishing therein, and the extraction of forest produce (previous sanction).

4. Section 39.—Levy of duty on timber or other forest produce (previous sanction).

5. Section 41.—Rules to regulate the transit of forest produce (previous sanction).

(*B*).—*Burma Forest Act IV. of 1902.*

6. Section 23.—Grant of any rights in reserved forests (previous sanction).

7. Section 29.—Disforestation of any portion of a reserved forest (previous sanction).

8. Section 35.—Levy of duty on imported forest produce (previous sanction).

(*C*).—*Madras Forest Act V. of 1882.*

9. Section 24.—Exclusion (disforestation) of any area once included within a reserved forest (previous sanction).

(*D*).—*The Garo Hills (Assam Regulation I. of 1882).*

10. Section 2.—The regulation of hunting and collection of forest produce by other than natives of the Garo Hills (control).

(*E*).—*Assam Forest Regulation VII. of 1891.*

11. Section 28.—Disforestation of any portion of a reserved forest (previous sanction).

12. Section 37.—Levy of duty on imported forest produce (previous sanction).

(*F*).—*Ajmer Forest Regulation VI. of 1874.*

(*G*).—*Ajmer and Merwara Private Forests Preservation Regulation I. of 1892.*

Nil.

(*H.*)—*British Baluchistan Forest Regulation V. of 1890.*

13. Section 9.—Rules for the extraction of forest produce from, and hunting and fishing in State forests, and the levy of fees, royalties on timber, etc. (previous sanction).

14. Section 10.—Disforestation of any area included in a reserved forest (previous sanction).

(*I.*)—*Baluchistan Agency Forest Law, 1890.*

15. Section 9.—Identical with section 9 of Regulation V. of 1890.

16. Section 10.—Identical with section 10 of Regulation V. of 1890.

(*J.*)—*Berar Forest Law, 1886.*

17. Section 10.—Rules for the extraction of forest produce from, and hunting and fishing in State forests, and the levy of fees and royalties on timber etc. (previous sanction).

18. Section 11.—Disforestation of any area included in a reserved forest (previous sanction).

(*K*).—*Hazara Forest Regulation VI. of 1883.*

19. Section 9.—Disforestation of any portion of a reserved forest (previous sanction).

20. Section 25.—Revised rates of seigniorage fees (previous sanction).

(*L.*)—*Punjab Land Preservation Act (Punjab Act II. of 1900).*

Nil.

APPENDIX V*a*.

Memorandum of remarks on the proposals of Local Governments regarding decentralization in the Public Works Department (filed by Mr. L. M. Jacob, vide *Q.* 44486).

Public Works Department Code.

Paragraph 25.—My personal opinion is that if this matter is to be efficiently supervised the Accountant General should be invested with the power of granting these special increments; but, if this cannot be done, the Examiner seems to be the best person to be given this authority.

Paragraph 36.—In Madras and Bombay there would be no objection to the present rule requiring the sanction of the Local Government in each case being cancelled. It is not a question of delegation of powers to the Examiner, but merely of an alteration of the present rule, so as to admit of every officer entitled to

the allowance drawing it as a matter of course, without a specific sanction in each case. I may mention that in the case of the house-rent allowance in Calcutta once an appointment has been admitted as coming within the scope of the scheme no further specific sanction is necessary. It is the appointment which carries the title to the allowance, and not the particular individual holding it.

Paragraph 40.—Both in the case of Upper Subordinates and in that of accountants the scale of pay is fixed by the Government of India, and the distribution of the total number in the various grades is regulated by the rules in the Public Works Code (paragraph 66 for Upper Subordinates and paragraph 70 for accountants). At present every revision of the numbers in these two classes of men has to be submitted to the Government of India for sanction. I see no reason why Local Governments should not be given full powers to decrease or increase these establishments to meet their requirements within certain money limits. The Secretary of State has now given the Government of India the power to deal with such establishments up to a total of Rs. 50,000. Local Governments might be given full power to increase the number of men in these establishments provided the extra expenditure involved does not exceed Rs. 25,000. They would, of course, have no power to alter the scale of pay or to disturb the distribution of the men in the various grades as laid down in the rules referred to above. The money limit proposed would, to all practical purposes, give Local Governments full powers to increase these establishments as necessity arises without reference to the Government of India.

Paragraph 55.—This is a matter which rests entirely with Local Governments, who can issue what orders they choose on the subject.

Paragraphs 58 and 59.—I see no reason to object to the first appointment of accountants, 4th grade, being made by Examiners from men who have qualified by passing the test for such appointments.

Paragraphs 60 and 61.—Please see my reply to question 44484.

Paragraph 65.—Please see my remarks on paragraph 40 above.

Paragraph 68.—The Department is an Imperial one. It consists of a body of independent auditors whose promotion must be regulated by a central authority, namely, the Government of India. It is practically impossible to give to the Local Government, to whom some of these officers happen for the time being to be attached, the power to deal with their promotion, etc.

Paragraph 69.—Please see my remarks on paragraph 40 above.

Paragraph 101.—I understand that the Accountant General intends shortly to submit to the Government of India proposals for placing all 1st and 2nd grade accountants on a general list in order to equalize promotion and for certain other reasons. I think, therefore, that the existing orders may stand for the present, pending the orders of the Government of India on the Accountant General's proposals.

Paragraph 174.—I see no objection to the delegation of the power proposed. We have lately submitted a scheme * to the Secretary of State for the reorganization of the Executive and Assistant Engineer grades, and, if this scheme is accepted, some alteration in the present rules for examination will be necessary.

Paragraphs 251–272.—The Chief Engineer is, as a rule, also the Secretary to the Local Governments in the Public Works Department, and I can see no objection to the Local Governments delegating its powers in respect of Subordinate Engineering establishments to the Chief Engineer and Secretary.

Paragraphs 301, 311, 339, 347.—The question of giving considerably increased powers to Superintending and Executive Engineers has been referred by the Government of India to Local Governments and Administrations for opinion, and when all replies are received the matter will be disposed of. I think that, judging from the fact that the proposals for giving these classes of officers enhanced powers were initiated by the Government of India, it is evident that the latter authority views favourably decentralization in this matter.

Paragraph 311 (e).—There seems no objection to the powers of Superintending Engineers in this respect being increased, but as there must be some limit to financial liability the limit might be raised from 5 to 10 per cent.

Paragraph 371.—The proposal apparently is to give Superintending Engineers powers even if the amount is over Rs. 500. If this is so, I see no objection to it.

Paragraph 382.—This is a very necessary rule and is a wholesome check on Examiners, who might otherwise unnecessarily increase the work of the offices of disbursing or executive officers.

Paragraph 409.—The insertion of the words "to be delegated to Examiner, Public Works Accounts" opposite this paragraph is, I imagine, a mistake. The proposal made by the Madras Government is apparently that the power of granting leave to officers of the Superior Accounts Department should be delegated to the Local Government. I am afraid this is impracticable. The officers of the Account Branch are on one Impersal list for all India, and it may sometimes happen that although one Local Government may be able to spare an officer and to arrange for his work locally, yet it may be necssary to meet an urgent demand from another province for an officer to replace one who has broken down in health or to carry out some specially urgent work : and, all things considered, I am of opinion that the present rule should stand.

Paragraph 724.—I see no objection to Superintending and Executive Engineers being authorised to transmit their indents direct to the Stationery Office.

Paragraph 900.—The Local Governments may have full powers within the amount of the estimate sanctioned by competent authority. As regards Superintending Engineers they might also certainly have higher powers, but the limits to be imposed in their case will depend on the limits it is decided to fix in respect of their powers to sanction estimates for the execution of work—a matter which, as I have stated in my remarks on paragraphs 301, etc., is at present under the consideration of the Government of India.

Paragraph 907.—The present rule is, generally speaking, a wholesome one, but Chief Engineers might be given the power of deciding whether tenders should be called for publicly or not.

Paragraph 925.—I see no objection to Superintending Engineers being given the power of making advances within suitable limits to be fixed by Local Governments, but they (the Superintending Engineers) should be held responsible that proper safeguards are adopted to save Government from loss.

Paragraph 927.—The Madras proposal is apparently not intended to refer to this paragraph, the question of contracts for Public Works being referred to in paragraph 900, *supra*. If, however, the proposal has been wrongly worded, and if the proposal does refer to paragraph 927, then I can see no objection to the Governments of Madras and Bombay and the major Local Governments and the Chief Commissioner, Central Provinces, being given the same powers as the Government of India possess in respect of contracts and agreements involving liabilities on the part of the State.

Paragraph 945.—I see no objection to the Madras proposal to raise the limit to Rs. 500.

Paragraph 1011.—I see no objection to the proposal made by the Government of Bengal.

Paragraph 1057.—The question of framing new rules in the matter of the disposal of State lands and buildings is at present engaging the attention of the Government of India; and the propriety of raising the limit of Rs. 1,000 referred to to Rs. 5,000 is under consideration.

Paragraph 1066, I. to IV. and note.—For my opinion on the question of increasing the powers of Local Governments in respect of expenditure on residential buildings please see my reply to question 44803.

* Since sanctioned.

Paragraph 1068 I. (*g*).—If full power is given to Local Governments in the matter of expenditure on residential buildings no reference to the Government of India will, in future, be necessary under this paragraph. In any case, the alteration of this rule depends on how far it is decided to increase the Local Governments' powers in respect of the provision of residences at the cost of the State.

1068 I. (*h*).—The report to the Government of India may certainly be abolished in any case.

1068 II. (*c*).—Please see my remarks on paragraph 1066, *supra*.

1068 V. B.—This ruling is based on an order issued in the Home Department which is the administrative Department in this matter. I am not prepared to express any opinion on the subject.

Paragraph 1079 V.—I see no objection, as far as Public Works Department is concerned, to the Madras Government's proposal.

Paragraph 1143.—I think that Local Governments may be given power to sanction imprests at their discretion.

Paragraph 1391.—I see no objection to Local Governments sanctioning whatever rate of auctioneer's commission they choose.

Paragraph 1393.—I consider that the present rule which requires a reference to the Government of India when Imperial Funds are concerned should remain.

Paragraph 1685.—My opinion is that the present restriction in respect of irrigation or other works for which Capital and Revenue Accounts are maintained should be retained.

Paragraphs 1765–1767.—I understand that the proposal of the Madras Government refers to accountants If this is so, I think that the Local Government may certainly be relieved of these cases, the power to grant extensions of service in the Accounts Branch of the Public Works Department being invested in the Accountant General.

Paragraph 2107.—I see no objection, but instead of the submission of a quarterly statement, I would suggest that the transfers be reported as soon as they are sanctioned, particularly as such transfers are very few.

Paragraph 2155.—Before expressing an opinion on this proposal it is necessary to explain that in Bengal all the productive works sanctioned as such are no longer productive, and that, consequently, under the ruling in paragraph 2155 VIII., all subsequent outlay on open capital works which are unremunerative in themselves is met from ordinary revenues and charged to "Provincial 43.—Minor Works and Navigation," although subsequently dealt with as an addition to the "Capital outlay on Irrigation works not charged to Revenue" in the Finance and Revenue Accounts of the Empire. I consider that the proposal made by the Bengal Government is objectionable, because, although the provincial Government would pay for the further expenditure under 43.—Minor Works and Navigation, it is exempted from the interest charges on this outlay which have to be borne by the Imperial Irrigation Department under paragraph 2127, Public Works Department Code, and Statement No. 63, Finance and Revenue Accounts of the Government of India.

Paragraph 2167.—Please see my reply to questions 44478–78*a* which expresses my views as regards the enlargement of the powers of sanction of Local Governments and Administrations in respect of works chargeable to Imperial Funds. As regards the 10 lakh limit, if the powers of the Government of India are raised beyond 10 lakhs as regards Imperial works, there would presumably be no objection to a similar enhancement of the powers of sanction of Local Governments in respect of provincial works. The proposals made by Bengal in regard to increasing the powers of Superintending and Executive Engineers are hardly relevant in considering this paragraph of the Code. The powers of Superintending and Executive Engineers are dealt with in my reply to question 44804; and in this connection please see also my remarks on paragraphs 301, etc., *supra*.

Paragraph 2174.—As will be seen from my reply to question 44482 I can see no objection to the restriction imposed in this paragraph in respect of expenditure on Government Houses being removed.

Paragraph 2207.—Please see my reply to question 44477 on this subject.

Appendix 10, Part IV., Rule X., note 4.—The rules relating to the provision of churches are, I understand, under revision in Home Department, which is the administrative Department in matters ecclesiastical; and the rules in the Public Works Department Code are merely a reproduction of orders promulgated in the Home Department.

Appendix 10, Part IV., Rules XVI. and XXXVIII.—I can see no objection to the Madras proposal that the Local Government may be empowered to deal finally with all such cases, but the matter is one for the Home Department.

With regard to the general proposal made by the Madras Government that "the Local Government should be invested with the power to re-delegate under such conditions as they consider proper any power the delegation of which has not been restricted," I am afraid that the proposal is of too general a nature to enable me to express any opinion on it.

Burma's proposals.—I am afraid I cannot agree that the rule which requires the Local Government to submit to the Consulting Architect to the Government of India the plans of any building, the estimated cost of which exceeds Rs. 50,000 should be abrogated. This is a ruling of recent date which was introduced on the appointment of a Consulting Architect to improve the architecture of the country, and I consider that it should remain.

2. If the second proposal refers to contingent expenditure governed by the rule in paragraph 371 of the Code, I can see no objection to the Local Governments giving their Superintending Engineers whatever powers they choose in this respect.

3. With regard to the remark that, in the matter of the delegation of powers to subordinate officers, there is much room for improvement, I think that this is evidently more a matter for the Local Governments to look into than the Government of India.

APPENDIX V*b*.

Supplementary memorandum of remarks on the proposals of Local Governments regarding decentralization in the Public Works Department (filed by Mr. L. M. Jacob, vide *Q.* 44486).

Public Works Department Code.

Since the memorandum of remarks on the proposals of the Governments of Madras, Bengal, Punjab and Burma was written, the proposals of the Bombay and United Provinces Governments and of the Central Provinces have been received, and the following are the only additional points which call for remarks from me:—

Paragraph 900.—Please see my remarks on this paragraph in the memorandum (page 220).

Paragraph 1063 IV.—The remarks of the Bombay Government are somewhat misleading. Formerly Local Governments had power to sanction the provision of residences only in cases governed by clauses (*i*), (*ii*) and (*iii*), and from a perusal of these clauses it will be seen that their powers in respect of the provision of residences were very limited indeed. Under clause (*iv*), which was inserted in the 8th edition of the Code, the powers of Local Governments were actually

enlarged and not restricted ; and the effect of this new clause was that it was practically left to the Local Governments to sanction, at their discretion, the provision of residences for officials in any case in which they considered it to be necessary—a money limit of Rs.10,000 being laid down only in the case of quarters the cost of which was chargeable to Imperial funds which are at the disposal of the Government of India.

Paragraphs 1065 II. and IV. and 1068 I. (g).—Please see my remarks on these paragraphs in the memorandum (pages 220–1).

Paragraph 1068 VI.—If full power is given to Local Governments in the matter of expenditure on residential buildings, there would appear to be no objection to the present restrictions under this paragraph being removed ; but for my general opinion on the subject of the relaxation of the rules regulating the provision and the rents of official residences please see my answer to question 44481.

Paragraph 1068 XII.—I have no objection to this restriction being removed if Local Governments are given full powers in the matter of the provision of residences, but my personal opinion is that the existing rule is sound.

Paragraphs 2132, 2134 and 2138.—Local Governments have no powers in respect of revised or supplementary estimates for productive Public Works, and as it is essential that the Government of India should have complete control over the loan funds from which these works are financed, there does not appear to be any necessity to give Local Governments any powers in respect of such estimates. In the matter of protective works, Local Governments are being given powers to sanction revised or supplementary estimates for this class of works subject to the limits in Public Works Code, paragraphs 2170 and 2167.

Paragraph 2155.—With regard to the suggestion made by the Lieutenant-Governor of the Punjab, the powers of Local Governments in respect of works chargeable to the open capital account of productive Public Works are limited to Rs. 10,000 in the case of works which are necessary for the full development of the project, but which are not in themselves directly remunerative, and to Rs. 25,000 in the case of works which are directly remunerative in themselves. The cost of these works being met from loan funds, the powers of Local Governments have been restricted to comparatively small estimates, but I see no strong reasons why the limits in question should not be doubled, viz., to Rs. 20,000 and Rs. 50,000 respectively.

Paragraphs 2155 VI. and 2209 VI.—There seems no objection to Local Governments extending the date fixed for the completion of works chargeable to open capital account, but a report should be sent to the Government of India.

Paragraphs 2167, 2174, 2207.—Please see my remarks on these paragraphs in the memorandum of remarks (page 221).

Presidency allowance to Temporary Engineers.—There is no great objection to Temporary Engineers stationed in Presidency towns, whose pay has not been fixed with regard to residence in a Presidency town, being admitted to Presidency house rent and Presidency allowance admissible to permanent Engineers.

Concessions to Subordinates on Famine Relief Works.—I see no objection to giving the Local Government powers to sanction recognised concessions during famine.

Appointment of Chief Engineers.—This subject has been dealt with in my reply to question 44484 very fully, but with reference to the remarks made by the Lieutenant-Governor of the United Provinces it may be added here that Local Governments are invariably freely consulted, and every possible consideration is given to their wishes, as far as is consistent with the fact that all Administrative Officers are on one list, and that the claims of senior officers in other provinces have to be considered. Regarding privilege leave vacancies, as the appointments have been in the hands of the Government of India, all Superintending Engineers' appointments to such vacancies have been submitted for the approval of the Government of India, but as the nominations of Local Governments in such cases are never objected to, appointments to privilege leave vacancies might well be within the powers of Local Governments.

Position of Public Works Officers in relation to Civil Officers.—Please see my reply to question 44489.

Appointment of Temporary Officers and Subordinates.—Please see my reply to question 44486.

Charge allowance to Temporary Engineers.—If the suggestions made in my reply to question 44486 are approved, this objection will disappear. I there proposed that Local Governments might be given full powers up to Rs. 1,000 a month.

APPENDIX VI.

Summary of Powers of Local Governments and Administrations in connection with the Estimates for Works (filed by Mr. L. M. Jacob, vide Q. 44801).

Local Governments or Administrations.	IMPERIAL.								PROVINCIAL.			
	45—Civil Works.	Irrigation. 49—Productive. Schemes.	Irrigation. 49—Productive. Open Capital.	Irrigation. 35—Protective. Schemes.	Irrigation. 35—Protective. Open Capital.	43—Minor Works and Navigation. Schemes.	43—Minor Works and Navigation. Open Capital.	Remarks.	45—Civil Works.	43—Minor Works and Navigation. Schemes.	43—Minor Works and Navigation. Open Capital.	Remarks.
	Rs.				Rs.	Rs.	Rs.		Rs.	Rs.	Rs.	
Government of Madras	(a) 2,00,000				(k) 2,00,000	—	—	(a) These powers were conferred in 1861. The Government of India were also invested either in 1861 or before with the power of sanctioning ordinary public works up to a limit of 10 lakhs—though the phrase actually used in Sir C. Wood's despatch No. 8-P. W., dated the 24th January, 1861, to His Excellency the Governor-General in Council is "£100,000."	(m) 10,00,000	(m) 10,00,000	(m) 10,00,000	(l) A divided head :—½ Imperial and ½ Provincial. Local Government can sanction so that the debit to Imperial does not exceed 2 lakhs, and therefore a total of 4 lakhs in all.
Do. Bombay	(a) 2,00,000				(k) 2,00,000	—	—		(m) 10,00,000	(l) 4,00,000	(l) 4,00,000	
Do. Bengal	(a) 50,000					—	—		(m) 10,00,000	(m) 10,00,000	(m) 10,00,000	
Do. United Provinces	(a) 50,000					—	—		(m) 10,00,000	(m) 10,00,000	(m) 10,00,000	
Do. Punjab	(a) 50,000				(k) 50,000	(a) 50,000	(k) 50,000		(m) 10,00,000	(m) 10,00,000	(m) 10,00,000	(m) Conferred in 1874.
Do. Burma	(b) 50,000					—	—	(b) Conferred in 1897, when Burma was raised to a Lieutenant-Governorship.	(m) 10,00,000	(m) 10,00,000	(m) 10,00,000	
Do. Eastern Bengal and Assam.	(c) 50,000					—	—		(m) 10,00,000	(m) 10,00,000	(m) 10,00,000	
Administration of Central Provinces.	(d) 20,000					—	—	(c) Conferred in 1905, when the Province of Eastern Bengal and Assam was created.	(m) 10,00,000	(m) 10,00,000	(m) 10,00,000	
Administration of Coorg	(e) 20,000					(e) 20,000	(k) 20,000	(d) Conferred in 1867.	—	—	—	There are no provincial works in Coorg, Hyderabad, Rajputana, Central India and the North-West Frontier Province.
Do. Hyderabad ..	(d) 20,000					—	—	(e) Conferred in 1889.	—	—	—	
Do. Rajputana ..	(d) 20,000				(k) 20.000	(d) 20,000	(k) 20,000	(f) Conferred in 1902.	—	—	—	
Do. Central India	(d) 20,000					(d) 20,000	(k) 20,000	(g) Conferred in 1884.	—	—	—	
Do. North West Frontier Province.	(f) 20,000	Nil.	(l) Rs. 10,000 if unremunerative. Rs. 25,000 if remunerative.	Nil.		(f) 20,000	(k) 20,000	(h) Conferred in 1870.	—	—	—	
Do. Baluchistan ..	(g) 20,000					—	—	(j) Conferred in 1890.	—	(o) 10,00,000	(o) 10,00,000	(o) Special Revenues. Powers conferred in 1897.
Director-General, Military Works Services.	50,000				—	—	—	(k) Conferred in 1892. There was no open capital rules prior to 1890, for irrigation works.	—	—	—	The Director-General of Military Works has no powers regarding provincial works and there are no provincial works in Port Blair.
Superintendent, Port Blair ..	(h) 5,000				—	—	—		—	—	—	
Chief Engineer	—	—	—	—	—	—	—	When detached from the head-quarters of the Local Government may sanction as Chief Engineer urgent works up to Rs. 2,500.	—	—	—	When detached from the head-quarters of the Local Government may sanction as Chief Engineer urgent works up to Rs. 2,500.

Summary of Powers of Local Governments and Administrations, &c.—concluded.

Local Governments or Administrations.	Imperial.								Provincial.			
	45—Civil Works.	Irrigation.						Remarks	45—Civil Works.	43—Minor Works and Navigation.		Remarks.
		49—Productive.		35—Protective.		43—Minor Works and Navigation.				Schemes.	Open Capital.	
		Schemes.	Open Capital.	Schemes.	Open Capital.	Schemes.	Open Capital.					
Superintending Engineer	Rs. (*i*) 10,000	*	—	*	—	*	Rs. (*q*) 10,000	(*i*) Ordinarily the limit is Rs. 500, but specially selected officers are empowered to sanction up to Rs 10,000. (*q*) Ordinarily the limit is Rs. 500, but specially selected officers have powers up to Rs. 10,000 for works chargeable to a general estimate, which has been sanctioned by competent authority. *Note.*—The maximum limit of Rs. 10,000 for specially selected Superintending Engineer was fixed in 1888.	Rs. (*p*) 10,000	Rs. (*r*) 10,000	Rs. (*r*) 10,000	(*p*) Ordinarily the limits is Rs. 500, but specially selected officers are empowered to sanction up to Rs. 10,000. (*r*) Ordinarily the limit is Rs. 500, but specially selected officers have powers up to Rs. 10,000 for works chargeable to a general estimate, which has been sanctioned by competent authority.
Executive Engineer	(*u*) 500	—	—	—	—	—	(*w*) 500	(*u*) Ordinarily the limit is Rs. 200, but specially selected officers are empowered to sanction up to Rs. 500. (*v*) Ordinarily the limit is Rs. 200, but specially selected officers have powers up to Rs. 500 for works chargeable to a general estimate. *Note.*—The limit of Rs. 200 was fixed in 1862, and was raised to Rs. 500 in the case of specially selected officers in 1892.	(*s*) 500	—	(*t*) 500	(*s*) Ordinarily the limit is Rs. 200, but specially selected officers are empowered to sanction up to Rs. 500. (*t*) Ordinarily the limit is Rs. 200, but specially selected officers have powers up to Rs. 500 for works chargeable to a general estimate.

* Please see reply to question 44804. Superintending Engineers have the same power in respect of subsidiary works and detailed estimates chargeable to "43—Imperial Minor Works and Navigation."

Summary of Powers of Local Governments and Administrations, etc., in connection with contracts for works whether chargeable to Imperial or Provincial.

Authority.	Powers.	Remarks.
Local Governments and Administrations, etc.,—Chief Engineers personally or as Secretary to a Local Government.	Tenders—within the amount of the sanctioned estimate for the work, provided the amount of the tender is also within the limits up to which a Local Government or Local Administration can sanction estimates for works (for limits regarding works see powers in respect of sanctions to estimates).	This power was conferred about 1878.
Superintending Engineers	Tenders—up to a maximum of Rs. 20,000.	Ordinarily the limit is Rs. 10,000, which was fixed about 1866, but in the case of specially selected officers Local Governments were authorized in 1884 to increase this limit up to Rs. 20,000.
Executive Engineers	Tenders—up to a maximum of Rs. 5,000.	Ordinarily the limit is Rs. 2,000, which was fixed about 1860, but in case of specially selected officers Local Governments were authorized in 1892 to increase this limit up to Rs. 5,000.

APPENDIX VII.

*Table illustrating the tendency of Local Governments to under-estimate their revenue and over-estimate their expenditure (filed by Mr. J. S. Meston—*vide *Q.* 44863).

CENTRAL PROVINCES.

Provincial figures only.] REVENUE. [In thousands of Rs.

—	1904–05.				1905–06.				1906–07.			
	Local Government's Estimate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.	Local Government's Estimate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.	Local Government's Estimate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.
I.—Land Revenue	44,90	—40	44,50	43,65	44,00	—	44,00	42,93	86,44	+1,00	87,44	85,37
Do. Adjustment ..	+9,37	—	+9,37	+9,37	+11,57	—	+11,57	+11,57	+27,17	—	+27,17	+27,31
IV.—Stamps	11,25	—	11,25	11,59	11,44	+26	11,70	12,24	11,65	+78	12,43	11,98
V.—Excise	6,25	+37	6,62	7,94	7,63	+62	8,25	9,59	32,04	+5,46	37,50	41,62
VI.—Provincial Rates	2,46	—	2,46	2,41	2,48	—	2,48	2,49	48	—	48	48
VIII.—Assessed Taxes	1,49	+1	1,50	1,55	1,55	+2	1,57	1,51	2,88	—	2,88	2,98
IX.—Forest..	6,63	+32	7,00	6,76	7,33	—	7,33	8,66	11,05	+45	11,50	12,01
X.—Registration	43	—	43	48	48	—	48	54	2,20	+15	2,35	2,10
XII.—Interest	1,16	—	1,16	80	74	—	74	67	86	—	86	88
XIII.—Post Office	17	—	17	15	15	—	15	13	—	—	—	—
XVIA.—Courts of Law	1,17	+8	1,25	1,26	1,28	+4	1,32	1,22	1,70	—	1,70	1,80
XVI B.—Jails	1,83	—	1,83	1,57	1,55	—	1,55	2,25	2,54	+16	2,70	1,97
XVII—Police	17	—	17	16	23	—	23	13	94	—	94	91
XIX.—Education	43	—	43	38	40	—	40	40	93	—	93	80
XX.—Medical	17	—	17	15	17	—	17	18	18	—	18	9
XXI.—Scientific, &c., Departments.	24	+2	26	34	29	+5	34	42	37	—	37	53
XXII.—Superannuation	20	—	20	16	20	—	20	17	21	—	21	20
XXIII.—Stationery, &c.	17	+2	19	26	21	—	21	33	34	—	34	49
XXV.—Miscellaneous	95	—	95	1,06	1,04	—	1,04	1,35	1,92	—	1,92	2,17
XXX.—Minor Irrigation	1	—	1	2	—	—	—	4	8	—	8	4
XXXII.—Civil Works	63	—	63	95	71	—	71	1,16	1,01	—	1,01	1,40
Contributions from Local	1,68	—	1,68	1,68	1,59	—	1,59	1,76	2,00	—	2,00	1,78
	91,81	+42	92,23	92,69	95,04	+99	96,03	99,74	1,86,99	+8,00	1,94,99	1,96,91
Net figure for special adjustments made by the Government of India and special grants sanctioned from Imperial to Provincial.	—	+29.24	+29,24	+23,83	—	+ 34,05	+34,05	+60,71	—	+10,65	+10,65	+10,65
Total Revenue	91,81	+29,66	1,21,47	1,16,52	95,04	+35,04	1,30,08	1,60,45	1,86,99	+18,65	2,05,64	2,07,56

EXPENDITURE.

1. Refunds and Drawbacks ..	22	—	22	33	25	—	25	27	39	—	39	44
2. Assignments, &c.	4	—	4	4	4	—	4	4	17	—	17	19
3. Land Revenue	14,67	−22	14,45	13,95	15,36	−15	15,21	14,28	26,29	−24	26,05	24,82
6. Stamps	49	—	49	55	56	—	56	51	65	—	65	54
7. Excise	14	—	14	14	31	−4	27	24	1,50	−13	1,37	1,19
10. Assessed Taxes	—	—	—	—	—	—	—	—	6	—	6	5
11. Forest	5,77	−2	5,75	5,33	6,19	−44	5,75	5,26	7,60	−40	7,20	6,72
12. Registration	30	−2	28	26	29	—	29	28	1,11	—	1,11	1,03
13. Interest	1,07	—	1,07	60	58	—	58	56	71	−2	69	62
15. Post Office	80	—	80	76	80	—	80	71	—	—	—	—
18. General Administration ..	6,27	—	6,27	6,61	7,11	—	7,11	6,67	7,66	—	7,66	7,68
19A. Courts of Law	13,36	−20	13,16	12,25	13,66	−16	13,50	12,94	21,84	−34	21,50	20,25
19B. Jails	5,61	−11	5,50	4,45	5,08	−8	5,00	5,28	6,48	—	6,48	5,12
20. Police	15,71	−15	15,56	15,78	15,79	—	15,79	13,10	26,65	−1,00	25,65	23,34
22. Education	7,20	−23	6,97	5,83	7,36	−40	6,96	4,39	10,59	−21	10,38	8,68
24. Medical	4,49	—	4,49	4,24	4,16	—	4,16	3,86	5,95	−30	5,65	5,41
25. Political	46	—	46	46	45	—	45	43	46	—	46	41
28. Scientific, &c., Departments ..	1,62	−10	1,52	1,53	1,99	—	1,99	2,20	3,10	—	3,10	2,58
29. Superannuation	4,48	—	4,48	4,29	4,38	—	4,38	4,24	5,99	—	5,99	5,82
30. Stationery, &c.	2,21	—	2,21	3,18	2,42	—	2,42	2,39	3,08	—	3,08	30,3
32. Miscellaneous	1,70	—	1,70	2,95	1,03	—	1,03	1,23	1,54	—	1,54	87
43. Minor Irrigation	3,00	—	3,00	2,73	3,00	—	3,00	3,68	4,00	—	4,00	3,38
45. Civil Works	34,79	—	34,79	32,21	39,12	−9,00	30,12	33,85	47,13	—	47,13	49.27
Contributions to Local	3,63	—	3,63	3,57	3,72	—	3,72	4,99	9,17	—	9,17	8,77
	1,28,03	−1,05	1,26,98	1,22,04	1,33,65	−10,27	1,23,38	1,21,40	1,92,12	−2,64	1,89,48	1,80,21
Net figure for special adjustments made by the Government of India, and special grants sanctioned from Imperial to Provincial	—	+1,50	+1,50	+1,50	—	+6,70	+6,70	+6,70	—	+9,84	+9,84	+9,84
Total Expenditure	1,28,03	+45	1,28,48	1,23,54	1,33,65	−3,57	1,30,08	1,28,10	1,92,12	+7,20	1 99,32	1,90,05

BURMA.

Provincial figures only.] REVENUE [In thousands of Rs.

	1904-05.				1905-06.				1906-07.			
	Local Government's Estimate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.	Local Government's Estimate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.	Local Government's Estimate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.
I.—Land Revenue	1,82,10	—	1,82,10	1,85,42	1,96,82	—	1,96,82	1,91,46	2,06,45	—	2,06,45	1,93,02
Do. Adjustment	+57,99	—	+57,99	+58,70	+58,67	—	+58,67	+58,67	+71,17	—	+71,17	+71,17
III.—Salt	9,45	-1,45	8,00	8,19	8,12	+25	8,37	8,74	8,87	+13	9,00	8,65
IV.—Stamps	21,38	+1,87	23,25	24,86	24,37	+1,88	26,25	28,04	27,94	+52	28,46	28,48
V.—Excise	25,37	+96	26,33	24,27	25,33	+3,34	28,67	27,67	29,40	—	29,40	25,55
VII.—Customs	99	—	99	1,06	93	—	93	86	99	—	99	85
VIII.—Assessed taxes	6,00	+25	6,25	6,83	7,06	—	7,00	7,66	7,75	+35	8,10	7,71
IX.—Forest	39,00	—	39,00	44,80	45,50	—	45,50	51,65	53,00	+1,50	54,50	49,06
X.—Registration	85	+10	95	93	1,00	—	1,00	1,01	1,08	—	1,08	1,07
XII.—Interest	38	—	38	49	50	—	50	56	60	—	60	62
XVIA.—Courts of Law	5,15	—	5,15	4,88	4,90	—	4,90	4,96	4,90	+10	5,00	5,05
XVIB.—Jails	4,00	—	4,00	4,28	4,00	—	4,00	4,31	4,50	+20	4,70	4,12
XVII.—Police	2,05	+30	2,35	2,41	2,15	+6	2,21	2,42	2,18	—	2,18	1,93
XVIII.—Marine	4,57	+18	4,75	5,26	5,10	+10	5,20	5,64	5,60	+10	5,70	5,02
XIX.—Education	84	—	84	74	83	—	83	89	92	—	92	99
XX.—Medical	52	—	52	57	60	—	60	53	59	—	59	56
XXI.—Scientific, &c., Departments.	8	—	8	3	4	—	4	3	4	—	4	2
XXII.—Superannuation . ..	38	—	38	33	35	—	35	31	35	—	35	28
XXIII.—Stationery, &c.	39	+6	45	49	50	—	50	52	50	—	50	64
XXV.—Miscellaneous	4,92	-1,59	3,33	2,87	4,86	—	4,86	1,97	2,59	—	2,59	1,89
XXX.—Minor Irrigation	1,30	—	1,30	1,34	1,35	—	1,35	1,71	1,70	—	1,70	2,30
XXXII.—Civil Works	3,14	—	3,14	2,87	3,05	—	3,05	3,25	2,95	—	2,95	3,00
Contributions from Local ..	4,33	—	4,33	4,33	4,79	—	4,79	4,79	5,18	—	5,18	5,18
	3,75,18	+68	3,75 86	3,85,95	4,00,76	+5,63	4,06,39	4,07,65	4,39,25	+2,90	4,42,15	4,17,16
Net figure for special adjustment made by the Government of India and special grants sanctioned from Imperial to Provincial ..	—	—	—	—	—	+11,50	+11,50	+12,80	—	+5,17	+5,17	+55,39
Total Revenue	3,75,18	+68	3,75,86	3,85,95	4,00,76	+17,13	4,17,89	4,20,45	4,39,25	+8,07	4,47,32	4,72,55

EXPENDITURE.

1. Refunds and drawbacks ..	92	—	92	1,15	1,03	—	1,03	1,36	1,32	—	1,52	1,51
3. Land Revenue	59,33	-63	58,70	57,25	62,97	-1,30	61,67	60.46	63,12	-97	62,15	62.59
5. Salt	13	—	13	12	16	—	16	14	15	—	15	14
6. Stamps	78	—	78	95	92	—	92	88	95	—	95	84
7. Excise	3,72	—	3,72	3,41	3,85	-8	3,77	3,58	4,77	-27	4,50	3,73
9. Customs	4,14	—	4,14	3,95	4,16	—	4,16	4,00	4,36	—	4,36	4,14
10. Assessed Taxes	18	—	18	18	18	—	18	18	18	—	18	19
11. Forest	19,00	-1,00	18,00	17,23	19,50	-50	19,00	19,69	20,40	-90	19,50	18,47
12. Registration	30	—	30	29	32	—	32	32	32	—	32	35
13. Interest	32	—	32	25	34	—	34	28	48	-2	46	40
15. Post Office	1,63	—	1,63	1,85	2,01	-3	1,98	2,04	2,09	—	2,09	—
18. General Administration	11,35	—	11,35	11,73	11,67	—	11,67	12,67	11,93	—	11,93	12,31
19A. Courts of Law	35,44	-1,94	33,50	32,09	35,75	-1,00	34,75	36,65	38,27	—	38,27	39,62
19B. Jails	11,26	—	11,26	10,18	11,31	-31	11,00	11,36	11,50	-20	11,30	11,91
20. Police	1,02,26	-2,62	99,64	1,00,83	1,06,00	-1,40	1,04,60	99,79	1,09,94	-50	1,09,44	1,05,09
21. Marine	10,07	—	10,07	10,18	9,83	—	9,83	9,34	11,37	—	11,37	10,09
22. Education	12,62	-1,39	11,23	11,05	13,37	-1,02	12,35	12,40	16,00	-75	15,25	16,55
24. Medical	11,17	-20	10,97	10,29	11,95	—	11,95	12,76	14,69	-22	14,47	17,56
26. Scientific, &c., Departments ..	2,47	—	2,47	1,75	2,66	-22	2,44	2,20	3,49	-57	2,92	1,24
29. Superannuation	4,86	—	4,86	5,18	5,47	—	5,47	5,50	6,08	—	6,08	6,07
30. Stationery, &c.	7,53	—	7,53	6,47	8,00	-20	7,80	6,73	7,40	—	7,40	7,18
32. Miscellaneous	4,21	—	4,21	4,45	4,41	—	4,41	5,28	4,32	—	4,32	4,30
33 Famine Relief	—	—	—	—	—	—	—	2	—	—	—	—
41. Miscellaneous Railway Expenditure.	40	—	40	78	50	—	50	20	10	—	10	—
43. Minor Works	16,50	—	16,50	14,81	16,50	—	16,50	13,90	16,50	—	16,50	13,81
45. Civil Works	94,16	—	94,16	92,21	1,10,24	—	1,10,24	1,14,53	1,15,24	—	1,15,24	1,05,63
Contributions to Local	30	—	30	24	37	—	37	32	5,90	—	5,90	6,42
	4,15,05	-7,78	4,07,27	3,98,87	4,43,47	-6,06	4,37,41	4,36,58	4,70,87	-4,40	4,66,47	4,50,14
Net figure for special adjustments made by the Government of India and special grants sanctioned from Imperial to Provincial ..	—	+3,00	+3,00	+3,00	—	+10,00	+10,00	+10,00	—	+3,50	+3,50	+3,50
Total Expenditure	4,15,05	-4,78	4,10,27	4,01,87	4,43,47	+3,94	4,47,41	4,46,58	4,70,87	-90	4,69,97	4,53,64

ASSAM.

Provincial figures only.] REVENUE. [In thousands of Rs.

	1904–05.				1905–06.				1906–07.			
	Local Government's Estimate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.	Local Government's Estimate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.	Local Government's Estimate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.
I.—Land Revenue	32,53	—	32,53	31,69	—	—	—	—	95,71	−35	95,36	95,84
Do. Adjustment ..	+12,00	—	+12,00	+12,00	—	—	—	—	+1,80	—	+1,80	+1,80
IV.—Stamps	5,09	—	5,09	4,99	—	—	—	—	42,32	+1,63	43,95	44,79
V.—Excise	14,00	+1,00	15,00	15,27	—	—	—	—	30,55	+1,08	31,63	31,87
VI.—Provincial Rates	—	—	—	—	—	—	—	—	16,57	—	16,57	16,12
VIII.—Assessed Taxes	1,27	+3	1,30	1,24	—	—	—	—	4,52	+28	4,80	5,12
IX.—Forest	3,43	—	3,43	4,08	—	—	—	—	6,70	−10	6,60	6,60
X.—Registration	35	—	35	36	—	—	—	—	7,75	−15	7,60	8,31
XII.—Interest	3	—	3	4	—	—	—	—	32	—	32	42
XVIA.—Courts of Law	82	—	82	77	—	—	—	—	3,44	−14	3,30	3,31
XVIB.—Jails	1,05	—	1,05	78	—	—	—	—	2,88	—	2,88	3,38
XVII.—Police	1,07	—	1,07	1,02	—	—	—	—	1,38	−10	1,28	1,20
XVIII.—Marine	—	—	—	1	—	—	—	—	25	—	25	34
XIX.—Education	69	—	69	73	—	—	—	—	2,31	—	2,31	2,17
XX.—Medical	11	—	11	7	—	—	—	—	16	—	16	18
XXI.—Scientific, &c., Departments.	—	—	—	9	—	—	—	—	2	—	2	6
XXII.—Superannuation	6	—	6	7	—	—	—	—	13	+5	18	11
XXIII.—Stationery, &c.	2	—	2	2	—	—	—	—	18	—	18	18
XXV.—Miscellaneous	13	—	13	11	—	—	—	—	2,68	+38	3,06	2,78
XXVI.—State Railway Receipts..	85	—	85	76	—	—	—	—	82	—	82	86
XXXII.—Civil Works	94	—	94	1,10	—	—	—	—	1,75	—	1,75	2,45
Contributions from Local	15	—	15	16	—	—	—	—	10	—	10	1
	74,59	+1,03	75,62	75,36	—	—	—	—	2,22,34	+2,58	2,24,92	2,27,90
Net figure for special adjustments made by the Government of India and special grants sanctioned from Imperial to Provincial	—	—	—	—	—	—	—	—	—	+1,75	+1,55	+6,87
Total Revenue	74,59	+1,03	75,62	75,36	—	—	—	—	2,22,34	+4,33	2,26,67	2,34,77

EXPENDITURE.

1. Refunds and Drawbacks ..	12	—	12	15	—	—	—	—	40	—	40	39
2. Assignments, &c.	—	—	—	—	—	—	—	—	61	—	61	57
3. Land Revenue	6,11	−11	6,00	5,76	—	—	—	—	26,60	—	26,60	26,81
6. Stamps	22	—	22	21	—	—	—	—	1,73	—	1,73	1,91
7. Excise	18	—	18	19	—	—	—	—	1,03	—	1,03	1,00
8. Provincial Rates	—	—	—	—	—	—	—	—	33	—	33	10
10. Assessed Taxes	1	—	1	1	—	—	—	—	13	—	13	14
11. Forest	2,39	—	2,39	2,52	—	—	—	—	4,05	−15	3,90	3,54
12. Registration	20	—	20	20	—	—	—	—	4,92	−12	4,80	5,15
13. Interest	2	+1	3	2	—	—	—	—	23	—	23	33
18. Administration	3,06	—	3,06	3,12	—	—	—	—	9,53	—	9,53	10,03
19A. Courts of Law	7,78	−18	7,60	7,45	—	—	—	—	38,56	−1,00	37,56	39,60
19B. Jails	2,21	+4	2,25	1,88	—	—	—	—	9,33	+83	8,50	11,59
20. Police	16,77	—	16,77	15,58	—	—	—	—	37,36	−76	36,60	35,45
21. Marine	1,08	—	1,08	1,23	—	—	—	—	2,14	—	2,14	1,70
22. Education	3,38	—	3,38	3,23	—	—	—	—	14,23	−1,50	12,73	10,99
24. Medical	3,06	—	3,06	3,25	—	—	—	—	7,34	−10	7,24	7,74
25. Political	85	—	85	84	—	—	—	—	77	—	77	80
26. Scientific, &c., Departments ..	56	—	56	53	—	—	—	—	3,44	−65	2,79	2,05
29. Superannuation	1,50	−6	1,44	1,41	—	—	—	—	6,46	—	6,46	6,40
30. Stationery, &c.	1,27	−4	1,23	1,25	—	—	—	—	2,43	—	2,43	2,66
32. Miscellaneous	86	—	86	1,13	—	—	—	—	1,46	—	1,46	1,28
33. Famine Relief	—	—	—	—	—	—	—	—	—	—	—	81
38. State Railways, Working Expenses.	75	—	75	82	—	—	—	—	76	—	76	89
40. Subsidised Companies	12	—	12	—	—	—	—	—	—	—	—	—
41. Miscellaneous Railways, Expenditure.	—	—	—	—	—	—	—	—	—	—	—	9
43. Minor Irrigation Works ..	—	—	—	—	—	—	—	—	47	—	47	64
45. Civil Works	22,66	—	22,66	21,43	—	—	—	—	55,93	—	55,93	48,19
45A. Construction of Railways, &c.	−1	—	−1	—	—	—	—	—	4	—	4	13
Contributions to Local	3,29	—	3,29	4 34	—	—	—	—	11,92	—	11,92	12,43
	78,44	−34	78,10	76,55	—	—	—	—	2,42,20	−5,11	2,37,09	2,33,41
Net figure for special adjustments made by the Government of India and special grants sanctioned from Imperial to Provincial	—	+1,50	+1,50	+1,50	—	—	—	—	—	+3,36	+3,36	+3,36
Total Expenditure ..	78,44	+1,16	79,60	78,05	—	—	—	—	2,42,20	−1,75	2,40,45	2,36,77

BENGAL.

Provincial figures only.] REVENUE. [In thousands of Rs.

—	1904–05.				1905–06.				1906–07.			
	Local Government's Estimate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.	Local Government's Estimate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.	Local Government's Estimate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.
I.—Land Revenue	1,06,47	+ 6	1,06,53	1,06,96	—	—	—	—	1,60,49	—	1,60,49	1,62,06
Do. Adjustment ..	+49,03	—	+49,03	+49,03	—	—	—	—	+10,02	—	+10,02	+10,02
IV.—Stamps	1,00,00	+1,00	1,01,00	1,04,30	—	—	—	—	69,15	+1,00	70,15	71,18
V.—Excise	71,32	+87	72,19	73,46	—	—	—	—	78,85	— 35	78,50	80,41
VI.—Provincial Rates	50,01	+24	50,25	52,04	—	—	—	—	37,00	+20	37,20	36,18
VIII.—Assessed Taxes	12,75	+12	12,87	12,58	—	—	—	—	23,25	—	23,25	24,34
IX.—Forest	3,00	— 12	2,88	2,92	—	—	—	—	5,00	—	5,00	5,33
X.—Registration	16,50	+ 50	17,00	16,89	—	—	—	—	10,30	+ 20	10,50	12,26
XII.—Interest	3,70	— 4	3,66	2,86	—	—	—	—	3,90	— 23	3,67	2,62
XVI A.—Courts of Law	7,97	—	7,97	7,98	—	—	—	—	5,60	—	5,60	5,73
XVI B.—Jails	12,00	—	12,00	13,87	—	—	—	—	12,50	—	12,50	12,08
XVII.—Police	1,94	+11	2,05	1,86	—	—	—	—	1,67	—	1,67	1,39
XVIII.—Marine	12,66	+14	12,80	15,20	—	—	—	—	15,95	+55	16,50	15,39
XIX.—Education	7,14	+16	7,30	7,28	—	—	—	—	6,40	—	6,40	5,80
XX.—Medical	2,15	—	2,15	2,53	—	—	—	—	2,60	—	2,60	2,43
XXI.—Scientific, &c. Departments.	2,67	—	2,67	2,75	—	—	—	—	2,94	—	2,94	2,82
XXII.—Superannuation	76	+11	87	67	—	—	—	—	57	—	57	63
XXIII.—Stationery, &c.	1,41	—	1,41	1,46	—	—	—	—	1,29	—	1,29	1,35
XXV.—Miscellaneous	8,96	+17	9,13	7,91	—	—	—	—	5,76	—	5,76	6,50
XXIX.—Major Irrigation Works ..	18,77	—	18,77	20,46	—	—	—	—	20,72	—	20,72	22,98
XXX.—Minor Works	6,65	—	6,65	8,44	—	—	—	—	7,76	+5	7,81	7,79
XXXII.—Civil Works	4,59	—	4,59	6,38	—	—	—	—	4,53	—	4,53	5,01
Contributions from Local	63	—	63	70	—	—	—	—	50	—	50	2,79
	5,01,08	+3,32	5,04,40	5,18,53	—	—	—	—	4,86,75	+1,42	4,88,17	4,96,89
Net figure for special adjustments made by Government of India and special grants sanctioned from Imperial to Provincial ..	—	+3	+3	+46	—	—	—	—	—	+4,55	+4,55	+6,68
Total Revenue	5,01,08	+3,35	5,04,43	5,18,99	—	—	—	—	4,86,25	+59	4,92,72	5,03,57

EXPENDITURE.

1. Refunds and Drawbacks ..	1,26	—	1,26	1,23	—	—	—	—	1,15	—	1,15	1,17
2. Assignments	1,70	—	1,70	1,51	—	—	—	—	83	—	83	69
3. Land Revenue	44,61	— 61	44,00	42,93	—	—	—	—	37,65	—	37,65	34,91
6. Stamps	3,90	—	3,90	3,46	—	—	—	—	1,85	—	1,85	2,04
7. Excise	3,59	—	3,59	3,58	—	—	—	—	3,66	—	3,66	3,72
8. Provincial Rates	1,04	—	1,04	84	—	—	—	—	61	—	61	56
10. Assessed Taxes	41	—	41	39	—	—	—	—	72	—	72	75
11. Forest	1,90	—	1,90	1,72	—	—	—	—	3,45	—20	3,25	3,16
12. Registration	9,70	—	9,70	9,71	—	—	—	—	6,92	—	6,92	6,43
13. Interest	2,24	—1	2,23	1,96	—	—	—	—	2,61	—39	2,22	2,36
18. General Administration ..	18,56	—	18,56	19,27	—	—	—	—	17,32	—	17,32	18,41
19A. Courts of Law	1,01,50	—1,50	1,00,00	98,63	—	—	—	—	75,99	—1,99	74,00	74,10
19B. Jails	27,54	—74	26,80	25,75	—	—	—	—	22,71	—	22,71	26,63
20. Police	65,50	—	65,50	67,46	—	—	—	—	63,67	—4,00	59,67	65,06
21. Marine	17,40	—	17,40	18,46	—	—	—	—	10,97	—	10,97	11,74
22. Education	36,44	—	36,44	37,57	—	—	—	—	43,98	—2,98	41,00	38,51
24. Medical	23,98	—98	23,00	23,08	—	—	—	—	21,89	—	21,89	21,97
25. Political	23	—	23	21	—	—	—	—	10	—	10	41
26. Scientific, &c., Departments ..	6,80	—	6,80	7,90	—	—	—	—	13,06	—2,30	10,76	9,74
29. Superannuation	26,57	—	26,57	27,07	—	—	—	—	25,37	—	25,37	24,86
30. Stationery, &c.	13,83	—	13,83	11,04	—	—	—	—	10,29	—	10,29	12,85
32. Miscellaneous	2,72	—	2,72	3,43	—	—	—	—	2,77	—	2,77	3,47
33. Famine Relief	—	—	—	—	—	—	—	—	—	—	—	7,11
40. Subsidized Companies	3	—	3	4	—	—	—	—	—	—	—	—
42. Major Works	11,74	—	11,74	9,88	—	—	—	—	10,75	—	10,75	11,89
Do. Interest	24,52	—	24,52	24,52	—	—	—	—	24,52	—	24,52	21,21
43. Minor Works	13,86	—	13,86	16,93	—	—	—	—	21,95	—	21,95	19,17
45. Civil Works	50,20	—	50,20	45,57	—	—	—	—	99,55	—15,00	84,55	68,80
Contributions to Local	15,29	—	15,29	14,53	—	—	—	—	19,10	—	19,10	26,26
	5,27,06	—3,84	5,23,22	5,17,77	—	—	—	—	5,43,44	—26,86	5,16,58	5,17,98
Net figure for special adjustments made by Government of India and special grants sanctioned from Imperial to Provincial ..	—	+13,75	+13,75	+13,75	—	—	—	—	—	+4,36	+4,36	+4,36
Total Expenditure	5,27,06	+9,91	5,36,97	5,31,52	—	—	—	—	5,43,44	—22,50	5,20,94	5 22,34

UNITED PROVINCES.

Provincial figures only.] REVENUE. [In thousands of Rs.

—	1904–05.				1905–06.				1906–07			
	Local Government's Estimate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.	Local Government's Estimate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.	Local Government's Estimate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.
I.—Land Revenue	1,71,26	—	1,71,26	1,69,54	1,58,18	—	1,58,18	1,57,70	1,65,46	—	1,65,46	1,64,62
Do. Adjustment ..	+4,00	—	+4,00	+4,00	+4,02	—	+4,02	+4,91	+40,32	+1,50	+41,82	+41,82
IV.—Stamps	41,00	+1,00	42,00	42,24	43,00	+50	43,50	44,79	42,25	+1,55	43,80	45,41
V.—Excise	23,12	+1,38	24,50	25,56	26,25	—	26,25	24,94	25,25	-25	25,00	23,01
VI.—Provincial Rates	13,20	—	13,20	13,16	15,02	—	15,02	16,13	24,27	—	24,27	23,93
VIII.—Assessed Taxes	5,14	+6	5,20	5,13	5,12	—	5,12	5,19	5,12	—	5,12	5,30
IX.—Forest	5,35	—10	5,25	5,99	5,21	+54	5,75	6,08	6,03	—	6,03	6,26
X.—Registration	1,14	+2	1,16	1,14	1,19	—	1,19	1,27	1,16	+11	1,27	1,25
XII.—Interest	4,07	—	4,07	3,50	4,11	—	4,11	4,08	4,94	—	4,94	5,49
XVIA.—Courts of Law	4,88	—	4,88	4,81	5,00	—	5,00	5,23	4,92	+8	5,00	5,02
XVIB.—Jails	3,74	—	3,74	3,40	3,80	—	3,80	3,59	3,68	-13	3,55	3,66
XVII.—Police	1,39	—	1,39	1,59	2,49	—	2,49	2,56	1,00	—	1,00	1,06
XIX.—Education	1,25	—	1,25	1,38	1,39	—	1,39	1,46	1,46	—	1,46	2,29
XX.—Medical	35	—	35	41	38	+2	40	44	30	—	30	29
XXI.—Scientific, &c., Departments.	1,03	+3	1,06	91	1,36	—	1,36	1,74	1,05	—	1,05	1,41
XXII.—Superannuation	23	—	23	23	21	—	21	63	74	—	74	76
XXIII.—Stationery, &c.	1,37	+7	1,44	1,59	1,51	—	1,51	1,90	1,67	+8	1,75	1,24
XXV.—Miscellaneous	2,16	—	2,16	3,14	2,45	—	2,45	3,75	2,77	—	2,77	2,20
XXIX—Major Irrigation Works..	79,00	—	79,00	84,21	76,30	+12	76,42	69,15	88,90	—	88,90	1,04,87
XXX.—Minor Works	2,20	—	2,20	2,55	1,70	—	1,70	1,73	2,39	—	2,39	2.50
XXXII.—Civil Works	2,71	—	2,71	3,21	3,01	—	3,01	3,16	3,09	—	3,09	3,09
Contributions from Local	2,92	—	2,92	2,50	2,57	—	2,57	76	—	—	—	7
	3,71,51	+2,46	3,73,97	3,80,19	3,64,27	+1,18	3,65,45	3,61,19	4,26,77	+2,94	4,29,71	4,45,05
Net figure for special adjustments made by the Government of India and special grants sanctioned from Imperial to Provincial	—	-1,50	-1,50	-11	—	+20,16	+24,47	+20.16	—	+11,08	+11,08	+37,62
Total Revenue	3,71,51	+96	3,72,47	3,80,08	3,64,27	+21,34	3,85,61	3,85,66	4,26,77	+14,02	4,40,79	4,82,67

EXPENDITURE.

1. Refunds and Drawbacks ..	71	—	71	64	71	—	71	75	74	—	74	87
2. Assignments, &c.	2,54	—	2,54	2,44	2,54	—	2,54	2,46	76	—	76	73
3. Land Revenue	27,34	—	27,34	25,90	28,22	-70	27,52	26,89	27,99	-20	27,79	26,70
6. Stamps	1,14	—	1,14	1,17	1,27	—	1,27	1,23	1,24	—	1.24	1,14
7. Excise	27	—	27	23	27	—	27	24	25	—	25	25
8. Provincial Rates	3	—	3	—	—	—	—	—	—	—	—	—
11. Forest	3,25	—	3.25	3,48	3,28	—	3,28	3,51	3,48	—	3,48	3,25
12. Registration	57	—	57	58	60	—	60	62	60	—	60	63
13. Interest	3,54	-7	3,47	3,36	3,62	—	3,62	3,77	4,74	-8	4,66	4,87
18. General Administration	14,82	—	14,82	14,55	15,63	—	15,63	16,43	15,94	—	15,94	16,42
19A. Courts of Law	56,40	—	56,40	55,31	56,55	-44	56,11	55,76	57,66	-45.	57,21	57,74
19B. Jails	16,41	-91	15,50	14,54	16,00	—	16,00	16,76	17,55	—	17,55	18,31
29. Police	56,59	—	56,59	52,85	57,99	—	57,99	55,97	89,19	-2,00	87,19	88,01
22. Education	13,62	-1,00	12,62	11,68	12,43	—	12,43	7,87	17,75	+	17,75	21,57
24. Medical	11,12	-30	10,82	8,87	11,50	-50	11,00	9,81	10,50	-20	10,30	10,54
25. Political	6	—	6	4	6	—	6	9	6	—	6	75
26. Scientific, &c., Departments ..	2,98	—	2,98	3,57	3,89	—	3,89	4,90	8,87	—1,00	7,87	6,28
29. Superannuation	24,26	—	24,26	24,77	25,66	—	25,66	25,39	26,61	—	26,61	26,19
30. Stationery, &c.	8,42	—	8,42	7,70	8,88	—	8,88	7.45	8,53	—	8,53	7,78
32. Miscellaneous	1,08	—	1,08	88	1,04	—	1,04	99	1,05	—	1,05	1,06
33. Famine Relief	—	—	—	—	—	—	—	8,94	20,00	—	20,00	19,28
40. Subsidized Companies	1,40	—	1,40	—	1,40	—	1,40	99	1,50	—	1,50	86
42. Major Works	29,44	—	29,44	30,68	29,44	—	29,44	30,04	30,35	—	30,35	32,65
Do Interest	33,48	—	33,48	33,27	33,90	—	33,90	33,65	34,19	—	34,19	29,48
43. Minor Works	5,05	—	5,05	5,53	6,05	—	6,05	6,01	6,37	—	6,37	7,11
45. Civil Works	59,23	—	59,23	59,16	45,71	—	45,71	50,31	49,41	—	49,41	54,39
Contributions to Local	22,60	—	22,60	24,58	22,48	+2,30	24,78	24,83	26,95	+1,69	28,64	29,14
	3,96,35	-2,28	3,94,07	3,85,78	3,89,12	+66	3,89,78	3,95,66	4,62,28	-2,24	4,60,04	4,66,01
Net figure for special adjustments made by Government of India and special grants sanctioned from Imperial to Provincial ..	—	+3,00	+3,00	+3,00	—	+20,50	+20,50	+18,80	—	+8,70	+8,70	+8,70
Total Expenditure	3,96,35	+72	3,97,07	3,88,78	3,89,12	+21,16	4,10,28	4,14,46	4,62,28	+6,46	4,68,74	4,74,71

PUNJAB.

Provincial figures only.] REVENUE. [In thousands of Rs.

—	1904-05.				1905-06.				1906-07.			
	Local Government's Estimate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.	Local Government's Estimate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.	Local Government's Estimate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.
I.—Land Revenue	1,01,78	+80	1,02,58	1,05,57	95,62	—	95,62	90,57	98,24	—	98,24	1,01,98
Do. Adjustment ..	+8,03	—	+8,03	+8,03	+3,04	—	+3,04	+8,06	+27,23	—	+27,23	+27,23
IV.—Stamps	30,75	—	30,75	30,27	21,34	-34	21,00	19,60	17,69	+1,44	19,13	20,24
V.—Excise	7,21	—	7,21	7,91	15,50	+75	16,25	17,83	18,07	+43	18,50	19,95
VI.—Provincial rates	6,04	+25	6,29	6.53	6,81	—	6,81	5,90	19	—	19	94
VIII.—Assessed taxes	5,75	+25	6,00	6,10	6,25	—	6,25	6,19	6,23	+10	6,33	6,66
IX.—Forest	7,84	+16	8,00	9,37	7,53	+1,47	9,00	8,91	8,62	+48	9,10	6,66
X.—Registration	1,17	—	1,17	1,16	2,60	—	2,60	2,59	2,46	+4	2,50	2,73
XII.—Interest	2,65	—	2,65	2,68	2,68	—	2,68	2,79	2.65	—	2,65	3,06
XVIA.—Courts of Law	3,06	+14	3,20	3,35	3,34	—	3,34	3,44	3,34	+4	3,38	3,64
XVIB.—Jails	1,59	—	1,59	1,80	1,67	—	1,67	1,86	1,78	+22	2,00	3,64
XVII.—Police	6,49	+11	6,60	6,76	6,56	—	6,56	6,17	5,77	+24	6,01	6,09
XIX.—Education	1,32	—	1,32	82	1,93	—	1,93	2.34	2,14	+10	2,24	2,44
XX.—Medical	40	+3	43	50	46	—	46	54	44	—	44	55
XXI.—Scientific, &c., Departments.	36	—	36	43	42	—	42	47	53	—	53	63
XXII.—Superannuation	75	—	75	66	63	—	63	52	54	—	54	61
XXIII.—Stationery, &c.	84	—	84	92	85	—	85	85	82	—	82	97
XXV.—Miscellaneous	1,60	+15	1,75	2,43	2,31	-18	2,13	2,31	2,27	—	2,27	2,06
XXIX.—Major Works	—	—	—	—	65.82	+23	66,05	62,80	69,83	—	69,83	74,77
XXX.—Minor Works	59	—	59	59	52	—	52	47	56	—	56	56
XXXII.—Civil Works	2,62	+12	2,74	3,78	2,85	—	2,85	3,13	3,16	—	3 16	3,63
Contributions from Local	7,42	—	7,42	7,85	10,04	—	10,04	10,00	—	—	—	—
	1,98,26	+2,01	2,00,27	2,07,50	2,58,77	+1,93	2,60,70	2,57,34	2,72,56	+3,09	2,75,65	2,83 99
Net figure for special adjustments made by Government of India and special grants sanctioned from Imperial to Provincial ..	—	+20,42	+20,42	+62,31	—	+14,50	+14,50	+20,08	—	+20,69	+20,69	+23,05
Total Revenue	1,98 26	+22.43	2,20,69	2,69,81	2,58,77	+16,43	2,75,20	2,77,42	2,72,56	+23,78	2,96.34	3,07,04

EXPENDITURE.

1. Refunds and Drawbacks ..	61	—	61	63	49	—	49	50	49	—	49	50
2. Assignments, &c	—	—	—	—	—	—	—	—	32	—	32	33
3. Land Revenue	31,72	-1,10	30,62	30,86	35,06	-1,00	34,06	32,43	33,38	-1,00	32,38	32,28
6. Stamps	1,35	—	1,35	1,28	88	—	88	70	68	—	68	75
7. Excise	17	—	17	16	41	-3	38	39	39	—	39	35
10. Assessed taxes	6	—	6	7	8	—	8	5	7	—	7	5
11. Forest	5,33	—	5,33	5,06	5,35	—	5,35	6,32	6,18	-18	6,00	5,72
12. Registration	50	—	50	47	1,04	+2	1,06	97	1,13	-8	1,05	1,10
13. Interest	2,53	-11	2,42	2,24	2,39	-4	2,35	2,39	2,76	-19	2,57	2,47
15. Post Office	1 49	—	1,49	1,45	—	—	—	—	—	—	—	—
18. General Administration ..	9,76	—	9,76	10.06	10,52	—	10,52	11,16	10,18	—	10,18	10,40
19A. Courts of Law	34,19	-19	34,00	34,30	36,56	-56	36,00	36,64	37,64	—	37,64	38,59
19B. Jails	11,88	-63	11,25	9,50	11,31	-31	11,00	10,37	11,68	-93	10,75	10,50
20. Police	36,90	-17	36,73	37,58	37,80	—	37,80	37,88	51,09	-3,38	47,71	44,31
22. Education	13,30	-1,04	12,26	12,39	16,24	-1,50	14,74	15,32	18,13	-63	17,50	18,02
24. Medical	12,35	-50	11,85	10,94	12,05	-13	11,92	11,61	14,08	-1,08	13,00	11,84
26. Scientific, &c., Departments ..	2,46	-22	2,24	2,38	2,24	—	2,24	3,01	3,85	-25	3,60	4,07
29. Superannuation	13,72	—	13,72	13,98	14,49	—	14,49	14,52	15,11	-13	14,98	14,74
30. Stationery, &c.	5,11	—	5,11	4,84	5,31	—	5,31	5,15	5,24	—	5 24	6,03
32. Miscellaneous .. .	71	—	71	1,01	58	—	58	2,45	78	—	78	1,12
33. Famine Relief	—	—	—	-3	—	—	—	5	2,36	—	2,36	94
42. Major Works	—	—	—	—	20,44	—	20.44	23,39	21,83	—	21,83	24,91
Do. Interest	—	—	—	—	16,08	—	16,08	15,93	16,63	—	16,63	14,60
43. Minor Works	51	—	51	68	55	—	55	97	51	—	51	61
45. Civil Works	40,00	—	40,00	20,02	67,59	-25	67,34	53,04	61,89	—	61,89	65,03
Contributions to Local	—	—	—	—	1,39	—	1,39	5,25	2,01	—	2,01	67
	2,24,65	-3,96	2,20,69	1,99,87	2,98,85	-3.80	2,95.05	2,90,49	3,18,41	-7,85	3,10,50	3,09,73
Net figure for special adjustments made by Government of India and special grants sanctioned from Imperial to Provincial ..	—	+22,00	+22,00	+23,00	—	+14,50	+14,50	+14,89	—	+11,25	+11,25	+3,91
Total Expenditure	2.24,65	+18,04	2,42,69	2,21,87	2,98,85	+10,70	3,09,55	3,05,38	3,18,41	+3,40	3,21,81	3,13,64

MADRAS.

Provincial figures only.] REVENUE. [In thousands of Rs.

	1904-05.				1905-06.				1906-07.			
	Local Government's Estimate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.	Local Government's Estimate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.	Local Government's Estimate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.
I.—Land Revenue	1,47,55	+1,16	1,48,71	1,39,30	1,52,03	-73	1,51,30	1,46,42	1,55,52	-1,25	1,54,27	1,57,22
Do. Adjustment	+59,66	—	+59,66	+59,66	+66,75	—	+66,75	+66,75	+1,05,77	—	+1,05,77	+1,05,77
IV.—Stamps	41,25	+1,25	42,50	44,22	43,00	+85	43,85	46,94	45,75	+50	46,25	+47,76
V.—Excise	40,00	+4,12	44,12	46,88	44,87	+88	45,75	47,78	47,00	+1,25	48,25	51,40
VIII.—Assessed taxes	5,94	+31	6,25	6,33	6.38	+12	6,50	6,51	6,70	+5	6,75	6.88
IX.—Forest	6,76	-1	6,75	7,07	7,10	—	7,10	7,42	7,72	—	7,72	8,23
X.—Registration	15,30	+30	15,60	16,08	15,45	+35	15,80	16,69	15,50	+50	16,00	17,44
XII.—Interest	2,35	—	2,35	2,27	2,38	—	2,38	2,32	3,20	—	3,20	2,59
XVIA.—Courts of Law	7,77	—	7,77	7,47	8,16	+9	8,25	7,76	7,80	—	7,80	7,31
XVIB.—Jails	5,45	—	5,45	5,66	5,27	—	5,27	5,39	5,40	+20	5,60	5,19
XVII.—Police	5,77	+13	5,90	5,06	4,95	—	4,95	4,78	4,61	—	4,61	4,27
XIX.—Education	2,15	+10	2,25	2,31	2,32	—	2,32	2,29	2,38	—	2,38	2,28
XX.—Medical	1,14	—	1,14	1,30	1,21	—	1,21	1,14	1,26	—	1,26	1,26
XXI.—Scientific, &c., Departments.	4,72	+18	4,90	5,27	4,91	—	4,91	4,28	5,09	-50	4,59	4,31
XXII.—Superannuation	72	—	72	45	43	—	43	44	38	—	38	35
XXIII.—Stationery, &c.	93	—	93	93	91	—	91	96	95	—	95	1,02
XXV.—Miscellaneous	2,35	—	2,35	2,79	2,46	—	2,46	2,56	2,46	—	2,46	2,31
XXX.—Minor Irrigation	1,36	—	1,36	1,68	1,65	—	1,65	1,75	1,61	—	1,61	1,68
XXXII.—Civil Works	1,89	—	1,89	1,72	1,87	—	1,87	1,78	1,73	—	1,73	1,92
Contributions from Local	3.05	—	3,05	3.53	3,96	—	3,96	4,72	5,36	—	5,36	4,87
	3,56,11	+7,54	3,63,65	3.59,98	3,76,06	+1,56	3,77,62	3,78,68	4,26,19	+75	4,26,94	4,34,06
Net figure for special adjustments made by Government of India and special grants sanctioned from Imperial to Provincial	—	—	—	+7,24	—	+30,00	+30,00	+38,87	—	+51,16	+51,16	+56,68
Total Revenue	3,56,11	+7,54	3,63,65	3,67,22	3,76,06	+31,56	4,07,62	4,17,55	4,26,19	+51,91	4,78,10	4,90,74

EXPENDITURE.

1. Refunds and Drawbacks	96	-8	88	94	96	—	96	1,07	96	—	96	96
2. Assignments	—	—	—	—	—	—	—	—	1,26	—	1,26	1,22
3. Land Revenue	60,99	-3,03	57,96	54,11	61,35	-75	60,60	60,15	60,40	—	60,40	60,85
6. Stamps	1,65	—	1,65	1,76	1,80	—	1,80	1,89	1,83	—	1,83	1,89
7. Excise	2,54	—	2,54	2,50	2,56	-3	2,53	2,55	2,59	-2	2,57	2,52
10. Assessed Taxes	7	—	7	7	8	—	8	8	8	—	8	8
11. Forest	5,29	-16	5,13	4,97	5,78	-27	5,51	5,67	6,57	-20	6,37	6,20
12. Registration	9,20	—	9,20	9,23	9,46	—	9,46	9,47	9,54	—	9,54	9,72
13. Interest	2.00	-5	1,95	1,83	2,42	-30	2,12	2,02	2,94	-33	2,61	2,04
18. General Administration	10,46	-22	10,24	10,74	10,53	—	10,53	11,60	10,77	—	10,77	10,97
19A. Courts of Law	50,29	-69	49,60	49,40	49,99	—	49,99	49,51	49,87	—	49,87	50,36
19B. Jails	13.01	—	13,01	12,64	12,66	—	12,66	13,37	13.15	+15	13,30	14,02
20. Police	50.91	-38	50,53	51,37	51,42	—	51,42	41,48	66,10	-4,10	62,00	56,67
21. Marine	16	—	16	14	16	—	16	15	16	—	16	16
22. Education	24,00	—	24,00	21,88	24,33	-55	23,78	23,18	33,03	-3,00	30,03	22,83
24. Medical	15,00	-62	14,38	15,50	16,19	—	16,19	15,64	16,68	—	16,68	16,37
25. Political	79	—	79	80	79	—	79	76	77	—	77	88
26. Scientific, &c., Departments	8,21	-40	7,84	7,68	9,35	—	9,35	8,95	11,44	-1,72	9,72	7,74
29. Superannuation	18,39	+41	18,80	19,53	19,70	+24	19,94	20,69	21,62	—	21,62	21,26
30. Stationery, &c.	10,68	-1	10,67	11,46	11,81	—	11,81	12,31	12,05	—	12,05	12,62
32. Miscellaneous	2,07	—	2,07	3,41	2,42	—	2,42	3,25	2,44	—	2,44	2,74
33. Famine Relief	—	—	—	—	15,00	—	15,00	97	10,00	-7,00	3,00	—
43. Minor Irrigation	41,80	—	41,80	48,01	44,00	—	44,00	48,73	41,25	—	41,25	42,42
45. Civil Works	36,72	—	36,72	26,69	50,07	—	50,07	43,58	54,88	—	54,88	49,79
Contributions to Local	7,18	—	7,18	7,33	6,04	—	6,04	6,32	20,18	—	20,18	27,58
	3,72,40	-5,23	3,67,17	3,61,99	4,08,87	-1,66	4,07,21	3,83,39	4,50,56	-16,22	4,34,34	4 21,89
Net figure for special adjustments made by Government of India and special grants sanctioned from Imperial to Provincial	—	+13,00	+13,00	+19,26	—	+30,68	+30,68	+31,96	—	+56,67	+56,67	+56,67
Total Expenditure	3,72 40	+7,77	3,80,17	3,81,25	4.08,87	+29 02	4,37,89	4,15.35	4,50,56	+40,45	4,91,01	4,78,56

BOMBAY.

Provincial figures only.] REVENUE. [In thousands of Rs.

—	1904–05.				1905–06.				1906–07.			
	Local Government's Estimate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.	Local Government's Estimate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.	Local Government's Estimate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.
I.—Land Revenue	1,95,18	—	1,95,18	1,75,92	2,84,72	—	2,84,72	2,67,75	2,86,64	-4,75	2,81,89	2,98,34
Do. Adjustment ..	+92,68	—	+92,68	+92,68	+43,58	—	+43,58	+55,70	+60,41	—	+60,41	+60,41
III.—Salt	90	—	90	1,28	—	—	—	—	—	—	—	—
IV.—Stamps	45,75	+38	46,13	48,08	30,85	+65	31,50	32,40	31,50	-50	31,00	29,66
V.—Excise..	28,50	+1,50	30,00	34,91	65,50	—	65,50	71,34	72,25	—	72,25	74,18
VII.—Customs	98	—	98	94	—	—	—	—	—	—	—	—
VIII.—Assessed Taxes	16,89	+1,53	18,42	18,19	17,89	+27	18,16	18,85	19,50	+6	19,56	23,10
IX.—Forest	12,65	—	12,65	15,10	14,00	—	14,00	17,42	14,28	+72	15,00	17,11
X.—Registration	2,80	—	2 80	2,98	5,95	—	5,95	6,74	6,40	+15	6,55	6,55
XII.—Interest	5,56	—	5,56	5,40	5,90	—	5,90	4,70	5,61	—	5,61	5,38
XVIA.—Courts of Law	3,90	—	3,90	4,35	4,36	—	4,36	4,78	4,80	+20	5,00	5,08
XVIB.—Jails	2,25	—	2,25	1,93	2,35	—	2,35	1,92	2,07	—	2,07	2,21
XVII.—Police	4,20	—	4,20	4,91	4,14	+16	4,30	4,13	3,71	+16	3,87	4,46
XVIII.—Marine	67	—	67	81	77	+3	80	79	83	—	83	84
XIX.—Education	3,06	—	3,06	3,20	3,22	—	3,22	3,57	3,38	+46	3,84	3.73
XX.—Medical	2,17	—	2,17	2,14	2,11	—	2,11	2,20	2,10	+10	2,20	2,23
XXI.—Scientific, etc., Departments.	26	—	26	26	36	—	36	50	45	+5	50	53
XXII.—Superannuation	1,90	—	1.90	1,98	2,08	—	2,08	2,06	2,10	—	2,10	2,06
XXIII.—Stationery, etc.	68	—	68	86	73	+3	76	84	81	—	81	79
XXV.—Miscellaneous	66	—	66	95	58	—	58	1,00	1,10	—	1,10	61
XXIX.—Major Works	—	—	—	—	5,29	—	5,29	5,10	4,72	—	4,72	4,60
XXX.—Minor Works	45	—	45	34	1,45	—	1,45	1,57	1,43	—	1.43	1,51
XXXII.—Civil Works	6,36	—	6,36	6,53	6,04	—	6,04	6,68	6,23	—	6,23	7,38
Contributions from Local	1,07	—	1,07	41	38	—	38	42	61	—	61	53
	4,29,52	+3,41	4,32,93	4,24,15	5,02,25	+1,14	5,03,39	5,10,46	5,30,93	-3,35	5,27,58	5,51,29
Net figures for special adjustments made by the Government of India and special grants sanctioned from Imperial to Provincial	—	+29,57	+29,57	+86,55	—	+16,94	+16,94	+14,18	—	+8,60	+8,60	+19,34
Total Revenue	4,29,52	+32,98	4,62,50	5,10,70	5,02,25	+18,08	5,20,33	5,24,64	5,30,93	+5,25	5,36,18	5,70,63

EXPENDITURE.

1. Refunds and Drawbacks ..	1,81	—	1,81	1,99	2,39	—	2,39	2,99	2,53	—	2,53	2,56
2. Assignments, etc.	99,26	—	99,26	94,59	96,83	—	96,83	94,97	88,38	—	88,38	87,69
3. Land Revenue	66,90	—	66,90	69,12	70,00	-32	69,68	69,28	72,83	-61	72,22	69,99
6. Stamps	1,77	—	1,77	1,76	1,31	—	1,31	1,19	1,30	—	1,30	1,05
7. Excise	1,25	-6	1,19	1,18	3,19	-31	2,88	2,61	2,80	—	2,80	2,69
10. Assessed Taxes	36	—	36	39	40	—	40	39	40	—	40	42
11. Forest	9,40	—	9,40	9,52	9,97	-27	9,70	10,63	9,86	—	9,86	9,95
12. Registration	1,41	—	1,41	1,42	3,16	-6	3,10	3,09	3,09	—	3,09	3,12
13. Interest	6,84	-8	6,76	6,19	6,25	-24	6,01	6,11	6,53	-17	6,36	6,30
15. Post Office	1,03	—	1,03	1,03	—	—	—	—	—	—	—	—
18. General Administration ..	14,74	—	14,74	14,65	14,78	--	14,78	15,43	15.19	—	15,19	14,57
19A. Courts of Law	47,92	+40	48,32	49,20	49,54	-4	49,50	50,00	51,00	—	51,00	50,92
19B. Jails	8,24	—	8,24	7,74	8,34	-9	8,25	8,26	8,37	—	8,37	8,93
20. Police	64,42	—	64,42	63,25	64,66	-26	64,40	59,79	68,37	-81	67,56	68,53
21. Marine	40	—	40	45	44	—	44	41	43	—	43	45
22. Education	23,45	—	23,45	22,93	24,00	—	24,00	19,35	31,57	-2.67	28,90	26,96
24. Medical	23,88	-1,00	22,88	20,74	23,57	-67	22,90	22,04	23,61	-10	23,51	22,02
25. Political	4,22	—	4,22	3,75	4,33	—	4,33	3,94	4,32	—	4,32	4,29
26. Scientific, etc., Departments ..	2,96	—	2,96	2,94	4,25	-25	4,00	6,95	4,86	—	4,86	5,29
29. Superannuation	22,90	—	22,90	23,45	24,00	—	24,00	24,08	24,85	—	24,85	25,09
30. Stationery, etc, ...	11,35	—	11,35	11,16	11,17	—	11,17	10,60	10,85	—	10,85	11,74
32. Miscellaneous	2,73	—	2,73	2,50	2,72	—	2,72	2,89	2,47	—	2,47	3,58
33. Famine Relief	—	—	—	28	16,76	—	16,76	2,63	42,00	—	42,00	9,38
42. Major Works	—	—	—	—	5,20	—	5,20	5,32	5,21	—	5,21	5,13
Do. Interest	—	—	—	—	8,97	—	8,97	8,94	9,08	—	9,08	7,86
43. Minor Works	15	—	15	11	16,00	—	16,00	15.64	17.29	—	17,29	13,79
45. Civil Works	45,50	—	45,50	43,03	53,45	—	53,45	56,07	48,53	—	48,53	62,53
Contributions to Local	10,12	—	10,12	10,37	10,50	—	10.50	12,78	20,50	—	20,50	20,71
	4,73,01	-74	4,72,27	4,63,74	5,36,18	-2,51	5,33,67	5,15,38	5,76,22	-4,36	5,71,86	5.45,54
Net figures for special adjustments made by the Government of India and special grants sanctioned from Imperial to Provincial	—	+3,00	+3,00	+3,00	—	+17.10	+17,10	+9,69	—	+7,57	+7,57	+7,57
Total Expenditure	4,73,01	+2,26	4,75,27	4,66.74	5,36.18	+14,59	5,50,77	5,25,07	5,76,22	+3,21	5,79,43	5,53,11

APPENDIX VIII.

List of applications made by Local Governments for additional expenditure grants, during 1903–04 *to* 1907–08, *(filed by Mr. J. S. Meston,* vide *Q.* 44864).

Year.	Province.	Nature of application.	Whether necessary or not.
		Rs.	
1903–04	Central Provinces	11,00,000 for writing off agricultural loans (mostly famine) which were found to be irrecoverable.	Necessary.
	Do. ...	87,000 for forest expenditure	Do.
	Do. ...	75,480 in connection with the amalgamation of Berar.	Do.
	Burma	6,00,000 for special expenditure on "Civil Works."	Unnecessary; actuals fell short of budget by 9 lakhs.
1904–05	Do.	39,00,000 for special expenditure on "Civil Works."	Unnecessary; actuals fell short of budget by over 8 lakhs.
	Assam	8,150 for forests	Unnecessary; actuals fell short of budget by 1½ lakhs.
	United Provinces...	25,000 for forests	Unnecessary; actuals in defect by 8 lakhs.
	Bombay	62,500 for forests, and Rs. 50,000 for "Civil Works" in connection with famine.	Unnecessary; defect of about 8 lakhs.
1905–06	Assam	1,50,000 for "Civil Works"	...
	United Provinces...	7,75,000 for famine relief	Necessary.
	Bombay	83,325 for forests	Unnecessary; defect of over 25 lakhs.
1906–07	Bengal	1,65,000 for general purposes	Unnecessary; defect of about 5 lakhs.
	Do.	12,500 for forests	
	United Provinces...	9,86,000 for expenditure against a windfall in the shape of the balances of an abolished local fund which lapsed to the Local Government.	Necessary.
	Punjab	50,000 for forests	Do.
1907–08	Central Provinces...	1,68,577 for the purchase of stores belonging to a colliery taken over by Local Government.	Not known yet.
	Do. ...	10,00,000 in connection with famine	Do.
	United Provinces...	2,00,000 in connection with plague	Do.

APPENDIX IX.

(*Filed by Sir H. Risley,* vide *Q.* 45389.)

Extract from the despatch accompanying the Government of India Act, 1833, from the Court of Directors to the Government of India, No. 44, dated the 10th December 1834.

* * * * * *

"76. We have now completed all that we deem it necessary to say at present regarding the legislation to be exercised and the laws to be made in India. We will proceed to consider the new relation in which you will be placed with reference to the subordinate Governments, not by means of your legislative supremacy, but in other respects.

"77. The words of the 39th clause are very comprehensive: 'The superintendence, direction, and control of the whole civil and military government of all the said territories and revenues in India shall be vested in the said Governor-General in Council.'

"78. The powers here conveyed, when the words are interpreted in all their latitude, include the whole powers of Government. And it is of infinite importance than you should well consider and understand the extent of the responsibility thus imposed upon you. The whole civil and military Government of India is in your hands, and for what is good or evil in the administration of it, the honour or dishonour will redound upon you.

"79. With respect to the exercise of your legislative powers in the several Presidencies, what we have adduced of a general nature on that subject will, for the present, suffice.

"80. With respect to the other powers which you are called upon to exercise, it will be incumbent upon you to draw, with much discrimination and reflection, the correct line between the functions which properly belong to a local and subordinate Government and those which belong to the general Government ruling over, and superintending, the whole.

"81. When this line is improperly drawn, the consequence is either that the general Government interferes with the province of the local Government, and enters into details which it cannot manage, and which preclude its consideration of more important objects; or that it withdraws its attention from the evidence of many things which may be right or wrong in the general course of the local administration, and thus partially deprives the State of the benefit of its superintendence and control.

"82. It is true that the former Acts of Parliament which made the local Government of Bengal a supreme Government gave the Governor-General in Council a control and superintendence over the other Presidencies as complete and paramount as it was possible for language to convey, and this we must assume to have been the intention of the Legislature. In practice, however, the Supreme Government made little exercise of its superintending authority, and the result has been that even that little exercise of it has been generally made when it was too late to be made with real effect, namely, after the subordinate Government has taken its course; thus losing the character of control and responsibility, and retaining only that of *ex post facto* intervention—a sort of intervention always invidious, and in most cases nothing but invidious, because what was already done, however open to censure, was beyond the reach of recall or correction.

"83. It is evidently the object of the present Act to carry into effect that intention of the Legislature to which we have alluded. Invested as you are with all the powers of Government over all parts of India, and responsible for good government in them all, you are to consider to what extent, and in what particulars, the powers of Government can be best exercised by the local authorities, and to what extent, and in what particulars, they are likely to be best exercised when retained in your own hands. With respect to that

portion of the business of Government which you fully confide to the local authorities, and with which a minute interference on your part would not be beneficial, it will be your duty to have always before you evidence sufficient to enable you to judge if the course of things in general is good, and to pay such vigilant attention to that evidence as will ensure your prompt interposition whenever anything occurs which demands it.

"84. In general it is to be recollected that in all cases where there are gradations of authority the right working of the system must very much depend on the wisdom and moderation of the supreme authority and also of the subordinate authorities. This is especially true of a system so peculiar as that of our Indian Empire. It was impossible for the Legislature, and it is equally so for us in our instructions, to define the exact limits between a just control and a petty, vexatious, meddling interference. We rely on the practical good sense of our Governor-General in Council, and of our other governors, for carrying the law into effect in a manner consonant with its spirit, and we see no reason to doubt the possibility of preserving to every subordinate Government its due rank and power, without impairing or neutralizing that of the highest.

"85. The subordinate Governments will correspond directly with us as formerly, but we think that you should immediately receive copies of all their more important letters to us, both as part of the evidence of their proceedings which you should have before you, and that we may have the benefit of the observations which you may have to make, and which we desire that you will always despatch to us with the smallest possible delay.

"86. It will be for you to determine what part of their records, or what other documents, it will be necessary for you regularly to receive as evidence of the general proceedings of the subordinate Governments, and as an index to the other documents which you will have occasion to call for when anything occurs which you desire to investigate."

Extract from the despatch from the Court of Directors to the Government of India, No. 3, dated the 28th March 1838.

"By the 65th clause of the Act 3 and 4 Wm. IV., Cap 85, the Governor-General in Council is invested with full power to superintend and control the subordinate Governments in all points relating to the Civil and Military Administration of their respective Presidencies, and those Governments are required to obey the orders and instructions of the Governor-General in Council in all cases whatsoever, and, in order to enable you to exercise with effect the control and superintendence thus devolved on you, the subordinate Governments are required by the 68th section to transmit regularly to the Governor-General in Council true and exact copies of all the Orders and Acts of their respective Governments, and to give intelligence of all transactions which they may deem material to be communicated, or as the Governor-General in Council shall from time to time require. Although a minute interference on your part in the details of the local administration of the subordinate Presidencies is neither desirable nor practicable, yet we should hold you but ill acquitted towards those whose interests are committed to your charge, if you should allow to pass without comment and, if necessary, without effective interference, any measures having, in your opinion, an injurious tendency either to one Presidency or to the Empire at large."

Home Department letter to the Governments of Madras and Bombay, Nos. 2546–2547, dated the 17th June 1872.

The correspondence noted below* having been referred to Her Majesty's Secretary of State for India for consideration, I have now to communicate his orders as follows. The Duke of Argyll deems the statement of the existing law and practice contained in paragraphs 2, 3, 6 and 7 of my letter No. 3685–6, dated 6th August 1870 (which for convenience are extracted below), to be correct. Under those statutes and orders the Governments of Madras and Bombay are precluded from corresponding directly with Her Majesty's Government upon the subjects of the creation of new offices and the grant of salaries, gratuities, and allowances; and His Grace desires that all correspondence on those subjects, and, by consequence, on all modifications of existing orders on those subjects, shall proceed through the Government of India. With regard to other subjects, His Grace directs that all references by the Governments of Madras and Bombay to the Secretary of State on important questions of general principle relating to the army and the relations of the Government with Foreign Princes and States, shall be made through the Government of India.

His Grace does not deem it advisable to lay down any new rule as to correspondence upon other questions, because to do so might tend to impair the authority of the Governors of Madras and Bombay; but His Grace entertains no doubt that on every subject of real importance a reference would in the first instance be made to the Government of India, and he observes that if it were not, Her Majesty's Government would pronounce no decision without previously obtaining an expression of the opinion of the Governor-General in Council.

2. These orders dispose of all questions as to the mode of conducting the ordinary correspondence between the Governments of Madras and Bombay and the Secretary of State. If, however, the Government of Madras or Bombay should be unable to acquiesce in a decision pronounced by the Government of India, and should desire to refer the matter for the final orders of Her Majesty's Government, the following procedure is to be observed. The Local Government should not only move the Supreme Government to refer the point at issue to Her Majesty's Government, but should state its views fully in a despatch, and should send that despatch through the Government of India to the Secretary of State. The Supreme Government will, in transmitting such despatch, have an opportunity of explaining, simultaneously with the transmission of the appeal, the reasons which have led to the decision impugned. This course should not, however, be regarded as precluding the Local Government from sending a copy of its despatch direct to the Secretary of State, if it so chooses; but the fact that the appeal has also been sent through the Government of India should invariably be stated.

3. His Excellency the Governor-General in Council, in communicating this decision of Her Majesty's Government, desires to express a confident hope that a close adherence to the rules now laid down will obviate any possibility of a misunderstanding as to the relative position of the Supreme Government and of the Governments of Madras and Bombay in regard to correspondence with Her Majesty's Secretary of State.

Extract paragraphs 2, 3, 6 and 7, from the Home Department letter No. 3685–6, dated the 6th August 1870.

Paragraph 2.—The Statute 3 and 4 William IV., Cap 85, section 59, expressly precluded the Governments of Madras and Bombay from making any new office, or granting any salary, gratuity, or allowance, without the previous sanction of the Governor-General in Council; and when the late Honourable Court of Directors in the 85th paragraph of their despatch to the Government of India (Public), No. 44, dated 10th December 1834, authorised the Governments of Madras and Bombay to correspond direct with the Court, the authority was evidently granted subject to the above proviso.

3. The Statute 33 Geo. III., Cap. 52, section 22, authorised any of the Governments or Presidencies in India to address the Secret Committee of the Court of Directors, and the Statute 21 and 22 Victoria, Chapter 106, section 19, enacted that "all despatches from Governments and Presidencies in India, and other despatches from India, which, if this Act had not been passed, should have been addressed to the Court of Directors or to their Secret Committee, shall be addressed to the Secretary of State." Again, in section 28 of the same Statute, the word "Authorities" (not authority) is used to indicate the Governments in India who may send despatches to England, marked "Secret."

* For Madras—
Letter to Government of Madras, No. 3685, dated 6th August 1870.
Letter from Government of Madras, No. 1035, dated 12th July 1871.
For Bombay—
Letter to Government of Bombay, No. 3686, dated 6th August 1870.
Letter from Government of Bombay, No. 2488, dated 15th October 1870.

6. The Statute 3 and 4 William IV., Cap. 85, section 59, as stated above, provides that no Governor or Governor in Council shall have the power of creating any new office, or granting any salary, gratuity, or allowance without the previous sanction of the Governor-General of India in Council. In many cases the Governor-General in Council has not the power of granting salaries, gratuities, or allowances without the sanction of the Secretary of State. From this it would seem to follow that in all such cases any representation to the Secretary of State should be referred by the Governments of Madras and Bombay to the Government of India in the first instance.

7. Moreover, any modifications of general rules affecting the several services in India, and any claims to pension or gratuity, leave, or allowances while on leave, otherwise than under the recognized rules, should, according to existing practice, be referred through the Government of India. The Governor-General in Council thinks it essential to maintain this rule very strictly, in order to secure the proper control of the Financial Department in matters which have obviously an important financial bearing.

The Home Department letter to the Governments of Madras and Bombay, Nos. 1190–1191, dated the 19th June 1877.

In Home Department letter No. $\frac{2546}{2547}$, dated the 17th June 1872, it was laid down that if the Government of $\frac{\text{Madras}}{\text{Bombay}}$ should be unable to acquiesce in a decision declared by the Government of India, and should desire to refer the matter for the final orders of Her Majesty's Government, the following procedure was to be observed. The Local Government should not only move the Supreme Government to refer the point at issue to Her Majesty's Government, but should state their views fully in a despatch, and should send that despatch through the Government of India to the Secretary of State. It was stated that the Supreme Government would in transmitting such despatch have an opportunity of explaining simultaneously with the transmission of the appeal the reasons which had led to the decision impugned. And it was added that this course should not be regarded as precluding the Local Government from sending a copy of their despatch direct to the Secretary of State, if they should so choose; but the fact that the appeal had also been sent through the Government of India should invariably be stated.

2. Doubts having recently been raised whether the rules then prescribed apply to cases in which the Government of $\frac{\text{Madras}}{\text{Bombay}}$ entertain objections to a law made by the Governor-General in Council, or when they forward petitions addressed to the Secretary of State for the disallowance of such a law, the Government of India have arrived at the conclusion that the same principle should apply to every case in which it is sought to modify any order issued by the Governor-General in Council, whatever the nature of that order may be.

3. I am therefore to request that in future, whenever His Excellency the Governor in Council dissents from the policy of an Act passed by the Governor-General in Council, and desires to refer the matter for the final orders of Her Majesty's Government, the Governor in Council will not only move the Government of India to refer the point at issue to Her Majesty's Government, but will state his views fully in a despatch, and send that despatch through the Government of India to the Secretary of State. If the Local Government also send a copy of their despatch direct to the Secretary of State, the fact that the dissent has also been sent through the Government of India should invariably be stated.

4. I am also to request that all memorials concerning any legislative proceeding of the Governor-General in Council addressed by residents in India to Her Majesty or to the Secretary of State, which the Government of $\frac{\text{Madras}}{\text{Bombay}}$ think should be forwarded to their destination, may in future be transmitted through the Government of India, the Secretary of State being simultaneously informed that this has been done.

5. I am further to take this opportunity of inviting the attention of the Government of $\frac{\text{Madras}}{\text{Bombay}}$ to the necessity of strictly adhering to the orders of 17th June 1872, as any departure from those orders results in inconvenience and delay.

6. The orders contained in this letter have received the approval of Her Majesty's Secretary of State for India.

Extract from the despatch from the Government of India to the Secretary of State for India, No. 108, dated the 14th December 1877.

5. * * * We understand the spirit of the rules of June 1872 to be that in all cases in which the orders of the Secretary of State are needed, whether the question is raised by a memorial to his address or otherwise, and which involve questions of pensions, gratuity, allowance and the like, the matter shall first be submitted to the Government of India, and that the Secretary of State should only be addressed through the Government of India in case of appeals from the orders of the Government of India.

6. If Your Lordship is of opinion that we have correctly interpreted the rules in question, the system adopted by the Government of Madras of addressing the Secretary of State direct under flying seal through the Government of India, in cases in which they ought to address the Government of India and not the Secretary of State, should, we represent, be in future interdicted.

Despatch from the Secretary of State for India to the Government of India, No. 16 (Public), dated the 13th February 1879.

I have had under my consideration in Council the despatch of Your Excellency in Council No. 108 of 1877, and that of the President in Council No. 112 of 1878, on the question of the procedure adopted by the Government of Madras of addressing the Secretary of State direct under flying seal through the Government of India in cases in which they are required by the rules to address the Government of India and not the Secretary of State.

2. In reply, I have to state that I consider that you have rightly interpreted the orders of the Secretary of State of the 29th February 1872 to mean that in all cases involving questions of pension, gratuity, allowance and the like, in which the orders of the Secretary of State are needed, whether the question is raised by a memorial to his address or otherwise, the matter shall first be submitted to the Government of India, and that the Secretary of State should only be addressed in respect of such questions through the Government of India in case of appeals from the orders of the Government of India.

3. I request, therefore, that you will give instructions to the Madras, and of necessity the Bombay, Government, in accordance with the above interpretation.

Extract from the Home Department letter to the Government of Madras, No. 894, dated the 8th May 1879.

* * * * * *

5. I am to observe that the spirit of the rules of June 1872 is, that in all cases in which the orders of the Secretary of State are needed (whether the question is raised by a memorial to his address or otherwise), and which involve questions of pension, gratuity, allowances, and the like, the matter shall first be submitted to the Government of India; and that the Secretary of State should only be addressed through the Government of India in the case of appeals from the orders of the Government of India. The Secretary of State, to whom the Government of India referred the matter, concurs* in this interpretation of the orders of 1872, and I am to request that in future the prescribed procedure may be followed by the Government of Madras.

No. 895.

Copy, with copy of enclosure, forwarded to the Government of Bombay in continuation of Home Department letter No. 2547, dated 17th June 1872, with the remark that the prescribed course is already ordinarily followed by the Government of Bombay.

* *See* copy of despatch No. 16, dated the 13th February 1879, appended to this letter.

APPENDIX X.

Schedule of Proposals for Decentralisation made by various Local Governments, with remarks thereon (filed by Sir H. Risley, vide Q. 45391.)

Nature of power.	Existing rule or authority governing its exercise.	Proposed delegation "from whom" "to whom."	Remarks.
1.	2.	3.	4
1. Power exercised by the Governor General in Council to exempt any person by name or in virtue of his office, and to withdraw any part of British India from the operation of any prohibition or direction contained in the Indian Arms Act, 1878.	Section 27 (*a*) of the Indian Arms Act, XI of 1878) (power to exempt).	From the Governor General in Council to Local Governments.	Legislation in the Governor General's Council required.
2. Review by the Government of India of the Local Government's reports on the measures adopted by them for the destruction of wild animals and venomous snakes.	Secretary of State's despatch No. 5 (Public), dated the 9th January, 1890, in which he observed that the review by the Government of India should not be discontinued.	It is proposed to abolish the reviews by the Government of India.	Secretary of State's permission necessary.
3. Submission to the Secretary of State of amalgamated quarterly returns of certificates of identity granted to natives of India visiting England and other foreign countries.	Home Department Resolution Nos. 2831—2842, dated the 8th December, 1899, directing the submission of the returns to the Government of India for transmission to the India Office.	It is proposed that the quarterly return for each province should be sent by the Local Government to the India Office direct.	Do.
4. Submission to the Secretary of State of amalgamated quarterly returns of passports of identity granted to natives of India visiting England and other foreign countries.	Home Department Circular, Nos. 228—237, dated the 28th January, 1907, directing that passports returns should be added to the returns of certificates of identity.	Do.	Do.
5. Power to regulate the number of holidays given in Government offices in the different provinces.	Home Department letters to Local Governments, Nos. 5232—5241, dated the 16th September, 1901. These orders were issued with a view to secure uniformity as regards the number of holidays which are given in the different provinces.	Subject to the observance of the general principles laid down by the Government of India, each Local Government may be authorised to regulate the holidays in the province under its control.	—
6. Power to approve proposals to commemorate buildings in which distinguished public men have resided by means of memorial tablets.	Home Department Resolution, Nos. 234—242, dated the 29th January, 1904, publishing lists of such buildings in the different provinces.	Some Local Governments submit proposals to commemorate additional buildings of this class to the Government of India for approval. It is proposed to leave it to the Local Governments themselves to sanction such proposals.	—
7. Power to regulate the supply of furniture for the residences of Heads of Provinces and the grant of furniture allowance.	Home Department Resolution, Nos. 490—499, dated the 1st March, 1904, laying down rules on the subject.	It is proposed to authorise Heads of Provinces to deal with this matter direct, subject to the observance of the principles laid down by the Government of India and a fixed maximum limit of expenditure.	Secretary of State's approval required.
8. Power to sanction draft rules on the subject of smoke-nuisances framed by the Government of Bengal.	Section 10 of Bengal Act, No. III of 1905. (Making rules under the Act.)	From the Government of India to the Local Government.	Legislation in the Bengal Council required.
9. Submission to the Secretary of State of applications for the award of the Royal Humane Society's medals.	Secretary of State's despatch No. 11 (Public) dated the 26th January, 1888, and Home Department Circular No. $\frac{31}{1964—1973}$ dated the 21st October, 1889.	Local Governments might be empowered to send such applications direct.	Secretary of State's approval required.
10. Control exercised by the Government of India in respect of the acceptance of gifts and testimonials by Government servants.	Rules 2 and 3 of the Government Servants Conduct Rules, 1904. (Gifts and demonstrations in honour of Government servants.)	From the Government of India to Local Governments.	Do.

Schedule of Proposals for Decentralization, &c.—cont.

Nature of power.	Existing rule or authority governing its exercise.	Proposed delegation "from whom" "to whom."	Remarks.
1.	2.	3.	4.
11. Control exercised by the Secretary of State in respect of the promotion and management of companies by Gazetted Officers.	Rule 13 of the Government Servants' Conduct Rules, 1904 (promotion and management of Companies).	From the Secretary of State to Government of India.	Secretary of State's approval required.
12. Power exercised by the Governor General to sanction nominations of Additional Members of provincial Legislative Councils.	Section 45 of the Indian Councils Act, 1861 (Constitution of provincial Legislative Councils).	From the Governor General to the Lieutenant-Governors.	Parliamentary legislation required.
13. Power exercised by the Governor General in Council to approve tables of fees payable for registration, searches, and copies.	Section 78 of the Indian Registration Act, III of 1877. (Fees to be fixed by Local Government.)	From the Governor General in Council to the Local Government.	Legislation in Governor General's Council required.
14. Requests for loans of Sanskrit and other manuscripts for the use of scholars in Europe and India.	At present a scholar in Europe desiring the loan of a manuscript from India has to apply to the Secretary of State, who communicates the request to the Government of India, which then ask the Local Governments or the Foreign Department, as the case may be, to procure the manuscript which has to go through the same circuitous channel before reaching the applicant. Similarly, an application from an Indian scholar for the loan of a manuscript in Europe must pass through the Local Government concerned. the Government of India, and the Secretary of State.	Proposed that applicants in Europe should apply direct to Local Government concerned, and in case of Native States to the Foreign Department of the Government of India, after having their applications countersigned by the Secretary to the Embassy or other Diplomatic Officer; and, in the case of the United Kingdom by, say, the Under Secretary of State for India. In the case of applicants in India for manuscripts in libraries in Europe, Local Governments concerned should submit applications direct to institutions concerned.	Change in procedure will require Secretary of State's sanction.
15. Power to appoint, fix the salaries of, and remove Deputy Collectors in Bengal and Eastern Bengal and Assam.	Sections 17, 18, and 25 of Regulation IX of 1833.	From the Governor General in Council to the Local Government.	Bengal, United Provinces, and Eastern Bengal and Assam (the only Local Governments concerned), have been told to legislate in their local Councils for the repeal of sections 18 and 25, and section 17 (save the first sentence).
16. Power to sanction rules made for the destruction of records.	Section 5 of the Destruction of Records Act, 1879 (III of 1879).	Do.	Legislation in Governor General's Council required.
17. Power to appoint and remove Notaries Public.	Section 138 of the Negotiable Instruments Act, 1881 (XXVI of 1881), as amended by Act II of 1885.	Do.	Do.
18. Power to declare a tribe, gang, or class of persons to be a criminal tribe.	Section 5 of the Criminal Tribes Act, 1871 (XXVII of 1871).	Do.	Do.
19. Power to sanction the establishment of subcourts and district munsifs' courts.	Section 4 of the Madras Civil Courts Act, 1873.	Do.	Do.
20. Power to sanction rules for the payment of expenses of complainants and witnesses attending criminal courts.	Section 544, Criminal Procedure Code.	Do.	Do.
21. Power to sanction rules framed by the Local Government with respect to establishments to be maintained for the service and execution of processes issued by criminal, civil and revenue courts and authorities.	Section 32 of the Upper Burma Civil Courts Regulation, 1896, section 41 of the Lower Burma Courts Act, 1900.	Do.	Do.
22. Increase of grants to churches at stations where abnormal building rates prevail.	Rule X, Part IV, of the Ecclesiastical Rules of 1897.	Do.	—
23. Renting of buildings for divine service.	Rules XVI and XXV, Part IV of the rules of 1897.	Do.	—

Schedule of Proposals for Decentralization, &c.—cont.

Nature of power.	Existing rule or authority governing its exercise.	Proposed delegation "from whom" "to whom."	Remarks.
1.	2.	3.	4.
24. To authorize the payment of compensation for sittings.	Rule XXXIV *et seq.*, of the rules of 1897.	From the Government of India to Local Governments.	—
25. To transmit ecclesiastical returns of baptisms, marriages, and burials and marriage certificates (of other than those of the Madras and Bombay Presidencies) to the India Office.	Section 81 of Act XV of 1872 as regards returns relating to marriages, and Home Department Resolution, dated 5th April 1865, as regards the other returns.	From the Government of India to provincial Registrars General of Births, Deaths and Marriages.	—
26. To confirm probationary chaplains and promote junior chaplains.	Articles 576 and 577, Civil Service Regulations (Article 577 has been cancelled but the ten years' rule still remains.)	From the Government of India to Local Governments.	—
27. To include out-stations in charge of Presbyterian and Wesleyan Ministers for the purposes of capitation and travelling allowances.	Army Regulations, Volume I, paragraphs 386 and 388.	From the Secretary of State to the Government of India.	—
28. Power to determine the strength and pay of the police forces under the control of Local Governments.	Section 2 of Act V of 1861 Section 4 of Bombay Act IV of 1890. Section 4 of Bombay Act IV of 1902. Section 8 of Bengal Act IV of 1866. Section 9 of Burma Act IV of 1899.	From the Government of India to Local Government.	—
29. Power to transmit to the India Office correspondence with officials in the United Kingdom.	Secretary of State's despatch No. 49, dated 17th August, 1906.	Do.	—
30. Power to sanction the issue of blankets and cardigan jackets to military police in Burma.	Home Department letter No. 934, dated 6th November, 1902. Article 278-A of Civil Account Code.	Do.	—
31. Power to make free issue of warm clothing and waterproof capes, etc., to men of Burma military police.	Home Department letter No. 934, dated 6th November, 1902.	Do.	—
32. Power to compensate the men of the Burma military police for the loss of their kits while on escort duty.	—	Do.	—
33. Power to compensate the men of the Burma military police for wear and tear of clothing when engaged on escort duty.			
34. Power to issue free rations to the men of the Burma military police while serving on escort duty on the frontier.	G. O. C. C., dated 27th January and the 27th May 1887 and Home Department letter No. 44, dated the 24th March, 1888.	Do.	
35. Power to sanction rewards to the men of the Burma military police for meritorious service.	Article 74, Civil Service Regulations.	Do.	—
36. Power to indent on the military authorities for signalling lamps and heliographic apparatus for the use of the Burma military police.	—	Do.	—
37. Power to grant rewards to members of the Burma civil police exceeding Rs. 500.	Home Department letter No. 563, dated the 25th July, 1902.	Do.	—
38. The sanction of the Governor General in Council is required for the transfer from the Andamans to Burma or elsewhere of life-convicts, the unexpired portion of whose life-sentence the Local Government proposes to remit under section 401 of the Criminal Procedure Code.	The sanction is required under section 29 (I) (*b*) of the Prisoners Act 1900 (III. of 1900), as amended by Act I of 1903.	From the Governor General in Council to the Local Government.	This apparently can be effected by a *general* order under section 29 (I) (*b*) of the Act, empowering Local Governments to sanction the re-transfer from the Andamans of transportation convicts the unexpired portion of whose sentence the Local Government may propose to remit under section 401 of the Criminal Procedure Code.

Schedule of Proposals for Decentralization, &c.—cont.

Nature of power.	Existing rule or authority governing its exercise.	Proposed delegation "from whom" "to whom."	Remarks.
1.	2.	3.	4.
39. Making alterations in the appointments included in the Provincial Educational Service, provided that the *number* of appointments in that Service is not altered without reference to the Government of India.	Government of India Resolution of 23rd July, 1896 reorganizing the Educational Services. Article 76, Civil Service Regulations.	From Government of India to the Local Government.	—
40. Provision of quarters for more than two professors in a Government College.	Paragraph 3 (*b*) of the Home Department resolution No. 319–331 of the 16th May, 1906.	From Government of India to the Local Government (Madras).	—
41. Changes in the rules relating to the grant of rewards to officers for passing in examinations in vernacular and frontier languages.	Article 277 (3) of the Civil Account Code, and Article 70 of the Civil Service Regulations.	Do.	Secretary of State's approval required.
42. Appointment of natives of India (whether of the Provincial Service or not) to posts scheduled by 24 and 25 Vict., Cap. 54, or reserved for members of the Indian Civil Service or of a Commission by executive orders for periods not exceeding three months. (Both regulation and non-regulation provinces).	Statute 24 & 25 Vict., Cap. 54, sections 3 and 4. Home Department letter No. 347, dated the 15th May, 1901.	From the Secretary of State to Local Governments.	Detailed proposals under Nos. 42—45 are made in Appendix XII. which compares the existing arrangements with those proposed.
43. Permanent appointments in non-regulation provinces to reserved posts.	Paragraph 13 of Secretary of State's despatch No. 81, dated 13th July, 1876.	From the Secretary of State to the Government of India.	
44. Appointment of natives of India (whether of the Provincial Service or not) to all listed posts.	Home Department notification No. 2159, dated 2nd November, 1892.	From the Government of India to Local Governments.	
45. Appointments under Statute 24 and 25 Vict., Cap. 54, a certain number of which have by general order of the Secretary of State been made over to non-civilian members of Government.	Statute 24 and 25 Vict., Cap. 54, section 4.	From the Secretary of State to the Government of India.	
46. Appointment of Members of the Board of Revenue, Bengal.	Section 4, Regulation III of 1822.	From the Governor General in Council to Local Government.	—
47. Appointment of Members of the Board of Revenue, United Provinces.	Section 6 of North-Western Provinces Act III 1901.	Do.	—
48. Appointment of Members of the Board of Revenue, Eastern Bengal and Assam.	Section 4, Regulation III of 1822, as applied to Eastern Bengal and Assam, by section 4 of the Bengal and Assam, Laws Act, VII of 1905.	Do.	—
49. Appointment of Financial Commissioner, Punjab.	Section 7 of Act XVII of 1887.	Do.	—
50. Appointment of Financial Commissioner, Burma.	Section 2(1) of Act XVIII of 1888.	Do.	—
51, Appointment of Commissioner of Settlements, Central Provinces (when vacancy exceeds three months.)	Home Department letter No. 46–2944–46, dated 13th September, 1873. Home Department Resolution No. 219, dated 20th May, 1882.	From the Government of India to the Chief Commissioner, Central Provinces.	—
52. Appointment of Commissioners of Divisions, Central Provinces (when vacancy exceeds three months.)	Do.	Do.	—
53. Appointment of Secretaries to the Chief Commissioner, Central Provinces (when vacancy exceeds three months).	Do.	Do.	—

Schedule of Proposals for Decentralization, &c.—concluded.

Nature of power.	Existing rule or authority governing its exercise.	Proposed delegation "from whom" "to whom."	Remarks.
1.	2.	3.	4.
54. Making of other appointments in the Central Provinces Commission which involve the supersession of officers.	Home Department letter No. 46—2944–46, dated 13th September 1873. Home Department Resolution No. 219, dated 20th May 1882.	From the Government of India to the Chief Commissioner, Central Provinces.	—
55. Appointment of the Commissioner of Berar.	Section 8, Berar Land Revenue Code, 1896.	Do.	—
56. Appointment of officials not "natives of India."	Home Department letter No. 21–746-753, dated the 18th April 1879.	From the Government of India to Local Governments.	Delegation to be subject to the control of the Government of India; each appointment to be reported to them; Government of India to intervene if they consider the power is abused.
57. Appointment of the Surgeon - Superintendent of the Presidency General Hospital, Calcutta.	Home Department Resolution No. 1822, dated the 23rd April 1871.	From the Government of India to Local Government.	—
58. Appointment of the Director of Public Instruction, Central Provinces.	Home Department Resolution No. 219, dated 20th May 1882.	From the Government of India to the Chief Commissioner, Central Provinces.	—
59. Appointment of the Inspector - General of Police, Central Provinces.	Do.	Do.	—
60. Power to define the limits of a cantonment.	Section 4(2) of the Cantonments Act, 1889 (XIII of 1889).	From the Governor General in Council to the Local Government.	The Government of Burma recommends the delegation to local Governments of the power to define the boundaries of a cantonment without reference to the Government of India. The Army Department is not in favour of giving Local Governments this power, which would enable them to modify the actual boundaries of a cantonment. It is prepared only to give them the power, subject to the control of the Government of India, to publish the description of the boundaries of a cantonment, which is prepared by a mixed Committee representing the local civil and military authorities and which is now submitted by the Local Governments to the Government of India for sanction.
61. Power to impose and revise taxes within cantonments.	Section 17 of the Cantonments Act, 1889 (XIII of 1889).	Do.	The Government of Burma recommends the delegation to Local Governments of the power to impose and revise taxes within cantonments without reference to the Government of India. It has recently been decided to delegate this power to Local Governments subject to the control of the Government of India, and a draft bill to give effect to this decision is at present under the consideration of the Government of India.
62. Appointment of officers other than members of the Provincial or Subordinate Educational Service to fill temporary vacancies in the Indian Educational Service.	Appointments to the Indian Educational Service are made by the Secretary of State. (Home Department resolution Nos. 204–215, dated 23rd July 1896.)	From Secretary of State to Local Governments.	The filling of temporary vacancies in the Indian Educational Service by outsiders has to be reported for the Secretary of State's sanction.

APPENDIX XI.

Extract from the Proceedings of the Government of India in the Home Department (Public), Nos. 224–240, dated the 25th January 1901 (filed by Sir H. Risley, vide Q. 45407).

Read—Despatch to the Secretary of State, No. 64, dated the 25th October 1900, Despatch from the Secretary of State, No. 6, dated the 4th January 1901.

RESOLUTION.

The Governor General in Council has had for some time under his consideration the question of the frequent transfer from one charge to another of officers employed in the different branches of the civil administration. The extent to which the members of the different civil departments have been transferred in recent years is universally recognized to be detrimental to the proper discharge of public duties in every branch of the administration. The evil effects of frequent transfers are, however, especially manifest in the case of the chief civil officer of the district, who is the direct representative of the Government in the eye of the community. Continuity in the charge is most essential to the proper administration of a district in India, since a district officers' influence must in the main depend upon the extent to which he is known and trusted by the people.

2. It is an inherent condition of the different services in India that transfers of officers should be more frequent than is desirable in the interests of the administration. The number of European officers in the administrative services is limited to strict working requirements. Every time that leave is given, on every occasion on which a promotion is made, and in every instance in which an officer retires, a vacancy is created. It is impossible, therefore, to prevent transfers ; the utmost that can be done is to reduce their frequency as much as possible.

The question of such a reduction does not come before the Government of India for the first time. It was the subject of correspondence between the Secretary of State and Lord Ripon's Government in 1882. It had been asserted that the change in the furlough rules of 1868, whereby officers absent on leave retain a lien on their appointments, had resulted in a largely increased number of acting appointments, and in frequent transfers or changes in the *personnel* of the administrative staff, to the detriment of the public interests. The Government of India made an inquiry from the Local Governments and Administrations as to whether the change in the rules had caused practical inconvenience. The replies to this inquiry disclosed a very general opinion among the local authorities that the supposed effect of the rule in question had been much exaggerated and misunderstood, and that the statistics from the different provinces did not, when carefully analyzed, justify the withdrawal of the rule whereby an officer on furlough retains a lien on his substantive appointment or on a substantive appointment of like character and not less pay. Lord Ripon's Government were nevertheless of opinion that changes among the administrative, and especially among the district staff, had been too frequent in some provinces. This result appeared to be in some measure due to the Local Governments being too ready to defer to the personal wishes and inclinations of officers returning from leave. The Government of India therefore directed that, unless some special circumstances rendered it desirable to replace an acting officer by a returning incumbent, an officer in the regular line of district administration should, on return from furlough, be posted to such actually vacant office as might be suited to his rank and pay, and that, in determining where he should be posted, the only consideration which should be allowed to weigh should be the question how his services could best be utilized with the least possible disturbance of existing arrangements. The Local Governments were also directed to pay more attention to regulating the time of an officer's return to duty with reference to the convenience of the public service. Directions upon these two points were issued in the Home Department Resolution No. $\frac{33\text{–Public}}{1343\text{–}1354}$ of 7th September 1882.

3. The Governor General in Council agrees with the decision come to by Lord Ripon's Government regarding the concession made in 1868, but is of opinion that the number of transfers has been greatly increased by the custom, which has grown more frequent as communication with Europe has become more rapid, of taking accumulated privilege leave followed, after a short interval of duty by furlough—a practice not contemplated at the time when the furlough rules, which were designed to enable officers to visit England at reasonable intervals, and not oftener, were framed. Under article 891 of the Civil Service Regulations, an officer applying for privilege leave is required to record a declaration that he has no intention of taking leave of any other kind for three months after his return to duty. An officer under the European leave rules, who has accumulated three months' privilege leave, can enjoy it during one hot season, revert to duty the cold weather, and then apply for furlough in the ensuing hot season. So long as the aggregate number of furloughs is not exceeded, it is difficult to refuse his request except on special grounds, since he has rendered more than the continuous service required under article 340 of the Civil Service Regulations before furlough can be granted to him. His two periods of leave, which may have commenced within a period of just over six months, involve three changes,—a result which is most prejudicial to the proper conduct of any office in the civil administration.

4. The Government of India have been in communication with the Local Governments and Administrations and the Secretary of State as to the best means of checking the evils which result from frequent absences due to the enjoyment of leave under these conditions. They are of opinion that the right to accumulate privilege leave, as such, should be retained, but that, in the interests of the administration, it is essential to put an end to the practice of taking accumulated privilege leave and furlough separately without the interposition of a sufficient interval. The Government of India have therefore determined, with the sanction of the Secretary of State, to require that an officer shall, after return from accumulated privilege leave of over six weeks in duration, render eighteen months' active service between the return to duty and departure on ordinary furlough. As a compensation for the restriction on the present conditions under which leave can be taken, the Governor General in Council has recommended to the Secretary of State, who has approved the proposal, that an officer who has earned privilege leave shall be permitted to take it up to the maximum of three months in combination with another leave. To this concession will be attached a limitation of the total period of the combined leave, so that it shall not exceed two years when furlough is taken, or six months when special leave is taken, and, on the other hand, that it shall not be less than six months. His Excellency in Council is therefore pleased to announce that, with effect from January 21st, 1901, the date of the receipt of the Secretary of State's sanction, the rules in Chapter XIII. (leave rules for European Services) and XIV. (leave rules for Indian Services) will be modified in respect of all the officers to whom these rules respectively apply, in the following particulars :—

(i) privilege leave to the amount due will be allowed to be taken as privilege leave either (*a*) by itself or (*b*) combined as privilege leave, with furlough, leave on medical certificate, special leave, leave on urgent private affairs and extraordinary leave, the maximum period in each case, for which full salary can be drawn, being three months ;

(ii) when privilege leave of over six weeks in duration is taken by itself, an interval of eighteen months must elapse between the return to duty and departure on furlough, other than furlough on medical certificate ;

(iii) the restriction defined in (ii) will not apply to leave on medical certificate, furlough on medical certificate, special leave on urgent private affairs, leave on private affairs, or extraordinary leave ;

(iv) when privilege leave is combined with furlough, the amount of the combined leave must not exceed two years ;

(v) when privilege leave is combined with special leave on urgent private affairs, or with leave on private affairs, the amount of the combined leave must not exceed six months ;

(vi) when privilege leave is combined with any other kind of leave, the combined leave must be for not less than six months ;

(vii) the periods mentioned in (iv), (v) and (vi) will count from the beginning of the leave to the end (under the ordinary rules) of the leave with which it is combined ;

(viii) officers to whom privilege leave under the ordinary rules and conditions is inadmissible under article 306, Civil Service Regulations, will be allowed to combine vacations with long leave (either at the beginning or end thereof) on the same conditions as those on which other officers are allowed to combine privilege leave :

(ix) the rule that privilege leave allowances are not payable out of India will apply in the case of privilege leave combined with other leave.

5. The effect of these changes will be, the Governor General in Council anticipates, to cause a material reduction in the number of transfers, and His Excellency in Council trusts that the manner in which it has been determined to give compensation for the imposition of the restriction of the taking of furlough after the enjoyment of accumulated privilege leave will be appreciated by the members of the different Services. The concessions now sanctioned in regard to privilege leave are of an important character, and the Governor General in Council notifies that, should it at any time be found undesirable to continue them, they may be withdrawn without claims to compensation being recognized. It is unlikely that the introduction of the new rules will affect many members of the services injuriously, but, should a Local Government or Administration consider that the restriction that furlough may not be taken until the expiry of eighteen months after return to duty will operate with hardship or with inconvenience to the public interests in respect of any particular officer who takes accumulated privilege leave by itself before October 1st, 1901, the Governor General in Council will be prepared to consider a proposal to relax the restriction in the individual case.

6. While the Government of India consider that these changes in the leave rules must operate to reduce the number of transfers which at present take place, they are convinced, as Lord Ripon's Government were in 1882, that many unnecessary transfers are caused by the manner in which the rules regarding the grant of leave are worked. The Governor General in Council therefore desires to supplement the announcement regarding the changes in the leave rules by directions to the Local Governments and Administrations as to other methods of reducing transfers. The Governor General in Council has already referred to the instructions in the Resolution of 7th September 1882, which have not, His Excellency in Council regrets, been always fully regarded. In accordance with the decision come to in 1882, it was provided in article 220 (*b*) of the Civil Service Regulations that the Local Government may refuse to grant the full amount of leave applied for in any case, and should, by the exercise of this power, so regulate the date of an officer's return from leave as to cause as little change as possible in administrative arrangements. In the opinion of the Government of India, unnecessary transfers can be reduced if Local Governments and Administrations generally will show less hesitation, whenever they anticipate difficulty in providing an officer with a suitable appointment on return from the full amount of leave for which he asks, in requiring him to return after the interval which may best suit the interests of the public service. The provision of the rules that an officer returning from ordinary furlough or special leave retains a lien, not on the actual appointment held by him before departure on leave, but on an appointment of like character and not less pay, and that he retains no lien on an acting appointment (article 240, Civil Service Regulations), should also be steadily kept in view.

7. The Governor General in Council also considers it essential that Local Governments and Administrations should follow more fully in practice the principle that transfers must not be made to meet the private wishes of officers. The removal of an officer from one charge to another at his own request should only be allowed when it can be made with the certainty that the public interest will not suffer therefrom.

8. Another cause, in the opinion of the Government of India, of increase in the number of transfers is the rigid and unjustifiable adherence to the principle that every vacancy, for however short a time, must be given to the next senior officer unless he is unfit for promotion. The application of this rule multiplies transfers in several ways. An officer is often brought from a long distance to the exclusion of one on the spot who may be only his junior by a short period of service. Again, the supposed claim of a senior officer holding a less eligible appointment of similar duties to be transferred to a more eligible charge in place of a junior is constantly recognised, with the result that two transfers are made when one only is necessary. A third way in which this practice increases transfers is by the appointment (which is not in accordance with the principle laid down in article 240, Civil Service Regulations) of an officer to act in a higher appointment on return from leave in place of a competent junior appointed to officiate in that appointment when he himself was absent on leave. The Government of India cannot approve of transfers made in circumstances such as these, and trust that no countenance will be given to them in future.

9. Article 119, Civil Service Regulations, provides that, as a general rule, the duties of an officer absent on privilege leave should be discharged by another officer in the same station, and that the transfer of an officer from another station to act in consequence of the absence of an officer on privilege leave will only be allowed in exceptional cases. This article is constantly disregarded in practice, owing to the difficulty of making adequate local arrangements when the amount of privilege leave taken amounts to three months or nearly three months. As a measure supplementary to the above instructions, the Government of India will amend this article so as to make the requirement as regards the appointment of an officer, who is serving in the same station, to officiate in a vacancy caused by the departure of an officer on privilege leave of not more than six weeks stricter than it is at present. The Governor General in Council is of opinion that, except in the case of officers for which special qualifications are required, such as those of Heads of Departments, the Secretariat and the higher Judicial offices and certain Medical appointments, it should rarely be necessary to appoint an officer to officiate, during a privilege leave vacancy of not more than six weeks, who is not already serving in the same district either at head-quarters or at some sub-divisional outpost. In the case of appointments held by members of the Indian Civil Service or of a Commission, if a member of that Service or Commission is not available, an officer of the Provincial Service on the spot can hold charge for this short period, in accordance with the rules published under Home Department Notification No. 2159, dated the 2nd November 1892. To ensure compliance with this regulation, His Excellency in Council directs that quarterly lists showing and explaining all cases in which the above principle has not been followed in respect of absences on privilege leave of not more than six weeks shall in future be submitted to the appropriate department of the Government of India. The Government of India further direct that, when a vacancy is caused by the absence of an officer on privilege leave of more than six weeks, his place should also, if possible, as the rule already provides, be filled by an officer serving in the same district. The Government of India admit that this is not always feasible, but it should be done oftener than has hitherto been the case. By these means the Governor General in Council hopes that transfers on account of vacancies due to privilege leave will be substantially reduced, and that it will become a general practice for members of the Indian Civil Service and the better paid officers under the European Service Leave Rules to accumulate their privilege leave and combine it with furlough. By this process the vacancies in important offices should gradually cease to be for less than six months.

ORDER.—Ordered that a copy of this resolution be communicated to the Departments of the Government of India ; and to Local Governments and Administrations for information and guidance.

Ordered also that the resolution be published in the Supplement to the *Gazette of India*.

[True extract.]

J. P. HEWETT,
Secretary to the Government of India.

APPENDIX XII.

(*Filed by Sir H. Risley*, vide *Q.* 45890.)

Procedure now in force for making appointments of gentlemen who are not members of the Indian Civil Service or of a Commission to posts reserved for such officers and to "listed" posts.

Nature of Province.	Class of appointments.	Class of officers.	Procedure of sanction.		Remarks.
(1)	(2)	(3)	(4)	(5)	(6)
Regulation.	I. Scheduled II. Reserved...	Europeans or Natives.	Up to six weeks sanction by Local Government, subject to report to the Government of India, who are to report to the Secretary of State.	Above six weeks previous sanction by the Government of India and then report to the Secretary of State.	"Scheduled"=appointments actually entered in the schedule attached to 24 and 25 Vict., Cap. 54. "Reserved"=appointments reserved for members of the Indian Civil Service or Commission by executive orders. "Listed"=appointments specially declared or listed as thrown open to the Provincial Service.
	III.—Listed—	Natives—			
	(1) Headships of districts and District and Sessions Judgeships or any administrative office of higher rank.	(*a*) Members of the Provincial Service.	Sanction by Local Government without report to the Government of India up to three months in cases falling under (1) of column (2) and for all cases irrespective of time falling under (2) of the same column.	Over three months previous sanction by the Government of India without report to the Secretary of State.	
	(2) Other appointments of lower status.	(*b*) Who are not members of the Provincial Service.	Previous sanction by the Government of India in all cases without report to the Secretary of State.		
Non-Regulation.	I. Scheduled II. Reserved ...	Europeans or Natives.	Up to six weeks same procedure as in Regulation Provinces.	Above six weeks same procedure as in the first entry above in this column (5) in cases of all temporary appointments. Previous sanction of the Secretary of State in case of permanent appointments.	
	III. Listed—	Natives—			
	(1) as above ...	(*a*) as above	Same procedure as in Regulation Provinces.		
	(2) as above ...	(*b*) as above			

Procedure proposed for making appointments of gentlemen who are not members of the Indian Civil Service or of a Commission to posts reserved for such officers and to "listed" posts.

(1)	(2)	(3)	(4)	(5)	(6)
Regulation.	I. Scheduled II. Reserved ...	Europeans ...	Up to six weeks Local Government to sanction, subject to report to the Government of India, who are to report to the Secretary of State.	Above six weeks previous sanction of the Government of India, and then report to the Secretary of State.	"Scheduled"=appointments actually entered in the schedule attached to 24 and 25 Vict., Cap. 54. "Reserved"=appointments reserved for members of the Indian Civil Service or Commission by executive orders.
		Natives ...	Local Governments to sanction up to three months without reference or report to any one.	Above three months previous sanction of the Government of India, and then report to the Secretary of State.	
	III. Listed ...	Natives ...	Local Governments to sanction without reference or report to any one.		"Listed"=appointments specially declared or listed as thrown open to the Provincial Service.
Non-Regulation.	I. Scheduled II. Reserved ...	Europeans and Natives.	As in Regulation Provinces.		In case of permanent appointments sanction of the Secretary of State will be required.
	III Listed ...	Natives ...	As in Regulation Provinces.		

APPENDIX XIII.

Government of India Petition Rules, (filed by Sir H. Risley, vide *Q.* 45456).

Existing.	Proposed.
NOTIFICATION.	NOTIFICATION.
The following rules regarding the submission of petitions to the Government of India are published for general information in supersession of the rules published with the Home Department Notification No. 1812, dated the 11th October, 1889, as amended by subsequent notifications :—	The following rules regarding the submission of petitions to the Government of India are published for general information in supersession of the rules published with the Home Department Notification No. 1812, dated the 11th October, 1889, as amended by subsequent notifications :—
RULES REGARDING THE SUBMISSION OF PETITIONS TO THE GOVERNMENT OF INDIA.	RULES REGARDING THE SUBMISSION OF PETITIONS TO THE GOVERNMENT OF INDIA.
NOTE 1.—In these rules the words "Local Government" include a Local Administration and the Commander-in-Chief in India and also, except as regards petitioners under rules 11 (7) whose salary was more than Rs. 30 a month, the Head of a Department directly under the Government of India, and Divisional and Independent Brigade Commanders.	NOTE 1.—In these rules the words "Local Government" include a Local Administration and the Commander-in-Chief in India, and also, except as regards petitioners under rules 13 (14) whose salary is more than Rs. 100 a month, *or such other limit as the Government of India may from time to time prescribe*, the Head of a Department directly under the Government of India, and Divisional and Independent Brigade Commanders.
NOTE 2.—These rules do not apply to non-pensionable subordinate, clerical and menial establishments employed in the construction and working of State Railways, to whom Circular No. VI-Railway, Public Works Department, dated 1st June 1888, applies.	NOTE 2.—These rules do not apply to non-pensionable subordinate, clerical and menial establishments employed in the construction and working of State Railways, to whom Circular No. VI-Railway, Public Works Department, dated 1st June 1888, applies.
NOTE 3.—These rules apply, so far as may be, to all memorials, letters and applications, etc., addressed to the Governor General in Council.	NOTE 3.—These rules apply, so far as may be, to all memorials, letters and applications, etc., addressed to the Governor General in Council.
NOTE 4.—These rules apply also to petitions by persons no longer in military employ who have served in the Army or the Royal Indian Marine, or have been attached to regiments or batteries, or the staff, or departments of the Army in any capacity.	NOTE 4.—These rules apply also to petitions by persons no longer in military employ who have served in the Army or the Royal Indian Marine, or have been attached to regiments or batteries, or the staff, or departments of the Army in any capacity.
SECTION I.	SECTION I.
As to the submission of petitions to the Government of India by private persons or public bodies.	*Procedure for the submission of petitions.*
1. Every petition to the Government of India should be forwarded through the Local Government having jurisdiction in respect of the subject-matter of the petition. In cases where no Local Government is in a position to deal with the subject matter of the petition, it should be forwarded through the Local Government within whose jurisdiction the petitioner is, or has last been, residing or employed.	1. Every petition to the Government of India should be forwarded through the Local Government having jurisdiction in respect of the subject-matter of the petition. In cases where no Local Government is in a position to deal with the subject-matter of the petition, it should be forwarded through the Local Government within whose jurisdiction the petitioner is, or has last been, residing or employed.
2. A petition may be either in manuscript or in print, but must, with all accompanying documents, be properly authenticated by the signature of the petitioner, or, when the petitioners are numerous, by the signatures of one or more of them, and it must conclude with a specific prayer.	2. A petition may be either in manuscript or in print, but must, with all accompanying documents, be properly authenticated by the signature of the petitioner, or, when the petitioners are numerous, by the signatures of one or more of them, and must conclude with a specific prayer.
3. Every petition should be accompanied by a letter addressed to the Local Government requesting its transmission to the Government of India, and when any order of a Local Government is appealed against, by a copy of such order, as well as of any orders passed in the case by subordinate authorities.	3. Every petition should be accompanied by a letter addressed to the Local Government requesting its transmission to the Government of India, and, when any order of a Local Government is appealed against, by a copy of such order, as well as of any orders passed in the case by subordinate authorities.
4. Communications on matters connected with any bills before the Council may be addressed either in the form of a petition to the Governor-General in Council or in a letter to the Secretary in the Legislative Department, and must in either case be sent to the Secretary in the Legislative Department. Ordinarily such communications will not be answered. Except in the case of the High Court at Fort William, such communications from courts, officials or public bodies should be sent through the Local Government.	4. Communications on matters connected with any bills before the Council may be addressed either in the form of a petition to the Governor-General in Council or in a letter to the Secretary in the Legislative Department, and must in either case be sent to the Secretary in the Legislative Department. Ordinarily such communications will not be answered. Except in the case of the High Court at Fort William, such communications from courts, officials or public bodies should be sent through the Local Government.
SECTION II.	
As to the submission of petitions by officers in civil employ.	
5. Every officer wishing to petition the Government of India should do so separately.	5. Every officer wishing to petition the Government of India should do so separately.
6. Every petition should be submitted through the head of the office or department to which the petitioner belongs, and should be forwarded by him through the usual official channel.	6. Every petition *from an officer* should be submitted through the head of the office or department to which the petitioner belongs, and should be forwarded by him through the usual official channel.
7. No officer may submit a petition in respect of any matter connected with his official position unless he has some personal interest in the matter.	7. No officer may submit a petition in respect of any matter connected with his official position unless he has some personal interest in the matter.

Government of India Petition Rules, &c.— cont.

Existing.	Proposed.
8. No notice will be taken of a petition relating to any matter connected with the official prospects or position of an officer still in the public service unless it is submitted by the officer himself.	8. No notice will be taken of a petition relating to any matter connected with the official prospects or position of an officer still in the public service unless it is submitted by the officer himself.
SECTION III.	SECTION II.
As to the transmission or withholding of petitions by Local Governments.	*As to the transmission or withholding of petitions.*
9. Every petition to the Government of India should be forwarded by the Local Government concerned with a concise statement of the material facts and (unless there are special reasons for not doing so) an expression of opinion.	9. *In the absence of any special provision of law or of rule having the force of law, to the contrary, and in cases not specifically provided for in the following rules, the general principle governing appeals from Government servants, or employés of a local authority, against orders of dismissal, removal, reduction or other punishment, is that the aggrieved official has the right of one appeal. Where the decision of the authority inflicting the punishment is upheld on appeal, and unless the punishment is enhanced by the appellate authority, no second appeal lies as of right against the appellate decision. When the appellate authority, confirming the decision, enhances the penalty, the order in appeal, for the purposes of these rules, should be regarded as an original punitive order.*
If the petition is an appeal against an order of dismissal from Government service, the papers submitted by the Local Government should show whether the charge against the petitioner was reduced to writing ; and whether his defence was taken and reduced to writing ; and whether the decision was in writing. Where service or character books are maintained these also should be submitted.	10. *If the petition is an appeal of the class referred to in rule 9, the papers submitted by a Local Government* should show whether the charge against the petitioner was reduced to writing ; whether his defence was taken and reduced to writing ; and whether the decision was in writing. Where service and character books are maintained these also should be submitted.
	11. Every petition to the Government of India should be forwarded by the Local Government concerned with a concise statement of the material facts and (unless there are special reasons for not doing so) an expression of opinion.
10. When the petition is not in English, the Local Government should transmit a translation with it.	12. When the petition is not in English, the Local Government should transmit a translation with it.
11. Local Governments are vested with discretionary power to withhold petitions addressed to the Government of India in the following cases :—	13. Local Governments are vested with discretionary power to withhold petitions addressed to the Government of India in the following cases :—
(1) When a petition is illegible or unintelligible.	(1) When a petition is illegible or unintelligible.
(2) When a petition contains language which, in the opinion of the Local Government, is disloyal, disrespectful, or improper.	(2) When a petition contains language which, in the opinion of the Local Government is disloyal, disrespectful, or improper
(3) When a previous petition has been disposed of by the Secretary of State for India or the Governor-General in Council, and the petition discloses no new facts or circumstances which afford grounds for a re-consideration of the case.	(3) When a previous petition has been disposed of by the Secretary of State for India or the Governor-General in Council, and the petition discloses no new facts or circumstances which afford grounds for a re-consideration of the case.
(4) When a petition is an application for pecuniary assistance by a person manifestly possessing no claim.	(4) When a petition is an application for pecuniary assistance by a person manifestly possessing no claim.
(5) When a petition is an application for employment from a person not in the service of Government ; or is a request for exemption from the provisions of any law or rule prescribing the qualifications to be possessed by persons in the service of Government or by persons engaging in any profession or employment.	(5) When a petition is an application for employment from a person not in the service of Government ; or is a request for exemption from the provision of any law or rule prescribing the qualifications to be possessed by persons in the service of Government or by persons engaging in any profession or employment.
(6) When a petition is an appeal from a judicial decision with which the executive has no legal power of interference.	(6) When a petition is an appeal from a judicial decision with which the executive has no legal power of interference.
NOTE 1.—In the following cases, namely :—	NOTE 1.—In the following cases, namely—
(*a*) When a petition is an appeal from a judicial decision in a case in which the Government has reserved any discretion of interference, or	(*a*) when a petition is an appeal from a judicial decision in a case in which the Government has reserved any discretion of interference, or
(*b*) When a petition is an appeal from a judicial decision in a suit to which the Government was party, or	(*b*) when a petition is an appeal from a judicial decision in a suit to which the Government was a party, or
(*c*) When a petition is practically a prayer for mercy or pardon, or contains such a prayer,	(*c*) when a petition is practically a prayer for mercy or pardon, or contains such a prayer
the petition must be transmitted to the Government of India, unless it falls under clause (13) of this rule.	the petition must be transmitted to the Government of India, unless it falls under clause (12) of this rule.
NOTE 2.—When a petition of the kind referred to in clause (*c*) of Note 1 is addressed to the Government of India after a previous petition has been rejected by the Local Government, the petition must be transmitted, unless the case is one of which the Local Government is competent to dispose on its own responsibility under the	Note 2.—When a petition of the kind referred to in clause (*c*) of Note 1 is addressed to the Government of India, after a previous petition has been rejected by the Local Government, the petition must be transmitted, unless the case is one of which the Local Government is competent to dispose on its own responsibility under the

Government of India Petition Rules, &c.—concluded.

Existing.	Proposed.
orders contained in the Resolution of the Government of India in the Home Department No. $\frac{20}{1403-13}$, dated the 14th October 1885.	orders contained in the Resolution of the Government of India in the Home Department, No. $\frac{20}{1403-13}$, dated the 14th October 1885.
(7) When a petition is an appeal against an order of the Local Government upholding on appeal the dismissal, removal, reduction or other punishment of a Government servant or an employé of a local authority whose salary was not more than Rs. 100 a month.	(7) When a petition is an appeal against a decision which by any law or rule having the force of law, is declared to be final.
(8) When a petition is an appeal against a decision which by any law or rule having the force of law, is declared to be final.	(8) When a petition is addressed by an officer still in the public service, and has reference to his prospective claim for pension, except as provided in Article 915 of the Civil Service Regulations.
(9) When a petition is addressed by an officer in the public service, and has reference to his prospective claim for pension, except as provided in Article 915 of the Civil Service Regulations.	(9) When a petition is an appeal against the non-exercise by the Local Government of a discretion vested in it by law or rule.
(10) When a petition is an appeal against the non-exercise by the Local Government of a discretion vested in it by law or rule.	(10) When a petition is an appeal in a case for which the law provides a different or specific remedy, or in regard to which the time limited by law for appeal has been exceeded.
(11) When a petition is an appeal in a case for which the law provides a different or specific remedy, or in regard to which the time limited by law for appeal has been exceeded.	(11) When a petition is an appeal against an order or decision of the Local Government, and is made more than six months after the communication of such order or decision to the petitioner without satisfactory explanation of the delay.
(12) When a petition is an appeal against an order or decision of the Local Government, and is made more than six months after the communication of such order or decision to the petitioner without satisfactory explanation of the delay.	(12) When a petition relates to a subject on which the Local Government is competent to pass orders and no previous application for redress has been made to the Local Government.
(13) When a petition relates to a subject on which the Local Government is competent to pass orders, and no previous application for redress has been made to the Local Government.	(13) When a petition makes a proposal regarding legislation which the Local Government is not prepared to support.
(14) When a petition makes a proposal regarding legislation which the Local Government is not prepared to support.	(14) When a petition is an appeal against *the appellate order of a Local Government upholding a decision which directed* the dismissal, removal, reduction or other punishment of a Government servant or an employé of a local authority whose salary was not more than Rs. 250.
	Provided that clause (14) shall not apply to the case of Gazetted Officers.
	14. Local Governments are authorized, in regard to cases where the rights of appeal are not already circumscribed as contemplated by rule (7), to make rules for the guidance of their Heads of Departments and other officers subordinate to them, enabling them to withhold second appeals to the extent described below :—
	(a) when the petition of second appeal is from a Government servant or employé of a local authority whose salary was not more than Rs. 50, in all cases ;
	N.B.—*If an officer has been punished in consultation with an authority superior to the authority passing the penalty, there should in every case be an appeal beyond the authority which was consulted. This principle should be of general application in all cases.*
	(b) When the petition of second appeal is from a Government servant or employé of a local body whose salary was more than Rs. 50 but not more than Rs. 100, when the petition of first appeal was decided and the original decision confirmed by the Head of a Department.
	Note.—For purposes of this rule a Commissioner is the Head of a Department in the case of the revenue establishment subordinate to him.
12. If a petition is withheld, the petitioner should be informed of the fact and the reason for it.	15. If a petition is withheld, the petitioner should be informed of the fact and the reason for it.
13. A list of petitions withheld under rule 11, with the reasons for withholding them, shall be forwarded quarterly to the Government of India in the proper department.	16. A list of petitions withheld under rule 13, with the reasons for withholding them, shall be forwarded quarterly to the Government of India in the proper department; and a list of those withheld under rule 14 shall be forwarded quarterly by the Local Governments concerned.

Secretary of State's Memorial Rules.

Existing.	Proposed.
NOTIFICATION.	NOTIFICATION.
The following rules for the submission, receipt and transmission of memorials and other papers of the same class to His Majesty the King, Emperor of India, or to the Right Hon'ble the Secretary of State for India are published for general information in supersession of the rules published with the Home Department notification No. 707, dated 29th March 1878, as amended by subsequent notifications :—	The following rules for the submission, receipt and transmission of memorials and other papers of the same class to His Majesty the King, Emperor of India, or to the Right Hon'ble the Secretary of State for India, are published for general information in supersession of the rules published with the Home Department notification No. 707, dated 29th March 1878, as amended by subsequent notifications :—
RULES REGARDING THE SUBMISSION OF MEMORIALS AND OTHER PAPERS OF THE SAME CLASS TO HIS MAJESTY THE KING, EMPEROR OF INDIA, OR TO THE RIGHT HON'BLE THE SECRETARY OF STATE FOR INDIA.	RULES REGARDING THE SUBMISSION OF MEMORIALS AND OTHER PAPERS OF THE SAME CLASS TO HIS MAJESTY THE KING, EMPEROR OF INDIA, OR TO THE RIGHT HON'BLE THE SECRETARY OF STATE OF INDIA.
N.B.—These rules do not in any way affect or supersede orders issued on the same subject by the military authorities for the guidance of the army.	*N.B.*—These rules do not in any way affect or supersede orders issued on the same subject by the military authorities for the guidance of the army.
I.—No memorial will be received or attended to unless forwarded as hereinafter prescribed.	I.—No memorial will be received or attended to unless forwarded as hereinafter prescribed.
II.—Every memorial to His Majesty or to the Secretary of State for India should contain all material statements and arguments relied upon by the memorialist and be complete in itself ; and it should be accompanied by a letter requesting its transmission to the authority to which it is addressed.	II.—Every memorial to His Majesty or to the Secretary of State for India should contain all material statements and arguments relied upon by the memorialist and be complete in itself ; and it should be accompanied by a letter requesting its transmission to the authority to which it is addressed.
III.—Every memorial to His Majesty or to the Secretary of State for India should be presented through the Local Government having jurisdiction in respect of the subject-matter of the memorial. In cases where no Local Government is in a position to deal with the subject-matter of the memorial, it should be presented through the Local Government within whose jurisdiction the memorialist is, or has last been, residing or employed or, if there is no Local Government answering to these descriptions, then through the Government of India.	III.—Every memorial to His Majesty or to the Secretary of State for India should be presented through the Local Government having jurisdiction in respect of the subject-matter of the memorial. In cases where no Local Government is in a position to deal with the subject-matter of the memorial, it should be presented through the Local Government within whose jurisdiction the memorialist is, or has last been, residing or employed or, if there is no Local Government answering to these descriptions, then through the Government of India.
IV.—Every memorial to His Majesty or to the Secretary of State for India presented through the Governments of Madras or Bombay should be forwarded direct by the Local Government, with a full statement of facts and an expression of opinion, except in the case of a memorial which—	IV.—Every memorial to His Majesty or to the Secretary of State for India presented through the Governments of Madras or Bombay should be forwarded direct by the Local Government, with a full statement of facts and an expression of opinion, except in the case of a memorial which—
(*a*) relates to—	(*a*) relates to—
(i.) any rule or standing order of the Government of India, or	(i.) any rule or standing order of the Government of India, or
(ii.) any Legislative Proceeding of the Governor-General in Council or to an Act to which the Governor-General has assented, or	(ii.) any Legislative Proceeding of the Governor-General in Council or to an Act to which the Governor-General has assented, or
(iii.) a case which has been previously under the consideration of the Government of India, whether on appeal or otherwise, or	(iii.) a case which has been previously under the consideration of the Government of India, whether on appeal or otherwise, or
(*b*) if granted, would cause expenditure for which the Imperial and not the Local Government would be primarily responsible.	(*b*) if granted, would cause expenditure for which the Imperial and not the Local Government would be primarily responsible.
Every such memorial should be forwarded with a covering letter containing a full statement of facts and an expression of opinion to the Government of India in the proper Department for transmission to the Secretary of State* for India.	Every such memorial should be forwarded with a covering letter containing a full statement of facts and an expression of opinion to the Government of India in the proper Department for transmission to the Secretary of State* for India.
* "In the case of memorials and petitions against, or regarding Acts passed by the Legislative Council of the Governor-General, the Legislative Department is to be considered to be the Department having cognizance of the subject-matter of the memorial. Such memorials will be transmitted to His Majesty's Secretary of State through that department ; and to it should be referred all memorials of the kind now described, which may reach any other department of the Government of India. The Legislative Department will, when necessary, consult the executive department concerned before disposing of, or transmitting, such memorials."—Home Department, No. $\frac{22\text{-Public}}{996\text{-}1001}$, dated 24th May 1878.	* "In the case of memorials and petitions against, or regarding Acts passed by the Legislative Council of the Governor-General, the Legislative Department is to be considered to be the Department having cognizance of the subject-matter of the memorial. Such memorials will be transmitted to His Majesty's Secretary of State through that department ; and to it should be referred all memorials of the kind now described, which may reach any other department of the Government of India. The Legislative Department will, when necessary, consult the executive department concerned before disposing of, or transmitting, such memorials."—Home Department, No. $\frac{22\text{-Public}}{996\text{-}1001}$, dated 24th May 1878.
Memorials involving questions relating to pensions, gratuities, allowances, and the like should be forwarded through the Government of India—Home Department Notification No. 5153, dated 10th September 1901.	Memorials involving questions relating to pensions, gratuities, allowances, and the like should be forwarded through the Government of India—Home Department Notification No. 5153, dated 10th September 1901.

Secretary of State's Memorial Rules—cont.

Existing.	Proposed.
V.—Every memorial to His Majesty or to the Secretary of State for India presented through a Local Government, other than the Government of Madras or Bombay, should be forwarded by the Local Government, with a full statement of facts and an expression of opinion, to the Government of India in the proper department for transmission to the authority addressed.*	V.—Every memorial to His Majesty or to the Secretary of State for India presented through a Local Government, other than the Government of Madras or Bombay, should be forwarded by the Local Government with a full statement of facts and an expression of opinion, to the Government of India in the proper department for transmission to the authority addressed.*
VI.—Every memorial to His Majesty or to the Secretary of State for India from a person who has been employed in the army should, if it relates to a military subject, be forwarded through the Lieutenant-General Commanding the Forces of the Command in which the memorialist has served. The Lieutenant-General will forward it, with a full statement of facts and an expression of opinion, to the Government of India in the Military Department for transmission to the authority addressed.†	VI.—Every memorial to His Majesty or to the Secretary of State for India from a person who has been employed in the army should, if it relates to a military subject, be forwarded *through the Divisional or Independent Brigade Commander, or such equivalent authority as may from time to time be determined in the case of retired military officers, in whose jurisdiction the memorialist has served. The Divisional or Independent Brigade Commander, etc.*, will forward it with a full statement of facts and expression of opinion to the Government of India for transmission to the authority addressed.†
VII.—No limit is fixed to the time within which an appeal from an order of the Governments in India must be preferred to the Home Government, except in the case of an appeal from a judicial decision in which the judge is a political officer and in which the appeal ordinarily lies to Government in the Department. Such appeals must be preferred within a period of twelve months from the date of communication to the person concerned of the order to which objection is taken.	VII.—(*a*) In the case of an appeal from a judicial decision in which the judge is a Political Officer, and in which the appeal ordinarily lies to *the Government of India or a Local Government in the Political Department*, such appeal must be preferred within a period of twelve months from the date of communication to the person concerned of the order to which objection is taken. (*b*) In other cases no definite limit of time is fixed within which an appeal from order of the Governments in India must be preferred to the Home Government. *The Government of India are, however, vested with discretionary power to withhold a petition addressed to the Home Government when it is an appeal against an order or decision of the Local Government which has been confirmed by the Government of India, and is made more than six months after the communication of such order of confirmation to the petitioner without satisfactory explanation of the delay.*
VIII.—A memorial may be transmitted either in manuscript or in print, but must, with all accompanying documents, be properly authenticated by the signature of the memorialist on each sheet, and must conclude with a specific prayer.	VIII.—A memorial may be transmitted either in manuscript or in print but must, with all accompanying documents, be properly authenticated by the signature of the memorialist on each sheet, and must conclude with a specific prayer.
IX.—Memorials, together with their accompanying documents, should be in English.‡ If the	IX.—Memorials, together with their accompanying documents, should be in English.‡ If the

* Appeals by private persons from the orders of the Lieutenant-Governors lie, in the first instance, to the Governor-General in Council. An appeal to the Secretary of State will lie only in the event of an appeal to the Governor-General in Council having been rejected.

† Appeals by individuals from the orders of the Lieutenant-General Commanding the Forces, lie in the first instance to the Governor-General in Council and thereafter to the Secretary of State.

‡ "As it frequently happens that the disposal of vernacular petitions presented to the Government of India is delayed owing to their being unaccompanied by the English translations, and as Local Governments and Administrations have greater facilities for translating the vernaculars in use under their different provinces than the Government of India have, I am directed to request that, in order to avoid inconvenience and delay, all vernacular petitions transmitted by a Local Government and Administration to the Government of India may invariably be accompanied by an English translation."

2. "It should, however, be clearly understood that it is not the intention of the Governor General in Council that any petition presented for transmission of the Government of India or to the Secretary of State should be refused by reason of its being in the vernacular or because it is unaccompanied by a translation. The great majority of the population do not know English, and cannot obtain the services of an English petition-writer; and it is most undesirable that in a country like India the free right to petition should be curtailed. But as the languages of India are many and diverse, it is desirable that any vernacular petition or memorial forwarded to supreme authority by, or through, a Local Government should be accompanied by an English translation."—[Home Department No. 54—2086-95 (Public), dated 21st November 1878.].

* Appeals by private persons from the orders of the Lieutenant-Governors lie, in the first instance, to the Governor-General in Council. An appeal to the Secretary of State will lie only in the event of an appeal to the Governor-General in Council having been rejected.

† Appeals by individuals from the orders of *the Divisional or Independent Brigade Commanders, etc.*, lie in the first instance to the Governor-General in Council and thereafter to the Secretary of State.

‡ "As it frequently happens that the disposal of vernacular petitions presented to the Government of India is delayed owing to their being unaccompanied by English translations, and as Local Governments and Administrations have greater facilities for translating the vernaculars in use under their different provinces than the Government of India have, I am directed to request that, in order to avoid inconvenience and delay, all vernacular petitions transmitted by a Local Government and Administration to the Government of India may invariably be accompanied by an English translation."

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Secretary of State's Memorial Rules—cont.

Existing.	Proposed.
accompanying documents must necessarily be forwarded in the vernacular, an English translation should be appended, which should be attested by the signature of the memorialist.	accompanying documents must necessarily be forwarded in the vernacular, an English translation should be appended, which should be attested by the signature of the memorialist.
N.B.—It will be well for the transmitting office to examine such translations, and if they are found to be incorrect or faulty, to notice the fact in sending on the memorial.	*N.B.*—It will be well for the transmitting office to examine such translations, and if they are found to be incorrect or faulty, to notice the fact in sending on the memorial.
X.—It is not necessary that memorials should be forwarded in duplicate or triplicate. The originals will invariably be transmitted to England, a copy being made and retained by the Government of India, if necessary, for record.	X.—It is not necessary that memorials should be forwarded in duplicate or triplicate. The originals will invariably be transmitted to England, a copy being made and retained, *if necessary by the Governments of India, Madras or Bombay, as the case may be.*
XI.—As a general rule, the transmission to England of a memorial duly forwarded through the proper channel should not be delayed by the transmitting Government in India beyond a month after the receipt of the memorial.	XI.—As a general rule, the transmission to England of a memorial duly forwarded through the proper channel should not be delayed by the transmitting Government in India beyond a month after the receipt of the memorial.
XII.—The Governments in India are vested with discretionary power to withhold the transmission of memorials addressed to His Majesty or to the Secretary of State for India in the following cases :—	XII.—The Governments in India are vested with discretionary power to withhold the transmission of memorials addressed to His Majesty or to the Secretary of State for India in the following cases :—
(1) When a memorial is illegible or unintelligible.	(1) When a memorial is illegible or unintelligible.
(2) When a memorial contains disrespectful or improper language.	(2) When a memorial contains disrespectful or improper language.
(3) When a second memorial is presented after a decision has already been given by the authority to which it is addressed, and when no new facts or circumstances are adduced which affords grounds for a reconsideration of the case. A memorial addressed to His Majesty by a person whose appeal to the Secretary of State for India has already been rejected, shall be held to be a second memorial to the same authority, and shall not be transmitted.	(3) When a second memorial is presented after a decision has already been given by the authority to which it is addressed, and when no new facts or circumstances are adduced which afford grounds for a reconsideration of the case. A memorial addressed to His Majesty by a person whose appeal to the Secretary of State for India has already been rejected, shall be held to be a second memorial to the same authority, and shall not be transmitted.
(4) When a memorial is a mere application for pecuniary assistance by a person manifestly possessing no claim.	(4) When a memorial is a mere application for pecuniary assistance by a person manifestly possessing no claim.
(5) When a memorial is an application for employment under one of the Governments in India from a person not in the service of the Government, or is a request for exemption from the provisions of any law or rule prescribing the qualifications to be possessed by persons in the service of Government, or by persons engaging in any profession, or employment.	(5) When a memorial is an application for employment under one of the Governments in India from a person not in the service of the Government, or is a request for exemption from the provisions of any law or rule prescribing the qualifications to be possessed by persons in the service of Government, or by persons engaging in any profession or employment.
(6) When a memorial is a mere appeal from a judicial decision.	(6) When a memorial is a mere appeal from a judicial decision.
NOTE 1.—If the memorial is practically an appeal for mercy or pardon or contains such an appeal, it must be transmitted, unless it falls under rule XIII.	NOTE 1.—If the memorial is practically an appeal for mercy or pardon, or contains such an appeal, it must be transmitted, unless it falls under rule XIII.
Note 2.—When a memorial of the kind referred to in Note 1 is addressed to His Majesty or to the Secretary of State for India after a previous petition has been rejected by the Government of India or the Local Government, the memorial must be transmitted, unless the case is one of which the Local Government is competent to dispose on its own responsibility under the orders contained in the Resolution of the Government of India in the Home Department, No. $\frac{7}{1161\text{-}72}$, dated the 15th August 1890.	NOTE 2.—When a memorial of the kind referred to in Note 1 is addressed to His Majesty or to the Secretary of State for India after a previous petition has been rejected by the Government of India or the Local Government, the memorial must be transmitted, unless the case is one of which the Local Government is competent to dispose on its own responsibility, under the orders contained in the Resolution of the Government of India in the Home Department, No. $\frac{7}{1161\text{-}72}$, dated the 15th August 1890.

Secretary of State's Memorial Rules—cont.

Existing.	Proposed.
(7)* When a memorial is an appeal against an order of a Local Government regarding the dismissal, removal, reduction or other punishment of a Government servant or an employé of a local authority whose salary was not more than Rs. 100 a month; or when it is an appeal against a similar order of a Local Government confirmed by the Government of India from a Government servant or an employé of a local authority whose salary was not more than Rs. 250 a month.	(7)* (*a*) When a memorial is an appeal against an *appellate* order of a Local Government or of the Government of India confirming the dismissal, removal, reduction or other punishment of a Government servant or an employé of a local authority whose salary was not more than Rs. 250, or (*b*) when it is an appeal against an *appellate* order of the Government of India confirming a punishment inflicted on a Government servant or an employé of a local authority whose salary was *more than Rs. 250.*
NOTE.—The first sentence in this clause applies to the orders of the Government of India as well as to those of Local Governments.	*Provided that rule 7 (a) and 7 (b) shall not apply (i) in the cases of Gazetted Officers holding posts habitually recruited for in England, including officers of a Provincial Service holding appointments 'listed' from an Imperial Service, when punished in any way, or (ii) in the case of other Gazetted Officers, when punished with dismissal.* *Note.—For the purpose of this rule an order confirming a punishment includes an order which, while upholding the finding of the subordinate authority, modifies the terms of the punishment to the advantage of the appellant. In cases, however, in which the appellate authority has enhanced the original punishment, the order in appeal, for the purposes of these rules, should be regarded as an original punitive order.*
(8) When a memorial is an appeal against a decision, which by any law or rule having the force of law, is declared to be final.	(8) When a memorial is an appeal against a decision, which by any law or rule having the force of law, is declared to be final.
(9) When a memorial is addressed by an officer still in the public service, and has reference to his prospective claim to pension.	(9) When a memorial is addressed by an officer still in the public service, and has reference to his prospective claim to pension.
(10) When a memorial is a mere appeal against the non-exercise by one of the Governments in India of a discretion vested in such Government by law or rule.	(10) When a memorial is a mere appeal against the non-exercise by one of the Governments in India of a discretion vested in such Government by law or rule.
(11) When a memorial is an appeal against action of a private individual, or of a body of private individuals, regarding the private relations of the memorialist and such individual or body.	(11) When a memorial is an appeal against the action of a private individual or of a body of private individuals, regarding the private relations of the memorialist and such individual or body.
(12) When a memorial is an appeal against orders refusing the grant of a pension to an inferior servant who is not eligible for such grant under the pension rules.	(12) When a memorial is an appeal against orders refusing the grant of a pension to an inferior servant who is not eligible for such grant under the pension rules.
XIII.—The Government of India may withhold the transmission of a memorial to His Majesty or	(13) *When a memorial relates to a request other than for pardon which no authority in India*

* "The Governor-General in Council considers that the discretionary power of withholding petitions under clause 8, rule XII† of the rules for the submission, receipt and transmission of memorials and other papers of the same class addressed to His Majesty the King, Emperor of India, or to the Right Hon'ble the Secretary of State for India, by private persons or by officers of all civil departments should be used with caution, and only after full consideration of the facts in each case. Having regard to the constitution and character of the Indian subordinate Services, dismissal of Government officials often involves serious distress, if not actual ruin to them, and it is right that, under such circumstances, every opportunity should be allowed to them of making themselves heard. Further, when, as sometimes happens, their representations reach the Secretary of State through non-official channels, it is convenient that he should be in a position at once to deal with them, instead of being obliged, as may now be the case, to refer for information to this country. Such petitions, therefore, should not be withheld when there is any reasonable prospect of difference of opinion as to the order passed on them by the Government of India, or when they contain anything to which the attention of the Secretary of State is likely to be specially directed."—[Home Department Resolution No. 1438 (Public) dated 24th September 1880.]

† Since renumbered clause 7, rule XII.

* "The Governor-General in Council considers that the discretionary power of withholding petitions under clause 8, rule XIII† of the rules for the submission, receipt, and transmission of memorials and other papers of the same class addressed to His Majesty the King, Emperor of India or to the Right Hon'ble the Secretary of State for India, by private persons or by officers of all civil department should be used with caution, and only after full consideration of the facts in each case. Having regard to the constitution and character of the Indian subordinate Services dismissal of Government officials often involves serious distress, if not actual ruin, to them, and it is right that, under such circumstances, every opportunity should be allowed to them of making themselves heard. Further, when, as sometimes happens, their representations reach the Secretary of State through non-official channels, it is convenient that he should be in a position at once to deal with them, instead of being obliged, as may now be the case, to refer for information to this country. Such petitions, therefore, should not be withheld when there is any reasonable prospect of difference of opinion as to the order passed on them by the Government of India, or when they contain anything to which the attention of the Secretary of State is likely to be specially directed."—[Home Department Resolution No. 1438 (Public), dated 24th September 1880.]

† Since renumbered clause 7, rule XII.

Secretary of State's Memorial Rules—concluded.

Existing.	Proposed.
to the Secretary of State for India unless the memorialist has previously memorialized the Government of India and the Local Government concerned on the same subject; and the Government of Madras or Bombay may withhold the transmission of a memorial which under Rule IV. they are authorized to forward direct, unless the memorialist has previously memorialized the Local Government concerned on the same subject: provided that, when the memorial is one for pardon which no authority in India has power to grant, it should be addressed to His Majesty and forwarded to the Secretary of State for India.	*has power to grant, and a previous application for redress has not been made to the Local Government concerned or to the Government of India on the subject.* *Note.—When a memorial is one for pardon which no authority in India has power to grant, it should be addressed to his Majesty and forwarded to the Secretary of State for India.*
XIV.—When a memorial is withheld, the memorialist should be informed of the fact and of the reason for it.	XIII.—When a memorial is withheld, the memorialist should be informed of the fact and of the reason for it.
XV.—A list of memorials withheld under the discretionary power conferred by Rule XII., with the reasons for withholding them, will be forwarded quarterly to the Government of India under the case of memorials withheld by Local Governments under the same discretionary power, and by the Government of India in the department concerned to the Secretary of State for India.	XIV.—A list of memorials withheld under the discretionary power conferred by Rules VII. and XII., with the reasons for withholding them, will be forwarded quarterly to the Government of India in the case of memorials withheld by Local Governments under the same discretionary power, and by the Government of India in the department concerned to the Secretary of State for India.

APPENDIX XIV.

(*Filed by Sir H. Risley*, vide *Q.* 45,558.)

No. 64 of 1903.—Government of India.—Finance and Commerce Department.—Salaries, Establishments, etc. (Administration).

To The Right Hon. Lord George Francis Hamilton, G.C.S.I., His Majesty's Secretary of State for India, Calcutta, the 12th March, 1903.

My Lord,

We have the honour to submit, for Your Lordship's favourable consideration, the following proposals for increasing both the gazetted and ministerial establishment of our Home Department.

2. During recent years the Government of India have, on two occasions, been constrained to recommend additions to this establishment. In September, 1890, Lord Lansdowne's Government urged the need for the appointment of a Deputy Secretary, and in March, 1898, Lord Elgin's Government asked that the office staff might be increased by a superintendent, six clerks and a proof reader. The first proposal was sanctioned in Lord Cross' Despatch No. 254 (Financial), dated the 13th November, 1890, and the second in Your Lordship's Despatch No. 67 (Public), dated the 12th May, 1898. At the present time the officers of the Department are the Secretary, Deputy-Secretary, Under-Secretary and Registrar, and there are 44 clerks the majority of whom are distributed among the four main branches of the office, at the head of each of which is a superintendent. The Officer in charge of the Records, who is *ex-officio* an Assistant Secretary to the Government of India, deals with a few cases connected with the subject-matter of his general duties.

3. It has for some time past been evident that the Home Department staff is painfully, and even dangerously, overtaxed. The opinion of all those who have watched or taken part in the work of the department is unanimous on this subject, and the test of personal experience is fully corroborated by the statistics of the business transacted. The average annual number of letters received and issued during the years 1886 to 1889 was about 27,000. The following table gives similar figures for the years 1891 to 1902 inclusive:—

Year.	Receipts and issues.
1891	25,456
1892	25,385
1893	25,590
1894	27,640
1895	29,825
1896	30,835
1897	30,716*
1898	37,360
1899	42,603
1900	46,288
1901	46,165*
1902	49,266

The aggregate volume of work dealt with at various times, and the strength of the clerical establishment employed on its disposal, is shown in the following comparative statement:—

Year.	Number of Receipts and Issues.	Number of Clerks.
1881	17,500	32
1891	25,000	40
1896	31,000	40
1902	49,000	48

The gradual increase of work between 1890 and 1897 rendered necessary the addition of a Superintendent and seven clerks mentioned in paragraph 2 above. During the past five years the growth of

* Excluding certain special classes of work.

business has been much more rapid, with the result that a staff, the strength of which was adjusted in 1898 on the basis of the work represented by some 31,000 letters received and issued annually, finds itself now called upon to deal with the volume of work represented by 49,000 letters annually—a numerical increase of 60 per cent.

4. We may add that we see no prospect of relief from the present pressure, but, on the contrary, every likelihood of the correspondence of the department attaining still larger dimensions in the near future. The improvement and development of all branches of education, police reform, the numerous questions that will arise out of the altered status of Berar, the re-organisation of the Sanitary Department, revised schemes of Local Self-Government, and the revision of the Imperial Gazetteer, may be mentioned as subjects of great magnitude or importance which will contribute to this result.

5. The officers of the department and the office establishment have made every endeavour to cope with the increase of business, but it is not possible that they should continue indefinitely to work at the present tension. The four superintendents of the branches have made a formal representation to us which has been strongly endorsed and supported by their superior officers, and we cannot ignore their reasonable complaint. It is, furthermore, prejudicial to public business that it should be dealt with under the conditions which now prevail. The interests of administrative efficiency alone demand that the staff, gazetted and non-gazetted alike, should receive a substantial supplement.

6. Your Lordship may, however, ask whether the great increase of work which has resulted in the present reference is really unavoidable, or whether it may not be to some extent due to an unnecessary enlargement of the scope of the supervision undertaken by the central office, against which Lord Cross gave a warning in his Despatch No. 128 (Financial), dated the 2nd July, 1891. We would reply that the development of modern systems of administration in India must inevitably add to the range and volume of the work of the Supreme Government, and that this tendency makes itself specially felt in the Home Department which deals with the general internal affairs of the country. The improved means of communication which have brought all parts of the empire into closer touch with one another have at once emphasised the imperial importance of numerous questions which are primarily the subject of provincial administration, and made it easier to consider them in their more general aspects. With the march of progress the system of Government is daily becoming more complex and in many respects more technical. Large problems are constantly arising which require to be considered in their bearing on the general interests of India, and to be examined from this point of view by the best expert opinion that can be obtained. Cases which involved such wide issues can be dealt with only by the Supreme Government. Finally, while we fully recognise the importance of keeping decentralization steadily in view as a guiding principle, experience has repeatedly shown us the need for watchful supervision on the part of the Government of India, both in order to maintain the general standard of the administration and to guard against the occurrence of positive errors and the disregard of standing orders or accepted principles.

7. Having explained the grounds on which we ask Your Lordship to sanction an increase of establishment, it remains for us to state the details of our proposal. In the first place we desire to appoint a second Under-Secretary, who should be a member of the Indian Civil Service and should be granted pay at the same rate as the present Under-Secretary, namely, Rs. 1,300 a month. We have considered the alternative of appointing an Assistant Secretary, but we do not think that such an appointment would meet the needs of the present case. What is required is an officer able to give the same assistance in the submission of cases and the drafting of letters and despatches that is rendered by the present Under-Secretary, and this can only be done by a member of the Indian Civil Service of high educational attainments and some administrative experience.

8. In the office the present branches are both too few and too weak, and it is, in our opinion, essential to form two new branches with the following staff:—

		Rs.
1	Superintendent on	400—40—600
1	Do. ,, ...	300—20—400
2	Assistants ,, ...	200—20—300
2	Do. ,, ...	150—10—200
1	Assistant ,, ...	100—10—150
2	Assistants ,, ...	50—10—100
3	Do. ,, ...	50
12		

These proposals have been made with all possible regard to economy, and we would lay particular stress on the necessity for appointing two new superintendents on the pay stated. The difficult and exacting nature of the work makes it advisable to attract to these posts the best men who are obtainable in the country.

9. The increases which we have proposed involve consequential additions to the strength of the menial establishment. We attach a *proposition statement which shows the extra cost of the whole scheme to be as follows:—

	Per mensem. Rs.	a.	p.
I. Gazetted Staff	1,300	0	0
II. Clerical Establishment ...	2,312	8	0
III. Menial Establishment ...	115	12	0
Total	3,728	4	0

10. We shall be obliged if Your Lordship will communicate your orders at as early a date as is conveniently possible, as the relief asked for is urgently needed.

We have the honour to be,

My Lord,

Your Lordship's most obedient humble Servants,

(Signed) CURZON.
,, KITCHENER.
,, T. RALEIGH.
,, E. F. G. LAW.
,, E. R. ELLES.
,, A. T. ARUNDEL.
,, DENZIL IBBETSON.

* Not reprinted in present volume.

India Office, London,
15th May 1903.

Public — No. 55.—To His Excellency the Right Honourable the Governor General of India in Council.

My Lord,—I have considered in Council the Financial letter of your Excellency's Government No. 64.* dated the 12th March 1903, in which you propose the addition of an Under Secretary to the gazetted staff of your Home Department, and of two superintendents, with ten assistants, to the ministerial staff, involving an increased expenditure of Rs. 44,739 a year.

2. It appears from the statement in paragraph 3 of the letter that there has been a great increase in the work of the Home Department since it was strengthened, in 1890, by the addition of a Deputy Secretary, the number of receipts and issues in 1902 having been 49,266 as compared with 25,456 in 1891, or nearly double. I observe that the year 1898 marks the period when the expansion began to be large and rapid, and that the total of last year is nearly 12,000 in excess of that of 1898. You say that you see no prospect of relief from the present pressure, but, on the contrary, every likelihood of the correspondence of the department attaining still greater dimensions in future.

3. In your sixth paragraph you explain, with reference to the remarks of my predecessor Lord Cross, in his Despatch No. 128 (Financial), dated the 2nd July 1891, regarding the danger of excessive enlargement of the scope and range of the supervision undertaken by the Central Government, and the multiplication of correspondence entailed thereby, that you regard the development of modern systems of administration in India as inevitably leading to this result, and that you consider it absolutely necessary to maintain a watchful supervision on the part of the Government of India over the proceedings of the Local Governments and Administrations, both in order to maintain the general standard of administration, and to guard against the occurrence of positive errors and the disregard of standing orders or accepted principles.

4. I have no doubt that the active enquiry pursued, under your Excellency's orders, into the necessity for improvement in the various branches of public business, and especially in those with which the Home Department deals, has contributed greatly to the increase of correspondence shown in your letter. It may be true that under existing conditions the improvement of various branches of executive and administrative work can be initiated more easily by the Central Government than by the local administrations, and it is no doubt necessary that for some few years after the introduction of reforms the Central Government should be fully informed as to their progress and development. But the correspondence thence arising should steadily decrease as the Local Governments become habituated to the changes which have been made. For this reason I cannot regard the figures relating to the growth of correspondence since 1891 as evidence of a normal and permanent increase. The efforts made by your Government to curtail the mass of report writing, which you rightly consider to be a serious hindrance to the proper conduct of business, by public officers, would be neutralised if, in place of annual reports, the amount of ordinary correspondence were allowed to grow at the rate which the present figures disclose, and I cannot but regard them with much misgiving. It appears to me to be of great importance that the initiative and responsibility of the heads of the various provinces should be allowed their legitimate share in our system of administration, since it is upon their activity and watchfulness that the continuous improvement of the government of the country mainly depends. I observe that your Excellency "fully recognizes the importance of keeping decentralization steadily in view as a guiding principle;" and only a detailed examination, which I am not in a position to make, of the great increase which has taken place in correspondence could suggest whether, or where, this principle has been departed from. I trust, however, that your Excellency will address yourself to the problem which these figures present, with a view to checking, as far as possible, the growth of correspondence indicated by them.

5. With these remarks I accord my sanction to the addition to the establishment of the Home Department which you propose as a temporary measure for four years; and I shall be glad to be furnished, three years' hence, with statistics showing how far the reduction in the work of the Department which I have urged above has been carried out.

I have the honour to be,
My Lord,
Your Lordship's most obedient, humble Servant,
GEORGE HAMILTON.

* Increase of the establishment of the Home Department of the Government of India.

No. 19 of 1907.—Government of India—Home Department.—Establishments.

To the Right Honourable John Morley, O.M., His Majesty's Secretary of State for India.

Simla,
9th May 1907.

Sir,—We have the honour to refer to the despatch No. 55 (Public), dated the 15th May 1903, in which Lord George Hamilton sanctioned an increase in the establishment of our Home Department office as a temporary measure for four years, and commented upon the increase of correspondence which the figures submitted to him by Lord Curzon's Government in their despatch No. 64 of 12th March 1903, showed to have taken place in recent years.

2. His Lordship recognised that the enquiry undertaken by Lord Curzon's Government into the necessity for improvement in the various branches of public business, especially in those with which the Home Department deals, had contributed greatly to the increase of correspondence which the figures implied. He admitted that for some few years after the introduction of reforms it was necessary that the Central Government should be fully informed as to their progress and development. But he suggested that the correspondence thence arising should steadily decrease as the Local Governments become habituated to the changes which had been made, and for this reason he declined to regard the figures relating to the growth of correspondence since 1891 as evidence of a normal and permanent increase. He observed that it was of importance that the initiative and responsibility of the Heads of the various provinces should be allowed their legitimate share in the system of administration, since it is upon their activity and watchfulness that the continuous improvement of the government of the country mainly depends. He acknowledged that our predecessors attached due importance to keeping decentralization steadily in view as a guiding principle; but he suggested that the Government of India should address themselves to a detailed examination of the statistics relating to the correspondence with the object of ascertaining whether, or where, the principle had been departed from, and of checking the growth of correspondence as far as possible.

3. The examination which His Lordship desired our predecessors to undertake has since been made. Its result may be gathered from the attached statement in which are shown the figures relating to receipts and issues for the past nine years under the fifteen several heads under which the business of the Home Department is distributed. In commenting on these figures it is perhaps needless to observe that in such a matter any statistics taken by themselves are a misleading and fallacious guide. It is necessary to have regard, not merely to the number of units of work, but also to the character of the different units. A single reference, for instance, from the Administrator-General or from the Metropolitan in India may involve the expenditure of greater time and labour to the establishment dealing with it than scores of routine references of the nature of plague reports or the transfers of officers, and for

this reason we think it necessary to supplement the deductions to be drawn from the bare statistics as they stand, with our knowledge of the degree of complexity and difficulty which is likely to be involved in the discussions which they represent.

4. Out of the fifteen heads of public business marginally noted with which the Home Department deals, the subject of Archæology and Epigraphy, which has only recently been transferred from the Revenue Department to the Home Department, may be, for present purposes, set aside. As regards the fourteen remaining subjects, the figures suggest that work is increasing in the case of eight, constant in the case of three, and decreasing in the case of three. This conclusion is generally confirmed by the personal experience of the staff. In the case of the Public Branch, a marked increase occurred in the year 1899, which was sustained in the four years following. These variations are sufficiently accounted for by the increased attention devoted, in 1899, to cases of collision between Europeans and natives; in 1900, by the enquiry which Lord Curzon's Government undertook into the curtailment of reports and returns; and in 1901, by correspondence connected with the death of Her late Majesty the Queen-Empress. The decrease which occurred in 1904 resulted partly from the transfer of certain heads of correspondence to other branches of the office, as a result of the reorganization of the office undertaken in the latter part of 1903. The increased figures of 1905 may reasonably be connected with the reconstitution of the provinces of Bengal and Assam. There has been a decrease in 1906 the figures for which are almost exactly the same as those for 1904. In the Education Branch the marked increase of work which occurred towards the end of the year 1901, synchronized accurately with the Educational Conference held by Lord Curzon at Simla in October of that year. The discussions thereby originated fully account for the development of work to which the five following years bear witness. Nor do the latest figures available show that the impetus then given has yet spent itself. Many problems relating to the improvement of secondary, technical and European education, and other important matters, still await solution. Similar remarks apply to the case of the Police Branch, the business of which increased steadily after the appointment of the Police Commission in 1902. These two branches are amongst the most heavily worked portions of the Home Department; and in their case our experience has hitherto not borne out the conclusion which Lord George Hamilton suggested, that far-reaching reforms in any great department of public business should be only of temporary effect as regards the increase of actual correspondence. On the contrary we are inclined to think that the effect of a Commission in this direction is to some extent at least permanent. The Plague Commission, the Simla Educational Conference and the Police Commission have all resulted in, or been associated with, the appointment of an expert adviser to the Government of India as regards the peculiar matters which those bodies considered; and we are inclined to think that the department will always have more work to discharge in these various directions than would have fallen to it if the reforms instituted during Lord Curzon's term of office as Governor General had not been undertaken at all. The other branches of work in which an increase is observable are those which fall under the headings of Establishments, Examinations, Port Blair, Municipalities and Books. The transfers of officers between Bengal and the new province have occasioned some increase of work under the head Establishments. The increase between the years 1901 and 1905 under the heading Examinations is mainly due to our attempts to place the system of examination in Oriental languages on a more practical footing. It is true that there has been a slight decrease under the head of Examinations in 1906, but this is not likely to be permanent, as we have under consideration at present some very important questions relating to examinations both in law and vernacular languages which will cause a considerable access of work. The apparent large development of work during the past two years under the head Port Blair, must be ascribed to the activity of the late Superintendent who initiated various schemes for the development of the settlement and the improvement of the administration in many directions. In this case we need only observe that no question of centralization or the reverse arises. The Superintendent is a Local Government only for certain limited purposes and, in all matters which are beyond his competence, the Government of India in the Home Department are themselves the Local Government. The increase of business under the heading Municipalities is not serious and may probably be attributed—

(1) to normal progress in the development of the municipal system throughout India, and the gradual replacement of obsolete enactments by new ones in which provision is made for modern requirements in such matters as water-supply, sewerage, conservancy, and drainage;

(2) to the inception of large schemes of structural improvement in the cities of Calcutta, Bombay and Rangoon; and

(3) to the discussion of questions of taxation both in municipalities and cantonments.

The increase of work in the Books Branch is probably connected with correspondence relating to the Victoria Memorial Hall.

5. The figures representing the volume of business falling under the headings Judicial, Ecclesiastical and Local Boards may be described as fairly constant; our own experience of the work in these respects tend, to confirm this conclusion; and we think it unnecessary therefore, to discuss these subjects further.

6. The work falling under the headings Sanitary, Medical and Jails is decreasing. In the first of these it cannot be said that this is due to the fact that the main principles of sanitary administration have yet been determined. Such is indeed far from being the case. The decrease which the figures represent must be ascribed to the fact that in the earlier years of the period under consideration the progress of plague necessitated far more references to the Supreme Government than is at present found necessary. While there has been a considerable diminution in the number of references of a comparatively unimportant kind, due to the fact that our plague policy is now more fully understood by Local Governments, the number of references on important subjects has not diminished. The figures for the last two years indeed indicate a rising tendency; nor would it be surprising if this tendency continues, in view of the large problems of sanitary administration which still lie before us. This recent increase has been attended by a slight decrease, though of longer duration, under the heading Medical, which may be attributed in part at least to a redistribution of subjects, due to the appointment in 1904 of a Sanitary Commissioner. The decrease under the heading Jails is, we think, to be attributed not so much to the admitted fact that the main lines of penal administration throughout India have been settled, as to the circumstance that an amendment of the Prisoners Act, undertaken in 1904, has relieved the Government of India of the necessity of dealing with a large class of references of a routine nature from Local Governments relating to the transfers of prisoners between provinces.

7. Our conclusion therefore is that the increase of business, which is undoubtedly occurring, can only partially be located under restricted heads. It is in the main due to the operation of general tendencies, causes of which lie beyond our control, but the effect of which cannot be overlooked in any endeavour to arrive at a just appreciation of the problems with which any administrative Department of the Government of India is confronted. The first of these is the one to which our predecessors referred in paragraph 6 of their despatch of 12th March 1903. The development of the country generally, and the vast improvement of communications, which day by day brings the various parts of India into closer relations, tends of necessity to increase the desirability of or need for uniformity in many matters which can only be secured by the control of a central authority. An obvious illustration is presented by those matters which in the interests of trade require to be regulated by uniform rules throughout India. Such uniformity can be secured only by the Government of India, who either make the rules themselves where they have the legal power or, where they have not, frame model rules and instruct the Local Governments to conform

to them as far as possible. Whichever process has been adopted the utmost care has been taken to provide for the adaptation of general principles to local conditions. Among the matters pertaining to the Home Department which we have in mind, are questions of arms and ammunition and poisons : to which may be added the questions of explosives, steam boilers, petroleum and carbide of calcium which have only recently been transferred from its control. A cognate case is that of the rules and orders affecting shipping, which have been framed in the interests of sanitation with the object of preventing plague or other epidemic disease from being imported into, or exported from, India. It would clearly be an intolerable hindrance to captains and shippers if a different set of rules were in force at each port which a vessel entered ; but here again the Government of India alone are in a position to secure practical uniformity.

8. Another of the most important causes of the increase of work in the Home Department, as well as in the other Departments of the Government of India, is to be found in the financial prosperity of the country. Before 1899, India was still suffering from the effects of the depreciation of silver, and reforms could not be undertaken because the Government had not the money required for them. As the condition of the finances improved Local Governments and the administrative departments took up one reform after another each of which involved increased work for the department concerned. We see no reason to anticipate that in a country which is being so rapidly developed the work of administration will ever diminish : on the contrary we do not think that it can fail to increase.

9. There is another way in which the modern economic development of India has insensibly favoured the concentration of authority in the hands of the Central Government. The increased facilities of communication with Europe have brought India more and more closely into touch with western countries, by whose standards she is judged, and to whose ideas of efficiency she is expected to conform. The Government of India, who are concerned to see that she is properly equipped to take her new place among the nations, have gradually found it impossible to content themselves in dealing with all matters of a technical or difficult character with the intermittent and unauthoritative advice of unspecialised departments. It has been necessary to create new expert agencies to deal with new conditions, and thus there has grown up by degrees a series of specialised offices or departments. Some of these pertain directly to the Supreme Government, such as the Department of Commerce and Industry, the Director-General of Education, the Sanitary Commissioner, the Director-General of Archæology, the Chief Inspector of Explosives, and in some measure the Inspecting Officer of Cantonments. Others, though nominally under Local Governments, are or are coming to be practically administered by the Government of India. These are the Jails Service, the Bacteriological Service, the Lunatic Asylum Service and the Chemical Examiners. Each Local Government has at most only a few such officers under its orders, and cannot by itself appraise the individual's merits or ensure his prospects : the Services are in fact too small to be worked on a provincial basis, and their establishment has inevitably tended to concentrate business in the hands of the headquarters Government. Further illustrations might be added if we were not for the present concerned with the business of the Home Department only.

10. If full allowance be made, however, for the operation of all these causes, the fact undoubtedly remains that the work falling on the Home Department has been during recent years mainly augmented by the far-reaching reforms set on foot by Lord Curzon's Government in the matters of police and education. It is possible to represent these as measures of centralization. We hope to satisfy you that they were nothing of the kind. The Simla Conference of 1901 initiated proposals in every branch of the subject of education, and formulated lines of policy which the Local Governments are now engaged in carrying out with due regard to their own requirements and to the inevitable variation of local conditions. The appointment of the Police Commission of 1902 was a measure of the same type. It was the only possible agency through which a comprehensive scheme of reforms could have been worked out. The conditions of police service, machinery and work must be fairly uniform throughout India, and the experience of a series of years shows that several Local Governments, conscious of their own deficiencies, had planned reforms which from the nature of their position they were unable to carry out. They had neither the money nor the authority to work on comprehensive lines, and in the records of the Government of India their failure was abundantly written. The case of plague again affords an instance in which the Government of India would, we think, have been justified in working on a far more uniform method of administration than has in fact been attempted. We have indeed given Local Governments a large discretion even at the cost of maintaining in some parts of India methods of which we do not wholly approve, and as a rule we have not interfered with Local Governments save when they have sought our advice of their own motion, or when their orders have conflicted with obvious principles of public policy or the requirements of international conventions. Another fertile source of increased references to the Government of India to which allusion should be made lies in the unwillingness of the legislature to confer powers on Local Governments except subject to the previous sanction or at least to the control of the Government of India. Our system of legislation frequently takes the form of empowering Acts laying down general principles but leaving very wide powers of rule-making, or of what has been called "legislation by notification," to the executive. It is within the experience of those of us who have served on Select Committees that it has been represented that such discretion should be made subject to the control of the Supreme Government ; and it is usually impossible to resist such a demand, save when it is obviously unreasonable. This circumstance is not without significance as showing in what light the reservation of control in the hands of the Government of India is generally regarded by public opinion in India.

11. We venture to question whether there is any essential connection between the two propositions laid down in the last sentence but two of paragraph 4 of Lord George Hamilton's despatch. We entirely agree that unless Local Governments are active and watchful there can be no continuous improvement in India, but this proposition does not in our view necessarily involve the exercise of initiative by Local Governments or impugn its exercise by the Government of India. In our view the Supreme Government must retain and must often exercise the privilege of suggesting changes, enforcing uniformity, and enunciating broad principles ; but we fully recognize that Local Governments are not unworthy of the custody of these principles, and that they are capable of suggesting changes and initiating reforms. We have no desire to interfere either with their responsibility or with their power of initiative, nor do we consider that the imputation of having so interfered in the past could fairly be made against us At the same time experience has shown that as a rule it is from the Supreme Government that suggestions of reform must emanate and to them that the custody of principles and the enforcement of such uniformity as may be found requisite properly and inevitably belong. These are functions analogous to those which the Secretary of State in Council exercises in relation to the Government of India. There has been no attempt to usurp powers which would be legitimately exercised by lower authority, but the sole object has been to ensure that such powers are properly exercised. The term centralization as commonly employed in such discussions conveys a suggestion of reproach which seems to us unmerited : and we should prefer to describe the policy to which it has been applied partly as the successful adaptation of administrative means to an end, partly as the exercise of legitimate and necessary control.

12. There is, however, one important class of references to the Government of India which in many cases involve centralization in its invidious sense. We refer to the applications which Local Governments are compelled under financial rules to make to the Government of India, and the Government of India to the Secretary of State, whenever it is proposed to create a new appointment carrying a salary exceeding Rs. 3,000 a year, or to increase a salary which already exceeds or will, with the intended increase, exceed Rs. 5,000 a year, or to introduce a

scheme costing more than Rs. 25,000 a year. Some arbitrary limits under these heads are no doubt essential to the maintenance of adequate control. But we are satisfied that the limits should be placed at higher figures than the existing standards, which date back to the experimental stage in the delegation of financial authority, and have become inconsistent with the wide general powers which the Local Governments exercise with so much advantage under the existing system of provincial settlements. This system gives a Local Government practically the complete control of the revenues allotted to it, and where the Local Government is solvent, and the scheme submitted for sanction is not one of unusual magnitude and involves expenditure from provincial revenues only, the question of providing funds is a matter which concerns the Local Government much more directly than the Government of India. This is more especially the case now that the provincial settlements have been revised on a *quasi* permanent basis. It follows that the criticism which we apply to such proposals is almost wholly administrative, and practically the whole work of dealing with them, including the drafting of the final despatches, falls upon the administrative department concerned. A relaxation of existing restrictions would therefore in some degree lighten the task of those departments, and especially of our Home Department, and would discourage that excessive centralization on the administrative side which is out of harmony with the financial relations subsisting between ourselves and the Local Governments.

These are the considerations which led us to address to you a separate representation on this subject in our Finance despatch No. 17, dated the 24th January 1907, but its important bearing on the questions now under discussion makes it necessary to allude to it here.

13. We have now, as desired by Lord George Hamilton, dealt with the condition of the work in the Home Department as it stands nearly four years after the despatch under reply was written. The sanction given by His Lordship expires at the end of the present month and we are therefore compelled to address you regarding the necessity for the further retention of the additional establishment which he sanctioned. In doing so we desire to place on record our opinion that no diminution in the business of the department is perceptible. If the staff of officers and clerks are not now as heavily burdened as they were before the assistance given in 1903, they are at least fully occupied; and though we shall not fail to bear your predecessor's wishes in mind we must add that we apprehend that there is little or no hope of a decrease of work, and that the continuance in permanence of the establishment added in 1903 is absolutely necessary. We therefore request your sanction to the retention as a permanent measure of the establishment to whose temporary entertainment Lord George Hamilton accorded his sanction it 1903.

We have the honour to be,
Sir,
Your most obedient, humble servants;

MINTO.
KITCHENER.
H. E. RICHARDS.
E. N. BAKER.
C. H. SCOTT.
H. ADAMSON.
J. F. FINLAY.
J. O. MILLER.

Enclosure.

Abstract of receipts and issues in the Home Department during the years 1898 to 1906.

Abstract of receipts and issues in the Home Department during the years 1898 to 1906.

Branch.	Class of work.	1898.	1899.	1900.	1901.	1902.	1903.	1904.	1905.	1906.	Increase or decrease per cent. 1898–1906.
Public...	Receipts ...	2,948	3,570	4,849	4,962	4,851	4,356	3,589	3,643	3,818	...
	Issues	3,978	6,754	6,183	8,990	6,544	6,398	4,622	6,078	4,392	...
	Total ...	6,926	10,324	11,032	13,952	11,395	10,754	8,211	9,721	8,210	+18·54
Census	Receipts ...	...	47	248	287	137	63	28	...	...	...
	Issues	...	113	559	457	318	107	27	...	...	...
	Total ...	...	160	807	744	455	170	55	...	...	...
Judicial	Receipts ...	1,899	2,089	2,243	2,231	2,389	2,612	2,356	2,160	2,005	...
	Issues	2,579	2,827	3,069	3,033	3,012	3,209	3,269	2,999	2,457	...
	Total ...	4,478	4,916	5,312	5,264	5,401	5,821	5,625	5,159	4,462	—·35
Ecclesiastical ...	Receipts ...	535	621	570	652	620	624	625	565	602	...
	Issues	649	720	739	835	875	836	803	746	793	...
	Total ...	1,184	1,341	1,309	1,487	1,495	1,460	1,428	1,311	1,395	+17·82
Medical	Receipts ...	1,550	1,704	1,870	1,490	1,332	1,364	1,208	1,421	1,196	...
	Issues	2,432	2,972	3,313	2,595	2,198	2,081	2,090	1,886	1,824	...
	Total ...	3,982	4,676	5,183	4,085	3,530	3,445	3,298	3,307	3,020	—24·16

Abstract of receipts and issues in the Home Department during the years 1898 to 1906—concluded.

Branch.	Class of work.	1898.	1899.	1900.	1901.	1902.	1903.	1904.	1905.	1906.	Increase or decrease per cent. 1898–1906.
Sanitary and Sanitary—Plague.	Receipts ...	4,247	4,457	3,766	3,667	4,027	2,962	2,934	3,739	3,989	...
	Issues	5,797	4,035	3,485	2,763	2,800	2,244	2,195	2,551	2,699	...
	Total ...	10,044	8,492	7,251	6,430	6,827	5,206	5,129	6,290	6,688	—33·41
Education	Receipts ...	581	621	605	772	1,132	965	959	1,035	1,150	...
	Issues	683	815	640	933	1,408	1,147	1,552	1,274	1,413	...
	Total ...	1,264	1,436	1,245	1,705	2,540	2,112	2,511	2,309	2,563	+102·77
Examinations ...	Receipts ...	589	628	684	805	884	738	947	830	641	...
	Issues	647	916	905	1,051	1,024	950	1,038	1,012	951	...
	Total ...	1,236	1,544	1,589	1,856	1,908	1,688	1,985	1,842	1,592	+28·80
Archæology and Epigraphy.	Receipts ...	...	...	...	...	...	...	...	360	335	...
	Issues	...	...	...	...	...	...	...	741	534	...
	Total ...	...	...	...	...	...	...	...	1,101	869	...
Police	Receipts ...	605	627	812	807	992	1,459	1,657	1,721	1,627	...
	Issues	577	734	880	956	1,390	1,810	2,154	2,461	2,157	...
	Total ...	1,182	1,361	1,692	1,763	2,382	3,269	3,811	4,182	3,784	+220·14
Jails	Receipts ...	410	405	421	379	565	375	424	250	264	...
	Issues	703	636	622	638	1,118	875	710	401	389	...
	Total ...	1,113	1.041	1,043	1,017	1,683	1,250	1,134	651	653	—41·33
Port Blair	Receipts ...	601	753	608	649	745	541	616	1,010	838	...
	Issues	981	1,086	906	865	1,060	961	964	1,506	1,322	...
	Total ...	1,582	1,839	1,514	1,514	1,805	1,502	1,580	2,516	2,160	+36·54
Establishments ...	Receipts ...	1,177	783	902	942	833	1,159	1,286	1,595	1,691	...
	Issues	1,350	993	1,099	1,222	1,096	973	2,049	2,173	2,270	...
	Total ...	2,527	1,776	2,001	2,164	1,929	2,132	3,335	3,768	3,961	+56·75
Municipalities ...	Receipts ...	300	434	465	466	436	446	468	525	534	...
	Issues	282	449	394	457	468	384	598	506	528	...
	Total ...	582	883	859	923	904	830	1,066	1,031	1,062	+82·47
Local Boards	Receipts ...	113	137	130	116	178	158	155	130	132	...
	Issues	57	112	118	78	166	156	141	119	84	...
	Total ...	170	249	248	194	344	314	296	249	216	+27·06
Books	Receipts ...	1,608	1,629	2,083	1,579	1,777	1,895	1,903	2,307	2,176	...
	Issues	2,087	1,901	2,235	1,705	1,836	1,738	2,100	2,422	2,283	...
	Total ...	3,695	3,530	4,318	3,284	3,613	3,633	4,003	4,629	4,459	+20·68
GRAND TOTAL ...	Receipts and Issues ...	39,965	43,568	45,403	46,382	46,211	43,586	43,467	48,166	45,094	+12·83

India Office, London,
23rd August 1907.

Public — No. 123. — To His Excellency the Right Honourable the Governor-General of India in Council.

MY LORD,—I have had under my consideration in Council the letter from Your Excellency's Government, No. 19,* dated the 9th May last, in which you recommend that the additional establishments sanctioned by Lord George Hamilton's Despatch No. 55 (Public), dated the 15th May 1903, to strengthen your Secretariat in the Home Department, at an increased expenditure of Rs. 44,739 a year, should now be made permanent.

2. The greater part of your letter is devoted to an examination of the business coming before the Home Department, and an exposition of your views regarding the expansion of correspondence in your Secretariats and the relations of control and supervision which you consider should exist between the Supreme Government and Local Governments and Administrations. Your Excellency is aware that I have in contemplation the appointment of a Royal Commission to examine this question, as well as others connected with the suggested decentralization of public business in India ; and I do not propose on the present occasion to enter upon the subject. Your letter will naturally form one of the documents to be laid before the Commission.

3. Meanwhile, however, the sanction given by Lord George Hamilton's Despatch expired at the end of May last, and I authorise the continuance of the additional establishment until further orders. The necessity for its further retention will come under review when the Commission on decentralization have reported.

I have the honour to be,
My Lord,
Your Lordship's most obedient, humble Servant,
(Signed) JOHN MORLEY.

* Home Department Secretariat of the Government of India.

APPENDIX XV.

(*Filed by Sir H. Risley*—vide *Q.* 45606.)

Statement showing expenditure per 1,000 *of population in Madras, Bombay, Bengal, the United Provinces, the Punjab, the Central Provinces and Burma.*

Provinces.	Total provincial expenditure per 1,000 of population for 1894-95 as compiled by Sir James Westland in 1898.	Total provincial expenditure per 1,000 of population for 1899-1900 as compiled by Finance Department in 1902.	Expenditure on higher administrative appointments per 1,000 of population for 1904-05 as compiled by Home Department in 1907.	Total provincial expenditure per 1,000 of population in 1907-08.	Expenditure per sq. mile.
	Rs.	Rs.	Rs.	Rs.	Rs.
Madras	608	870	·86	1,306	352
Bombay	1,135	2,380	1·46	3,141	474
Bengal	325	620	·77	1,072	469
United Provinces ...	394	760	·90	1,036	461
Punjab	632	910	1·03	1,627	340
Central Provinces ...	537	860	1·03	1,871	223
Burma	1,933	3,061	3·52	4,483	198

Statement showing the relative strength of the police in certain provinces.

Provinces.	Proportion of police to cognizable cases.	Number of inhabitants to each police officer.	Square miles. to each police officer.
Madras	1 to 6·5	1,290	4·7
Bombay	1 to 1·02	670	4·4
Bengal	1 to 4·7	2,141	4·7
United Provinces	1 to 5·9	1,628	3·7
Punjab	1 to 2·9	998	4·7
Central Provinces	1 to 2·3	833	7·2
Burma	1 to 2·8	621	11·3

Statement showing the revenue of different provinces during 1907–08.

Provinces.	Revenue, 1907–08.	
	Imperial.	Provincial.
	Rs.	Rs.
Madras	8,33,76,000	4,96,72,000
Bombay	8,51,05,000	5,70,17,000
Bengal	13,32,46,000	5,21,49,000
United Provinces...	4,54,56,000	4,58,22,000
Punjab	2,80,61,000	3,11,49,000
Central Provinces and Berar	1,02,69,000	2,16,04,000
Burma	3,78,86,000	4,39,40,000
Eastern Bengal and Assam	2,15,53,000	2,44,74,000
North-West Frontier Province	46,96,000	—

APPENDIX XVI.

Statements of information required from Local Governments in certain cases (*filed by Sir H. Risley*—vide *Q.* 45656).

(1) *Police.*

The Government of India desire to be informed of the progress that is being made in the introduction of police reforms in the several provinces. I am accordingly directed to request that, [with the permission of the Governor in Council / Lieutenant-Governor,] the Governor-General in Council may be furnished with a brief report showing:—

(1) what reforms have already been introduced in the Madras / Bombay / Bengal, etc. presidency,

(2) when these reforms were introduced, and

(3) what is their annual cost.

The Government of India will be glad to receive also a forecast regarding the introduction of future reforms with an estimate of their cost.

(2) *Education.*

A statement showing the extent to which the grants made in 1905-06 had been utilised in increasing the normal allotment for primary education, inclusive of the expenditure on buildings and the outlay incurred through the agency of Local Boards, the expenditure of 1904-05 being taken as the normal standard for the purpose.

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LONDON:
PRINTED FOR HIS MAJESTY'S STATIONERY OFFICE,
BY DARLING & SON, LTD., 34–40, BACON STREET, E.

1909.

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